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BY AUTHORITY.

LAWS OF THE UNITED STATES.

PASSED AT THE SECOND SESSION OF THE TWENTY-FIRST CONGRESS.

AN ACT to authorize the extension, construction, and use of a lateral branch of the Baltimore and Ohio Rail Road, into and within the District of Columbia.

WHEREAS it is represented to this present Congress that the Baltimore and Ohio Rail Road Company, incorporated by an act of the General Assembly of Maryland, entitled "An act to incorporate the Baltimore and Ohio Rail Road Company," passed the twenty-eighth day of February, eighteen hundred and twenty-seven, are desirous, under the powers which they claim to be vested in them by the provisions of the before-recited act, to construct a lateral branch from the said Baltimore and Ohio Rail Road to the District of Columbia. Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Baltimore and Ohio Rail Road Company, incorporated by the said act of the General Assembly of Maryland, shall be, and they are hereby authorized to extend into and within the District of Columbia a lateral road, such as the said company shall construct, or cause to be constructed, in a direction towards the said District, in connexion with the rail road which they have located, and are constructing, from the city of Baltimore to the Ohio river, in pursuance of their said act of incorporation: And the said Baltimore and Ohio Rail Road Company are hereby authorized to exercise the same powers, rights, and privileges, and shall be subject to the same restrictions, in the extension and construction of the said lateral rail road into and within the said District, as they may exercise, or be subject to, under and by virtue of their said charter or act of incorporation, in the extension and construction of any rail road within the State of Maryland, and shall be entitled to the same rights, compensation, benefits, and immunities, in the use of the said road, and in regard thereto, as are provided in their said charter, except the right to construct any lateral road or roads within the said District from the said lateral branch or road hereby authorized, it being expressly understood that the said Baltimore and Ohio Rail Road Company shall have power only to construct from the said Baltimore and Ohio Rail Road one lateral road within the said District, to some point or termination within the City and County of Washington, to be determined in the manner hereinafter mentioned: Provided, always, and be it enacted, That before the Baltimore and Ohio Rail Road Company aforesaid shall proceed to construct any rail road which they may lay out or locate, on, through, or over any land or improvements, or to use, take for use any earth, stone, or other materials, on any land within the said District, they shall first obtain the assent of the owner of such land, improvements, or materials, or, if such owner shall be absent from said District, or shall refuse to give such assent on such terms as the said company shall approve, or because of infancy, coverture, insanity, or any other cause, shall be legally incapable of giving such assent, then it shall be lawful for the said company to apply to a justice of the peace of the county of Washington, who shall thereupon issue his warrant, under his hand and seal, directed to the Marshal of the said District, requiring him to summon a jury of twenty inhabitants of the said District, none of whom shall be interested, or related to any person interested in the land or materials required for the construction of the said rail road, or a stockholder, or related to any stockholder, in the said company, to meet on the land, or near to the other property or materials so required, on a day named in such warrant, not less than three nor more than fifteen days after issuing the same, to proceed to value the damages which the owner or owners of any such land or other property will sustain by the use or occupation of the same, required by the said company; and the proceedings, duty, and the authority of the said Marshal, in regard to such warrant and jury, and the oath or affirmation to be administered, and inquisition to be made and returned, shall be the same as are directed and authorized in regard to the Sheriff, by the fifteenth section of the said act of the General Assembly of the State of Maryland, incorporating the said Baltimore and Ohio Rail Road Company; and all the other proceedings in regard to such jury, and the estimating and valuation of damages, and the payment or tender of payment of any damages ascertained by such valuation and effect thereof, and of the view of any lands, or other property or materials, as to giving the said company a right to use the same for the use or construction of any rail road within the said District, as hereby authorized, shall, in every case, and in every respect, be the same as is provided in and by the abovementioned act of incorporation in regard to the rail roads thereby authorized to be constructed by the said company: Provided, also, and be it enacted, That whenever the said company, in the construction of a rail road into or within the said District, as authorized by this act, shall find it necessary to cross or intersect any established road, street or other way, it shall be the duty of the said company so to construct the said rail road across such established road, street, or other way, as not to impede the passage or transportation of persons or property along the same; and where it shall be necessary to pass the said rail road through the land of any individual within the said District, it shall also be the duty of the said company to provide for such individual proper wagon ways across the said rail road, from one part of his land to the other

but nothing herein contained shall be so construed as to authorize the entry by the said company upon any lot or square, or upon any part of any lot or square, owned by the United States, or by any other body or bodies politic or corporate, or by any individual or individuals, within the limits of the City of Washington, for the purposes aforesaid, of locating or constructing the said road, or of excavating the same, or for the purpose of taking therefrom any material, or for any purpose or uses whatsoever; but the said company, in passing into the District aforesaid, and constructing the said road within the same, shall enter the City of Washington at such place, and shall pass along such public street or alley, to such point or terminus within the said City, as the said company shall find best calculated to promote the objects of said road: Provided, That the level of said road with the City shall conform to the present graduation of the streets, unless the said Corporation shall agree to a different level: And, Provided, also, That the said company shall not be permitted to take or terminate the said road west of the west side of seventh street west, And, Provided, also, That the said road shall not cross, or interfere with, or infringe on the existing Washington City Canal, or the Chesapeake and Ohio Canal, their waters or basins, or any other canal which may hereafter be projected and executed to connect the said Chesapeake and Ohio Canal with the aforesaid Washington City Canal in its whole extent to the Eastern Branch of the Potomac: Provided also, That the rate actually charged and received on all that part of said road within the District shall not exceed three cents a ton per mile for toll, and three cents a ton per mile for transportation, except as hereinafter specified, and shall be the same each way: Provided, also, That the privileges granted by this bill to the aforesaid rail road company shall be upon the condition that the said company shall charge the same rate of toll upon the same articles going east and west between Baltimore and Washington.

Sec. 2. And be it further enacted, That, in addition to the charges authorized by said act of incorporation to be made by the Baltimore and Ohio Rail Road Company aforesaid, the said company shall be authorized, within the said District, to make any special contract with any corporation, company or individual, for the exclusive use of any car, or of any part of, or place in, any car, or other carriage, on any rail road constructed by the said company, for a specified time or distance, or both, or for the receipt and delivery, or the transportation of merchandise or other valuable articles, in boxes, parcels, or packages weighing less than one-tenth of a ton, on such terms as may be mutually agreed on between the parties. Provided, That the charge for the transportation of merchandise or other valuable articles shall not exceed one cent per mile for any single box, parcel, or package weighing less than fifty pounds, and measuring, in size, not more than two cubic feet; and for any heavier or larger box, parcel, or package, weighing less than one-tenth of a ton, not more than two cents per mile. And the said company, in all cases where the whole of the merchandise, produce, or other property, transported on the rail road within the said District, at any one time, belonging to the same person, co-partnership, or corporation, shall weigh less than a ton, and more than half a ton, shall be entitled to charge and receive, for the transportation thereof, at the same rate per mile as if it weighed a full ton, and if the same shall weigh less than half a ton, the charge per mile may be the same as for half a ton; always estimating a ton weight to be two thousand pounds.

Sec. 3. And be it further enacted, That the said company are, also, hereby empowered to make such special contract with any duly authorized officer or agent of the United States, for the conveyance of the mail, or the transportation of persons or property for the use of the United States, on any rail road which has been or shall be constructed by the said Baltimore and Ohio Rail Road Company, on such terms as shall be approved of by the competent officer or authority; and in all such instances, to receive the compensation so agreed for, according to the terms of each contract.

Sec. 4. And be it further enacted, That the said rail road company may charge and receive, for taking up and setting down any passenger or traveller within the District, conveyed a shorter distance than four miles, a sum not exceeding twelve and a half cents.

Sec. 5. And be it further enacted, That unless the said company shall commence the said lateral rail road within one year, and complete the same, with, at least, one set of tracks within four years from the passage of this act, then this act, and all the rights and privileges thereby granted, shall cease and determine.

Sec. 6. And be it further enacted, That nothing herein contained shall be so construed as to prevent the Congress of the United States from granting the same or similar privileges to those hereby granted to any other company or companies, incorporated or to be incorporated by the State of Maryland or Virginia or by Congress, or from authorizing, by any future law, such additional rail road or roads, in connection with said road, so as to extend the same road, or to construct others connected therewith, to such parts of the District as from time to time may be required by the convenience of those parts of the District into which the said company are now restrained from carrying said road, or from enacting such rules and regulations, prescribing the speed of cars or carriages passing over said road, and other matters relating thereto, necessary for the security of the persons and property of the inhabitants of the District, in such manner as to the present or any future Congress shall seem expedient: And Provided, nevertheless, That nothing herein contained shall be construed to give any rights or privileges to the said company, beyond the limits of the District of Columbia.

Sec. 7. And be it further enacted, That if the State of Maryland shall determine to construct

a rail way between the city of Baltimore and the District of Columbia, or shall incorporate a company for the same purpose, then similar rights, privileges, immunities, and powers, conferred by this act on the Baltimore and Ohio Rail Road, be, and the same are hereby, conferred on the State of Maryland, or any company which may be incorporated by it for the same purpose, within one year after the passage of this act.

ANDREW STEVENSON,
Speaker of the House of Representatives
JOHN C. CALHOUN,
President of the Senate.

Approved, March 2, 1831.

ANDREW JACKSON.

From the Cincinnati Advertiser.

BANK OF THE UNITED STATES.—No. 3.

We do not believe the Addresser when he asserts that "the revenue, as it accrues, is lent out to the citizens of the States by the Bank of the United States, whose notes can thus be obtained;" for we have reason to believe that the government deposits are used in trading in foreign Bills of Exchange, and that by means of that powerful engine, that extraordinary capital, the Bank is enabled to manage the Exchange market so as to raise and lower the exchange the better to suit their own convenience and profit. And, if such a bank were to be established as the President has suggested, and that the "few officers" should have the liberty of selling Bills of Exchange, it would be done at a regular rate—not as has been hitherto practised by the bank of the United States, differing in different places, not in proportion to the distance for transporting the specie, but merely according to circumstances most for the profit of the Bank.

In almost all the arguments in favor of the Bank on the ground of its having introduced a sound currency, we have observed those arguments to be founded on a false and deceptive basis. We have no idea that the causes assigned for the improvement of the currency, have been correctly stated by the advocates of the bank; nor do we believe that they have given the just causes for the defectiveness of the currency, previous to the establishment of the Bank. The Addresser states that when the charter was refused to the first bank of the United States, the State governments considering that Congress had renounced the power, proceeded to the establishment of several hundred banks, whose operations at last brought themselves and the country to such a state of insolvency that in order to extricate both, Congress "again established the present bank." (Mark the blunder—"again established the present bank!") Will he say this is any proof of the unbroken succession of concurring judgments in favor of the constitutional exercise of the power?

But we have no faith in the doctrine that there was no other cause than the mere operations of the State Banks for the depreciation of the currency. There were several other causes; one of them may be traced to the aristocrats themselves, who were opposed to the war of 1812, and who took every possible means to embarrass the government, by not only refusing their aid but in using their endeavors to prevent others advancing money for the support of government during the war, and the consequence was that the State Banks exerted themselves beyond their means to supply the government with funds; to this was added the great drain of specie from the country to pay for foreign supplies, which could only be paid for in specie, and as a proof of this we offer an extract from an address from the chartered Banks of Philadelphia in August 1813, which says, "From the moment the rigorous blockade of the ports of the United States prevented the exportation of our produce, foreign supplies could be paid for in specie only, and as the importation of foreign goods to the eastward has been very large, it has for many months past occasioned a continual drain of specie from the Banks. This drain has been much increased by a trade in British bills of Exchange, which has been extensively carried on, and has caused very large sums to be exported from the United States." This, with the British government bills sent from Canada, and sold at a discount of 20 to 22 per cent in 1812 and 1813, produced the suspension of specie payments, and not the wanton and improvident operations of the Banks as is insinuated by the Addresser. So far from that being the case, if the so much boasted of Bank of the United States had been in existence, it would have been reduced to the same dilemma. It was therefore from the complete state of exhaustion to which the country was reduced by the intrigues of the Eastern Federalists, and the crooked policy of Great Britain, that this destitution was produced; the smuggling of British goods from Canada, as well as the trade carried on by the Federalists of Massachusetts with the English at the British fort on the coast, (the name of which does not now occur to us,) and which trade was carried on by wagons from the southward and from the interior, but the large balances always paid in specie on the spot—these were the true causes of the exhaustion and not the improvident operation of the State Banks. But when the peace was obtained, and the United States Bank established, with the character given to it by its name, as well as the exclusive privileges with which it was invested, then began the destruction of the State Banks, who paid dearly for their liberality to the government, by having the Mammoth created which deprived them of the only means by which they could have recovered themselves. The government funds taken out of their hands, and not having specie to pay over the balances, they were obliged to pay them in their own notes, which became an instrument in the hands of the monster to crush and reduce them to bankruptcy; and though the Addresser, and others of his party, among others the President of the Bank, have said that "none have been injured but many saved," yet the fact of the matter is, there was no mer-

cy shown to the State Banks at that time.—They were sued, and the best notes they had from individuals, had to be handed over to the Mammoth; and of those individuals many were obliged to make over to it their property, some of them to the last cent's worth, in order to pay their notes—and this was the tender mercy shown to the State Banks, and individuals in the Western country—and upon this is founded the gasconade that the United States Bank renovated the currency of the country. Now, who that is acquainted with the circumstances of two of the banks at least of this city, can doubt, but if they had had the advantages of the Bank of the United States, they could have renovated the currency of the country themselves? Had the public funds been continued to be deposited in their coffers, had time been given them to pay off balances, had they had the credit of being partners with the government, and their paper been taken in payment of the public lands and of duties; who can doubt that they would have paid all their debts, and continued in as good credit as the Bank of the United States, and even in better than that Bank had in 1822, when it was so near a state of bankruptcy? But they were reduced to very different circumstances: instead of having the assistance of the government funds, instead of having the credit of being partners with the government, they had those funds suddenly withdrawn from them—they were reduced to the miserable situation of beseeching debtors of the United States Bank, who even risked their own property to a large amount in order to crush the State Banks and remove all opposition to them in the Banking trade. And in this they succeeded completely—and they not only removed the opposition, but they did it without loss, as eventually they have been paid perhaps all, and more than all, they had at risk.

We give the following parallel cases to show how nearly the struggles between the Whigs and Tories resemble that of our country at this moment. The friends of reform and republican principles here as in England, have to struggle against the giants who wield the purse. All the great Bankers of England have come forward and subscribed millions to perpetuate abuses, and hold the Government under the aristocracy. Our mammoth Bank has been operating more secretly, but its work is becoming visible. What a glorious omen for the cause of freedom here, is found in the result of the English elections? The cause of the people has prevailed, it seems, in spite of corruption.—Globe.

From the N. Hampshire Patriot.

When the Congress of the United States chartered the United States Bank, they placed in the hands of an incorporation to private individuals the means of corruption of an enormous magnitude.—The profits from the gratuitous use of the public money furnished by the charter are sufficient in one year to buy up every newspaper press in the country! Newspaper presses are constantly subsidized by the bank: the printers are paid for publishing and circulating thousands and hundreds of thousands of extra papers. It is only the last week that numbers of the Nat'l. Intelligencer, containing a long and laborious review of Mr. Benton's speech against the United States Bank, were received by some dozen or twenty persons in this town, who were not subscribers to that paper. We had good reason for believing that the Bank sustained presses which supported the late Coalition Administration, so signally and decisively prostrated by the voice of the people; and we now have good reason for believing that this mammoth institution is the moving power which wages a most vindictive and unprincipled warfare against the administration of Andrew Jackson.

From the Huntsville Democrat.

BANK AGENTS.

Two gentlemen, agents of the Bank of the United States, are now on a tour through the Western country, examining the different towns, for the purpose selecting those proper for locating Branches of the Mammoth. They have examined those through that part of Kentucky contiguous to the Tennessee line, have visited Florence and the intervening towns in the direction of Huntsville, at which latter place they arrived, and after remaining several days, departed, we understand, for Knoxville, &c. &c. The general deportment of these agents was entirely unexceptionable; but the appearance among us of strangers, presenting the phiza of northern latitude, coupled with the reputed object of their visit, could not but excite feelings of jealousy in the breasts of the patriots of the land. The policy of forcing these monied monopolies into the States contrary to their wish, does not comport with southern notions of justice; nor will they quietly consent to the annihilation of their State Institutions by these foreign capitalists.

It has been a matter of surprise to many that the United States' Bank, at this late hour, should be forcing its branches into every nook and corner of the Western country. The opposition to the Administration of President Jackson, contend that it is for the convenience of the people that the Bank is extending its

aristocratic arms around them. But it requires no Solomon to see that it is a last effort to perpetuate its power by involving the people in its debt, and compelling them to renew its charter. Can any man believe otherwise when he sees such extraordinary exertions on a late hour—the charter having only four or five years to run?

Last week, a package of National Intelligencers, addressed to several of our citizens, containing a review (opposing) of Mr. Benton's speech in the United States' Senate, against the renewal of the charter of the U. States Bank, arrived at our post-office, together with several other packages destined for other places. The paper advocates the cause of the Bank, and supports Henry Clay for the Presidency. Who pays the expense of the gratuitous circulation of 15 or 20,000 copies of this paper? Do the editors, or the Bank? We only ask for information, as Jeremy Diddler would say—Pulaski (Oswego) Banner.

From the Banner of the Constitution.

An American gentleman, who has within a year or two past made an extensive tour through Europe, has mentioned to us a fact, which ought to be known to every true lover of liberty in this country. It is, that wherever the spirit of freedom has shown itself, wherever the voice of the people has been raised against despotism and oppression, there has Free Trade been always regarded as one of the great principles for the establishment of which the liberal and the patriotic have made such great sacrifices. Indeed, if freedom of industry, the right of pursuing what trade or profession a man finds most to his interest and the best adapted to promote his happiness and prosperity, be not a question of liberty, surely the right of speaking and publishing one's sentiments, cannot be so viewed. For what reason is it that in free countries the people consider the freedom of speech and of the press, as the great palladium of their liberties? Is it not that they may speak and publish freely, their opinions relative to the mal-administration of the public affairs? And can any mal-administration be so gross as that which robs one portion of the people to enrich another, and prohibits particular trades, the natural and most profitable ones of the country, in order that those who have embarked in others which cannot be carried on, except by bounties levied upon the purses of the rest of the nation, may grow rich, or be saved from the consequences of their own imprudence or folly? It is a stain upon the annals of this nation—it is an outrage upon the glorious principles of liberty, for which the men of the Revolution poured out their blood, and risked their "lives, fortunes, and sacred honors," that, in the short space of fifty years, their degenerate descendants should court the very chains of slavery from which they so triumphantly extricated us. Happy will it be for our descendants, if the course pursued by their fathers, do not restore them to the same state of vassalage to King and Nobles, for the overthrow of which the declaration of '76 was proclaimed.

We had a conversation, the other day, with a very candid and honest manufacturer of woollens, near this city. He showed us a pattern of British cloth, called Merino Cassimere, composed of a mixture of cotton and wool, the width of which was three quarters of a yard, and the cost in England 12 pence sterling. According to his calculation, the charges of importing this article, including exchange, would be 25 per centum, and, consequently, the price at which it could be sold here would be, if there was no duty upon it, 15 pence, or a fraction less than 28 cents. The duty on it, however, being prohibitory, viz. 22½ cents per square yard—that is, one hundred per centum on the cost—it cannot be imported for consumption. We asked him what was the price at which the American manufacturer could supply the same article? He replied, it could be afforded at 35 cents, being an advance of 25 per cent. upon the price of the foreign article, with expenses of importation. Having obtained these facts, we then proposed the following questions:

"Do you admit that the American consumer has to pay 35 cents for an article which, if there was no duty, he could purchase for 28 cents?"

"Most undoubtedly," was the reply. "You admit, then, that seven cents per yard are taken from the pocket of the consumer, by the Tariff; now we should like to know if those seven cents all go into the pocket of the manufacturer?"

"They do not," was the reply; "The profits of the manufacturer do not exceed two cents."

"What, then, becomes of the other five cents?" asked we.

"They are given to the operative," was the answer.

"That cannot be," remarked we, "if the wages paid to the operative for his labor are included in the 35 cents, the price which you say the American article costs."

Here the manufacturer was at a loss to get on with his argument, and he clearly showed that he did not know what became of the odd five cents, which were evidently demonstrated to be a loss to the consumer, and no gain to the manufacturer or the operative. We helped him out of the difficulty, by telling him the story of the monkeys at Exeter Change. We showed him that these five cents were split in the scramble to get the contents of one another's pans, and that they were as much lost to the nation, as if they had been thrown into the sea, or as the food of the monkeys was lost in the scramble at Exeter Change. Now, had the whole seven cents gone into the pockets of the manufacturers, or of the operatives, the case would merely resemble a simple case of robbery. When a highwayman demands your purse on the road, or when a pickpocket steals your pocket-book, the community as a whole is no loser; the property has merely changed hands. The objection