THE WESTERN CAROLINIAN.

—THE POWERS NOT DELEGATED TO THE UNITED STATES BY THE CONSTITUTION, NOR PROHIBITED BY IT TO THE STATES, ARE RESERVED TO THE STATES RESPECTIVELY, OR TO THE PEOPLE.—*Amendments to the Constitution, Article X.*—

BY JOSEPH W. HAMPTON.] SALISBURY, (N. C.) FEBRUARY 23, 1838. [NO. XXXVII OF VOL. XVIII.

NEW TERMS

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CONGRESSIONAL.

SPEECH OF MR. WRIGHT, OF NEW YORK,

Upon the Independent Treasury Bill,

IN SENATE, January 31, 1838.

Mr. Wright said he entered upon the debate with a painful consciousness of his inability to do justice to the position he held in reference to the measure upon the table. The discussion of it must involve questions of the highest importance in politics, of the most pervading interest in finance, and, as he thought, of equal magnitude in the morals of Government. These questions were to be discussed, deliberated upon, and decided by the Senate; and upon him had fallen the duty of opening such a debate before that high tribunal.

He said the bill was based upon two great leading principles, and that all its provisions, detailed and numerous as they were, became necessary, in the judgment of the committee, to carry those principles successfully into practice. These principles were—

First. A practical and *bona fide* separation between the public treasure, the money of the people, and the business of individuals and corporations, and especially between this money and the business of banking.

Second. A gradual change of the currency to be received in payment of the public dues, from that authorized to be received by the resolution of Congress of 1816, to the legal currency of the United States.

As applicable to the first object, the bill commenced with the establishment of officers and vaults, at designated points, for the safe keeping of the public money. The first section defined and established the Treasury of the United States, and placed it under the care and charge of the Treasurer of the United States; and, singular as it had appeared to him, and as he thought it would appear to most of the constituents of every Senator, this was the first attempt, so far as his researches had enabled him to discover, to establish by law a National Treasury. Should this bill pass, and this section be retained, he was confident it would be the first act of the Congress of the United States which had given, not a name, but "a local habitation," to this most important institution. As the object of the bill is to place the funds of Government hereafter under the control of the public Treasury, and not of private banking institutions, it seemed to the committee peculiarly proper that its first enactment should be to define and establish that Treasury.

The second section constituted the mint at Philadelphia, and the branch mint at New Orleans, also places for the deposite and safe keeping of the public money collected at those places, or transferred to them by the direction of the Secretary of the Treasury. The treasurers of the mints respectively were assigned to the charge and custody of the moneys there deposited.

The third section directed the preparation of suitable offices and vaults in the custom-houses now erecting at New York and Boston, for the deposite and safe keeping of the public money at those points, and for the use of the officers to have the custody of those moneys; and the fourth section provided for the erection of two independent officers and vaults, for the same purposes: the one to be located at Charleston, in the State of South Carolina, and the other at St. Louis, in the State of Missouri.

Mr. Wright then goes on to state the reasons why the committee who framed the Bill selected the above places as depositories of the public revenue.

The fifth section of the bill, he said, provided for the appointment of four additional salary officers, and which, in the draft of the bill, the committee had, to distinguish them from the receivers of public money at the various land offices, denominated "receivers general of public money." These officers were to be appointed by the President, by and with the consent of the Senate, as other officers of like importance were appointed; were to hold their offices for the same terms of four years; and were to be located, one at St. Louis, to take the charge of the offices and vaults for the safe-keeping of the public money at those points respectively, and of the money placed therein.

He was well aware that this was a feature of the bill not calculated to be popular, upon a slight examination, and that it was not palatable to some of the friends of the measure generally. It was not his purpose to discuss this provision at large, in this place, as the course he had marked out for himself would require that he should again recur to it; but a few remarks upon the necessity of some provision of the sort were called for here. It was indispensably necessary to the operations of the Treasury, that it should have agencies of some description at these points. The collections and disbursements at them all made this imperative, and if it was designed to discontinue the banks as fiscal agents, some other must be substituted. This would be apparent to all, merely from recurring to the names of the places, and to their importance as commercial towns. It was true, that, in the bill reported by the committee, at the extra session of Congress in September, no provision was made for this addition to the existing officers of the Treasury Department. The duties now proposed to be assigned to these new officers, were, by that bill, devolved upon the respective collectors of the customs at the places named; but it was then stated to the Senate by himself, in his place, that this and many other matters of detail were purposely omitted, that the bill then reported might be made as simple as possible, and embody the great principles intended to be secured by it; knowing, as the committee did know, the strong desire and determination of both Houses of Congress to limit that session within the shortest possible period which the public business would allow. They believed that these details, including as well the provisions of the sections before noticed, as the one now under discussion, and others which follow, would be calculated to protract discussion, delay action, and thus, either extend the session, or prevent the final passage of the bill. They were then convinced that the recommendations of the President and Secretary of the Treasury, as to the appointment of these additional officers, would have to be carried out, but, in the then almost suspended state of our foreign trade, they did not believe that the operations of the Treasury would suffer for the want of them during the very short vacation which was to intervene between that and the present session of Congress; and it was then intimated that the defects in that bill could be supplied now.

The inquiries which the committee have since made, not only at the Treasury Department, but at some of the places named, have proved to their entire satisfaction that this addition of officers will be required; that the collectors of the customs at these places, or certainly at some of them, are already charged with more onerous and responsible duties than any one man, whatever may be his industry and capacity for business, can well discharge; and that, at the port of New York at least, those duties would justly bear division, were it not that, from their nature and character, they cannot be divided. The same must be nearly the truth at Boston, and cannot vary very materially from it at Charleston and St. Louis. The Secretary of the Treasury supposes that the receipts and disbursements of the money ordinarily collected and disbursed at each of these points, will occupy the full time of one competent business man; and will any one suppose that duties so onerous and so responsible can be added to those at present to be performed by the collectors of the customs? Will any one desire that such duties and responsibilities should be confided to a mere clerk in the office of the collectors? He thought not. Then the provision, or some one of a similar character, was indispensable, and its rejection would endanger the safety of the public money, embarrass the operations of the Treasury, and put in jeopardy, if not defeat, the successful action of the whole system.

The sixth section of the bill was, in substance, the first section of the bill reported by the committee at the extra session; the only alterations being those required to make it conform to the provisions which were before it, and which he had already noticed. It declared what officers of the Government should be depositaries, embracing, in addition to those named in the former sections, collectors of the customs, receivers of public money at the land offices, postmasters, and some other classes, and assigned generally the duties to be performed by them in this capacity.

He would now pass to section ten, which required but a single remark. It conferred a general power upon the Secretary of the Treasury to transfer the money in the hands of any depositary to the custody and keeping of any other depositary, as occasion might require. This provision was necessary, as well to give the Department control over its own affairs, as to enable it to consult the safety of the public money, and the calls of the public service. If money accumulate, at any given point, to an amount which, from the smallest of the officer's bond, or from any other cause, the Secretary shall have reason to fear is, or may be, unsafe, he should be authorized to transfer it, or any portion of it, to a place of safety. If money accumulate at points where it is not wanted for disbursement, he should have the same authority to transfer it to a point where it is so wanted. If a depositary be located at a place remote from any bank, and any office of safe-keeping, similar authority will be required to transfer his collections for deposite. These, and many other occasions, will arise for the exercise of this power to make transfers.

The twelfth, thirteenth, and fourteenth sections, contained provisions to authorize special deposites of public money for safe-keeping, at all places where there was no office for the safe-keeping belonging to the Government. The only parts of the sections which it would be material for him to notice, were those which defined the character of the deposites. They are made strictly special, and a broad discretion is given to the Secretary of the Treasury as to the measures he will adopt to secure to them that character. In case he shall think it wise to do so, he is authorized to provide iron safes to be placed in the vaults of the banks, for the exclusive keeping of the public money, and so constructed that they may be under the joint control of the bank and the depositing officer, so that neither can gain access to the money without the consent and aid of the other. A further condition is, that nothing but gold and silver, and paper issued upon the authority of the United States, and made, by law, receivable in payment of the public dues, shall be offered for deposite by the depositaries, or received on deposite by the banks. It is further provided, that all deposites shall be entered upon the books of the bank to the credit of the officer making the deposite, and not to the credit of our Treasurer of the United States; that neither the Treasurer, nor the Secretary of the Treasury, shall draw upon the bank for disbursements or transfers; and that the money deposited shall not be withdrawn from the bank, by the officer to whose credit it stands, without an order from the Secretary of the Treasury for the payment. A commission upon the money deposited is proposed to be allowed to the banks for their trouble and risk, but as the committee had no information as to the rate of commission which it would be safe for Congress to fix as a *maximum*, and not incur the danger of so limiting this compensation as to induce the banks to refuse the deposites altogether, they have reported the bill in blank in this respect.

These provisions, it would be seen, were very close; and it had been suggested, as well by some of the friends, as by the opponents of the bill, that they were so close as to render it possible, if not probable, that the banking institutions would reject them on that account, upon the ground that they carried upon their face a distrust of the solvency and responsibility of the institutions, or of the integrity of their officers and managers, or both. He would detain the Senate a few moments to examine these objections; and, first, if he understood the matter, and the law of the case, the idea of distrust as to the solvency and responsibility of the banks, arising from these provisions, seemed to him to be a forced and unnatural inference. If such an idea could grow out of any part of them, it must be that part giving to the Secretary of the Treasury a discretion to furnish safes for the exclusive keeping of the public money, to be under the joint control of the bank and an officer of the Government. This would constitute the deposite entirely special; and, as he understood the law, the bank would not be responsible for such a deposite beyond the obligation of ordinary care and vigilance in its safe-keeping. In the incidents of property, responsibility, and risk, there was scarcely a resemblance between a deposite of this character, and a general open deposite. In the latter, the property is changed the moment the deposite is made. The money becomes the absolute property of the bank as much as its own capital, and the Government receives its credit, or promise to pay, in its certificate of deposite, in exchange for the money. No matter, then, how the money be lost, if it be lost, the indebtedness of the institution upon its certificate is not changed thereby, nor can it be discharged by any act of the debtor other than payment. In such deposites, therefore, the solvency and responsibility of the bank becomes the first subject of inquiry and examination for the depositor. Not so in cases of special deposite. There the property is not changed; the specific thing deposited remains the property of the depositor. If it be money, it would be a violation of the law, and rules of the deposite, for the bank to exchange it, for any purpose, for the same amount of money of an exactly similar character. It is the identity of the article and the property in it, which gives it the character of a special deposite; and if that article be converted by the bank, although instantly replaced by an exactly similar article in every respect, the identity and property are both gone, and the option of the depositor one must determine whether his indemnity shall be responsibility of the institution or the article tended in exchange. Hence the different liabilities of the bank in the two cases. In the first, it purchases the money with its credit, and thus contracts a debt with it is unconditionally liable to pay; in the second derives no property from the deposite, and is a simple bailee, with or without compensation, as its contract of deposite shall determine; but, in either case, only liable in case of want of ordinary care and vigilance in the safe-keeping of the thing entrusted to its keeping.

In the provisions for the special deposites provided for, therefore, the Government only proposes to hire the security of the vaults and safes of the banks, for the keeping of its money, and the ordinary care and vigilance of its officers, in guarding while there.—Beyond these, it has nothing to do with the capital, solvency, or responsibility of the institutions. How, then, can it be supposed that the provisions are intended to carry distrust upon their face against the solvency and responsibility of the banks? If the vaults be safe, and the integrity of the office, their vigilance and care, tried and known, an insolent bank is as safe a place for a special deposite as a sweet one; a bank unable to pay its debts, as a bank abundant in its means beyond its liabilities. Either can keep as safely and faithfully the property of another, paid in its vaults, while the creditors of neither can avail themselves of a special deposite, whatever it may be, without the assent and aid of the officers of the institution. How unnecessary, therefore, to declare distrust upon the face of a law, when almost all interest in the just grounds for that feeling is put at rest by the nature and character of the deposite to be made! All how unnatural to infer such distrust from language which does not necessarily convey it, when the charter of the contract proposed to be made does not require the inference.

It was further alleged that the provisions conveyed imputation against the integrity of the officers and managers of the banks, and that, therefore, they would not contract with the Secretary of the Treasury for the deposites proposed. Was this a fair construction of the provisions of the bill? Was it an improper or ungenerous distrust of the integrity of those who had the management of these institutions, and the care and custody of the property placed in their charge, to set guards over their conduct? What did the bill propose in reference to the officers who were to be entrusted with the safe-keeping of the public money? They were required, not only to give bonds for the faithful performance of their trust, but a breach of that trust, in the use of the money, for investments, loans, or in any other manner whatsoever, was declared a crime which should subject the perpetrator to indictment and infamous punishment; to protracted personal imprisonment, and to a fine equal to the money embezzled; and, consequently, to perpetual disgrace and infamy. Was this a suggestion, upon the face of these provisions, of distrust of the honesty and integrity of those officers? Was it a distrust which would induce a citizen of the country bound to reject these offices, when tendered to them, because the law under which they must act, in providing penalties for their misconduct, or guards against it, conveyed to the public a distrust of their integrity? Had any statesman ever supposed that, in naming penalties and punishments in a law for violations of official duty or official trust, he was drawing out imputations against the integrity and trustworthiness of the officers who were to fill places under it? He could not so suppose. He could not subscribe to this doctrine; and he would ask if incorporations, incorporeal existences, were to be treated more delicately, in our legislation, than that class of citizens who would be selected by the President, and approved by by the Senate, for high and responsible public trusts? All must answer no; and, so answering, all must concede that there was no foundation for this objection to the provisions. Incorporations could not be subjected to indictment and punishment, as there was no real person upon whom the punishment could be inflicted. This check could not be imposed upon their officers and agents, because it would be impossible to determine who was guilty in form only, and who in fact, when every act must be that of an agent who may have no discretion. If, then, physical restraints are interposed as to those institutions, to accomplish the ends which are reached by penal enactments in the case of natural persons, is the offence to delicacy of feeling, the affront to honor or integrity, greater in the former case than in the latter? He could not see that it was; and he must think that both of these objects displayed a degree of over-wrought sensibility towards the banking institutions of the country which the sagacious managers would see should not govern the conduct.

There was a single other view of this subject which he must present, and he would pass to other provisions of the bill. It was the intention of the committee, who drew and reported the bill, to make these deposites strictly special; to prevent the banks from any use of the money deposited; and he believed the provisions to which he had referred, if faithfully executed, would accomplish that intention. The banks should receive the money, under this understanding, and with an intention on their part to carry it out in good faith, what would be their true interest in this matter? Would it not be to have their power to use the money placed beyond question? To have penal disabilities interposed between them and that part of the public treasure committed to their charge? Observation and experience must, already, have taught them that the distrustful eye of public opinion follows the public treasure, and, unless the most efficient guards are provided by the Government, and assented to by the banks, will not the most injurious suspicions of breach of their trust be likely to rest upon them? Or they not, for their own indemnity, to desire that use of these moneys should be placed beyond the power? And will they not have some just reason to apprehend that objections on their part may give rise to suspicions as to their disposition faithfully to execute the trust in conformity with its intentions?

The fifteenth and sixteenth sections provided checks upon the various depositaries constituted by the bill.—The first authorized the Secretary of the Treasury to appoint special agents, whenever he should find it necessary, to inspect the banks, accounts, money on hand, and other business of any depositary. The principal object of this section, as he understood the object, was to enable the Secretary, whenever the report of the officer, information communicated by the persons, or any other information, should authorize the suspicion that all was not right with any one of the officers entrusted with the safe-keeping of public money, to appoint some competent citizen, as a special agent, to visit himself, unexpectedly, with authority to examine the official transactions of the officer, to detect and correct error, if error should be found to exist; to expose fraud and bring the officer to punishment, in case dishonesty should be detected; and to justify innocence if suspected without foundation. It was true, the section made these examinations compulsory, at long intervals of one year, in cases where the amount collected usually exceeded a just proportion to the amount secured by the bond of the officer; but this part of the section he considered of much less importance than that he had before noticed. He considered its principal utility to exist in the authority to appoint an agent unknown to the officer, and who might come upon him in an unprepared state. If the agent were to be one permanently appointed, and publicly known, one whom the officer might watch and guard himself against, he should consider it not worth retaining. He was aware that, in its present shape, it was objectionable to some of the friends of the bill; and, with this exposition, he submitted its adoption or rejection to the sense of the Senate. It was an exact transcript of a section contained in the bill which passed the body at the extra session, and as it was inserted upon the suggestion of the head of the Treasury Department, he presumed the suggestion had proceeded from a similar provision contained in the laws which regulate the Post Office Department, and which had been of great use in detecting frauds connected with the extended operations of that Department; but should it be thought that such a provision would not be beneficial, as connected with this bill, he should not consider its removal as materially marring the system intended to be constituted.

The sixteenth section made it the duty of the surveyors of the customs, naval officers, registers of the land offices, directors of the mints, and some other officers, at the expiration of each quarter, to examine into, and report to the Secretary of the Treasury, the state of the accounts, and money on hand, of the depositaries in their districts, or immediate connection. These were checks obtained through the instrumentality of existing officers; were wholly without expense to the public; would evidently be of material service, as guards upon the depositaries, and as contributing to a uniformity and system in the keeping of the accounts of those officers, and he presumed would meet with no objection from any quarter.

He would pass now to the twentieth section, which required every officer, charged with the keeping of public money, to keep an accurate account of the kinds of money received and paid out; the object of which was to prevent these officers, without detection, from receiving and paying out to the public creditors a depreciated currency, and also from making exchanges of the currency received, in a manner which should be injurious to the public interests, or to the rights of those who might receive payments from the officer, of demands against the Government. The same section also declares that any use of the money in his hands by any depositary, by way of investment in any kind of property or merchandise, or of loan, with, or without interest, or in any way whatsoever, shall be a high misdemeanor, for which the officer convicted thereof, shall be imprisoned for a term of not less than two, nor more than five years, and shall pay a fine equal to the amount of the money so used. He believed this was a new feature in the legislation of Congress. He had not found any case where a law imposed criminal punishment for the misuse or misapplication of money by a public officer; but still he believed the provision sound in principle, and that it would prove salutary in practice. He had examined very superficially the legislation of other countries upon this point, and he found that many of the nations of Europe, from which we had copied most of our public laws, made this act a felony, with much more severe punishment than is here proposed. He had heard no objection against this feature of the bill from any quarter of the House, and he hoped there would be none.

Mr. Wright next goes into a defence of the twenty-first section of the Bill, which proposed to make it the duty of the Secretary of the Treasury, whenever there accrues in the Treasury more than four millions of dollars, to invest the surplus in State Stocks, &c.; but this section having been stricken out of the Bill at Mr. Calhoun's instance, we omit this part of the speech.

The only remaining section which he would notice, as connected with the first great object of the bill, was the twenty-seventh. This section authorizes the Treasurer of the United States to receive, at the Treasury, and at such other places as he shall designate, payments of money, in advance, for the purchase of public lands, and to give a receipt for each payment, which shall be current at any of the land offices, at any public or private sale of lands. Since the bill had been reported, he had become convinced that this section was too loosely drawn, and required to be amended. These receipts might be taken and treated as negotiable paper, and might, as the section now stood, be given in a form which would make them so upon their face. This would subject the bill to the imputation of authorizing the emission of a paper currency, based upon the public lands; a thing by no means intended by himself, and he was sure not by any member of the committee who assented to the report of the bill. He had, therefore, prepared an amendment, declaring that the receipts to be given by the Treasurer, pursuant to the provisions of the section, should not be negotiable or transferrable, by assignment, or delivery, or in any other manner whatsoever; but that every such receipt should be presented at the land office by, or for, the person to whom it was given, as shown upon its face. In this shape he hoped the section would not be objectionable upon the ground above stated, while he thought it would be apparent that its general provision would be of great convenience to those purchasers of the public lands who were to emigrate from the old States, and to carry with them the means to make their purchases. It would save them from the trouble and risk of transporting money of any description, and also from the danger of taking, to so distant a portion of the country, a currency which would not answer their purpose when there. It was not apprehended that the Treasurer would be called upon to select many points as places where these payments might be made. Perhaps the points at which it was proposed to keep offices for the deposite of the public money would be sufficient, and perhaps a few other principal places might be selected with increased convenience to the public. A certificate of the deposite of the money at any designated point, transmitted to the Treasurer, would command the required receipt from him, as well as the actual payment of the money at the Treasury itself; and as this could be done through the mail, the party making the payment would be saved the expense of a journey to the Treasurer's office in this city.

A further and material advantage to the banking institutions, he was assured, would be derived from the adoption of this section. The notes of specie paying banks are now authorized to be received for all payments, except for lands, and if this bill passed, would be receivable, as well for lands as other public dues, to a greater or less extent, for six or seven years yet to come. Still a citizen of the old States, about to emigrate to the new, and having the money for the purchase of his lands in the notes of specie paying banks of the old States, would not venture to take those notes as the means of payment, because there would be a danger that the land officer, to whom he might wish to make payment, would not receive the notes of even specie paying banks so remote from the place where alone could be converted into specie. The emigrant would be compelled, therefore, to present the notes, convert them himself, and take the specie as his means of payment, unless the provision now proposed, or some one of a similar character, should enable him to make the payment before his journey is commenced. The experience of the past had proved that this was the course pursued by the emigrants, towards the banks in the vicinity of their former residences, and pursued from compulsion; but he had been informed that during the short period, in the summer of 1836, when payments for lands were actually received at the office of the Treasurer in this city, large amounts were paid and received, and that the banks here, and in the adjoining States of Virginia and Maryland, experienced sensible and material relief from the practice.

He would here close his examination of the first class of the provisions of the bill, and give a very brief attention of the second: those relating to the proposed change in the currency to be received in payment of the public dues.

The principal and controlling provision upon this subject was to be found in the twenty-third section of the bill. The section was long, and contained much detail, but the principle adopted by it was simple and intelligible; it was merely a gradual change, from the currency of specie paying bank notes, to the legal currency of the country. The change was to commence after the close of the present year, and was to cover the full period of six years, making the change applicable to one-sixth part of the accruing revenue of each, beyond that of the next preceding year. He could most easily make the Senate acquainted with this section, by saying that it was, in substance and principle, the provision offered by the honorable Senator from South Carolina, (Mr. Calhoun,) by way of amendment to the bill reported by the committee to the Senate, at the extra session, in September last. The only material change made by the committee, had been to extend the gradation of the change in the currency from fourths to sixths, so as to require six instead of four years to make the change entire. The section might not be drawn in the same words used by that Senator in his amendment, but, with the exception just named, the substance was identical.

This was a feature of the bill which former experience assured him would be more strongly contested, perhaps, than any other of its provisions. It would be recollected by the Senate that, at the extra session, the committee had incorporated into their bill no provision in reference to the currency in which the public dues should be received, and that their opinion had been then expressed to the body, that it would be most expedient to legislate upon each of these great points separately, and by separate bills. A different opinion was strongly expressed at the time by several Senators, and different amendments touching this subject of the currency were early offered to the bill which the committee did report. After full debate, and by deliberate votes, the amendment proposed by the Senator from South Carolina was adopted, and made a part of the bill. Under these circumstances, the committee had felt constrained, in making their report at this session, to include this provision in that report, and to make it a part of the same measure which should separate the finances of the country from the banking interests of the country. Hence is the section now found in the bill presented by the committee, although it was not a part of their former report. Still it presents a question of deep interest, of great magnitude, and upon which there is great diversity of opinion and great delicacy of feeling, as well throughout the country as in this and the other house of Congress.

It was not his purpose, at this time, to discuss the section, except in one aspect, but in that one he must make some suggestions. The alarm taken at the provision had relation principally to the State banks, and it was in reference to the interests of those institutions that he proposed the suggestions he was about to make. The proposition is, gradually, and after the term of some six or seven years, to discontinue the receipt of their notes in payment of the public dues, although they may be, at the time, specie paying banks, and their notes may be convertible into specie, at the will of the holder, at their banking house, wherever that may be located. The objection is, that this rejection of the paper of these banks on the part of the National Government, will so far discredit their circulation generally as to cripple their operations, destroy their powers of usefulness in the local sphere of their legitimate operations, and finally annihilate them. Is there ground for this apprehension? How are the charters of the State banks obtained, and for what purposes? Is it that the circulation of their notes shall extend over the whole Union? Is it that those notes shall take with them, wherever they may go, the faith and credit of the United States, and be the legal currency of the Federal Government at every point and place in these twenty-six States? No: no such idea ever entered into the mind of any man, who, as a member of the Legislature of his State, has voted for a local bank charter. The only ground upon which those applications are pressed upon the State Legislatures is, the accommodation of the commerce and business in the immediate vicinity of the proposed location of the bank.—Look at the statistics which are always made a part of the argument in favor of a particular State charter.—Are they the statistics of the Union? No: they are the statistics of the village, or town, or country, embracing the location of the proposed bank, and they are intended to prove the necessity of the banking facilities proposed to be furnished by the charter at that point. Did any man ever suppose, then, that the State Legislatures, to which these applications are so constantly and perseveringly addressed, considered themselves, in their very liberal grants in this way, to be authorizing a currency for the whole people of the United States, and especially a standard of currency for the Treasury of the United States? No. Such a position would not be assumed by any man here, nor would it by any man in the country. Where, then, arose the obligation of this Government to receive the notes of these institutions, thus chartered, and for such purposes, in payment of the public dues? He could not see either the obligation or the duty; and certainly no one would contend, in case the notes were to be received, that they should be kept on hand as the money treasure of the whole people.

How, then, were they to be disposed of in a manner to consult the safety of the public funds, in case they were to be perpetually received? This question admitted of but one answer. They must be presented, at short intervals, to the banks which issued them, and converted into money, into the legal currency of the country. In conformity with this manifest principle, the bill provided that these notes should not be made matters of deposite, under the regulations it contains for special deposites in banks. It would be folly to deposite, merely, for safety, the representative of value, in the place of the value itself, where the open option existed to constitute the deposite of the one or the other. Which would, then, be most useful to the State banks: to receive their notes as cash at the Treasury, and constantly convert them into specie, or gradually to discontinue that receipt altogether, and collect the revenue in the legal currency only? To allow them from six to seven years to conform themselves, their business, and their conditions, to the changed state of things; or to commence immediately to receive their notes for the public dues, so far as those notes are redeemable in specie upon demand at their banking