CHRONICLE.

UNITED STATES BANK.

REPORT of the Committee of the House of Representatives, appointed to investigate the affairs of the Bank of the United States.

[PRESENTED MAY 22, 1834.]

The Committee appointed in pursuance of a resolution of the House of Representatives, passed on the 4th day of April, by which it was,

Resolved, That, for the purpose of ascertaining, as far as practicable, the cause of the commercial embarrassment and distress complained of by numerous citizens of the United States, in sundry memorials which have been presented to Congress at the present session, and of inquiring whether the charter of the Bank of the United States has been violated, and also what corruptions and abuses have existed in its management; whether it has used its corporate power or money to control the press, to interfere in politics, or influence elections; and whether it has had any agency, through its management or money, in producing the existing pressure, a Select Committee be appointed to inspect the books, and examine into the proceedings of the said Bank, who shall report whether the provisions of the charter have been violated or not; and also, what abuses, corruptions or mal-practices, have existed in the management of said Bank; and that the said Committee be authorized to send for persons and papers, and to summon and examine witnesses on oath, and to examine into the affairs of the said Bank and branches. And they are further authorized to visit the principal Bank, or any of its branches, for the purpose of inspecting the books, correspondence, accounts, and other papers connected with its management or business; and that the said committee be required to report the result of such investigation, together with the evidence they may take, at as early a day as practicable—

Respectfully submit the following Report in part of their proceedings, so far as they have found it practicable to discharge the duties devolved on them.

Charged, particularly, to examine into the conduct and condition of the Bank of the United States, they have endeavored most anxiously to ascertain correctly the true character of that highly responsible and delicate trust.

To judge rightly of the proceedings of the House of Representatives, and of its committee towards the Bank, it must be borne constantly in mind, that that corporation differs essentially from an ordinary banking company, incorporated for private benefit. The Bank of the United States was chartered for great public purposes, as an agent, deemed necessary to the Federal Government, in the efficient exercise of its high prerogative, to fix the value of money, and thereby secure the benefits of a sound circulating medium to the confederacy.

It was designed to aid the Treasury Department to collect conveniently and disburse the national revenue—of its stock the United States hold seven millions of dollars. And its notes are by law made receivable, at par value, in payment of all dues to the Government. Concede, as we must, that the Bank was established for great public ends, and that the House of Representatives is the grand inquest of the Union, and as such has power to visit and inspect all Departments of the Federal Government, to correct their abuses, reform their errors, and confine the exercise of their powers within the limits prescribed by law to each, and it follows that the House has power to appoint a committee to make a minute and full inquiry into all the multiform operations of this powerful corporation.

But that there might be no doubt of the existence of this power here contended for, it has been expressly reserved in the 23d section of the charter of the Bank, which provides, 'That it shall be at all times lawful for a committee of either House of Congress appointed for that purpose to inspect the books and examine into the proceedings of the corporation hereby created, and to report whether the provisions of its charter have been violated or not.'

The language in which this authority of the House is described, is so plain and so full, that an attempt to illustrate it appears supererogatory. The committee to be appointed are to "inspect *the* books and examine into the proceedings of the corporation" without exception. The section contains no reserved power to the Bank to designate the places where, or the persons in whose presence the examination shall be made. These modes of exercising the main power are necessarily, as its incidents, dependant on the discretion of the sovereign with whom it is lodged. A contrary construction would make either or both Houses of Congress dependant on the agents whose conduct is to be the subject of inspection.

If the Bank can attach any conditions to its exercise, not found in the charter, then it could render nugatory the power by which it was intended it should be checked and controlled: That the great conservative purposes for which such Committees of Investigation were to be appointed might not be thus defeated, the extent and character of their inquiries are rightly made to depend on the wisdom, patriotism and justice of either House of Congress.

The only restriction to be found in that clause of the Bank charter which we are considering, is that which relates to the committee, and not to the House; and has reference, not to the extent of the examination, but to the character of the report to be made. The committee is directed to report, amongst other things, "whether the provisions of this charter have been violated or not." The object of this specific requirement is to be found in another clause of the same section of the charter, which provides, "whenever any committee, as aforesaid, shall find and report, or the President of the United States shall have reason to believe, that the charter has been violated, it may be lawful for Congress to direct, or the President to order a *scire facias* to be sued out of the Circuit Court of the district of Pennsylvania, in the name of the United States, calling on the said corporation to show cause wherefore the charter hereby granted, shall not be declared forfeited."

But if there ever had been a well founded doubt as to the true construction of this reserved power of the House, the committee did suppose it had been long since yielded.

In 1818, Mr. Spencer, of New York, offered to the House of Representatives a resolution providing for the appointment of a committee to inspect the books, and examine into the proceedings of the Bank. In the debate to which that resolution gave rise, the opinions now entertained by your committee, were well expressed by many distinguished gentlemen. For presenting short extracts from one of the speeches then made, no apology, it is supposed, will be needed:

Mr. Lowndes said, he had no "apprehension of defect of power in the House to prosecute the inquiry in the terms proposed. He had no doubt of the power of the House, if the public interest required it, to direct the committee to make such a report. The nation, said he, has a deep interest in the conduct and management of the Bank; our duty to the people whom we represent, the nation's interest, as owners of a large portion of the stock, its interest in the revenues being wholly payable in the notes of the Bank, will justify a constant and vigilant attention to its proceedings. If there had been a *doubt whether the conduct of the Bank had been* PROPER OR NOT, *the House was fully justified in investigating into the facts, and inquiring whether* ABUSES *had been committed or not.* He would vote for an inquiry, in its broadest shape."

The resolution of Mr. Spencer was adopted, and a committe appointed, who visited the principal Bank at Philadelphia and some of its branches. They had free, unrestrained access to the books and papers of the Bank. They were furnished by the officers with such extracts and copies from the books and papers as they called for. They summoned before them the Directors and officers of the Bank, and examined them on oath touching their conduct and proceedings. And the Committee made to the House, on the 16th January, 1819, an elaborate report, from which we learn that their inquiries had been chiefly directed "*to the general management of the bank and the conduct of its officers.* The transaction of private citizens with the Bank were then freely and fully examined. Individual transactions of the President and Directors of the Bank, in the purchase of its stock, were fully investigated, and those officers sworn and required to testify before the committee. Though deeply affected, personally and officially, by these developements, they never hesitated or objected to obey the process or to give their testimony.

The names of the borrowers from the Bank were published without scruple, with the amount of money due from each, whenever, and not otherwise, such a publication was deemed *necessary* to illustrate the improper conduct or mal administration of its officers.

This precedent, to which the committee of 1832 strictly conformed, is entitled to high respect from the eminent character of those by whom it was established, and who have justly enjoyed high reputations for purity of purpose and distingnished attainments.

If any additional reason for deference to this contemporaneous construction of the 23d section of the charter be necessary, it may be found in the fact that the Directors of the Bank in 1819 themselves assented to it. They conceded to the committee of the House the right to inspect *all* their books and papers in such manner as that Committee thought just and proper. Besides, those who now have the management of the Bank, in 1832, without question of right, without hesitation, without protest, produced for the inspection of the Committee of the House all their books, papers, correspondence and accounts, and appeared when summoned, and testified on oath touching the transactions of the institution under their control. With these preliminary observations for which it is believed ample apology, if any be required, will be found in the subsequent portion of this report, the Committee will proceed with a brief analysis of their proceedings in the execution of the duties devolved on them, showing the unexpected obstacles interposed by [the managers of the Bank, to the progress of the examination, and the repeated refusals, in violation of their charter, and in contempt of the authority of the laws and of the House of Representatives, to permit their books or papers to be inspected or their proceedings to be examined.

The purposes for which your committee were appointed, are stated so distinctly in the resolution of the House, that they have experienced no embarrassment in deciding on the character of the duties imposed.—They are required 1st, to ascertain, if practicable, the cause of the commercial embarrassments and distress complained of by numerous citizens of the United States, in sundry memorials which have been presented to Congress at the present session, and whether the Bank has had any agency through its management, or money, in producing the existing pressure.

2d. To inquire whether the charter of the Bank of the U. States has been violated, and what corruptions and abuses have existed in his management.

3d. To examine whether the Bank has used its corporate power or money to control the press—to interfere in politics, or influence elections.

The powers designed to be conferred on the committee if they could have been exercised are adequate to the performance of the duties enjoined; they were authorised to send for persons and papers, to summon and examine witnesses on oath—to visit if necessary the principal Bank and its branches—and to inspect the books, correspondence, accounts, and other papers connected with its management. Such are the duties and the powers of your committee, conferred on them by the House, with extraordinary unanimity, and which your committee felt bound to regard, as consistent with the chartered rights of the corporators and their debtors.

Under a deep sense of respectful obedience to the decision of the House of Representatives, thus solemnly expressed, and feeling that they had no right to question its justice or propriety, your committee proceeded to Philadelphia, on the 22d April, to commence the performance of their duties.

On the 22d of April, their Chairman addressed to the President of the Bank, a communication, enclosing a copy of the resolution of the House of Representatives, and notifying him of the readiness of the Committee to visit the Bank on the ensuing day, at any hour agreeable to him. In reply, the President informed the Committee that the papers thus received should be summitted to the board of Directors, at a special meeting to be called for that purpose. It appears, in the journal of the proceedings of the Committee herewith presented to the House, that this was done, and that the Directors appointed a committee of seven of their board, to receive the committee of the House of Representatives, and to offer for their inspection such books and papers of the Bank, as may be necessary to exhibit the proceedings of the corporation, according to the requirement of the charter. In the letter of John Sergeant, Esq., as Chairman of the Committee of Directors, communicating the proceedings of the Board, he says that he was directed to inform the chairman of the Committee, that the committee of the Directors "will immediately direct the necessary arrangements to be made for the accommodation of the Committee of the House of Representatives," and would attend at the Bank to receive them the next day, at 11 o'clock. Your committee attended, and were received by the Committee of Directors.

Up to this period, nothing had occurred to justify the belief that a disposition was felt, on the part of the managers of the Bank, to embarrass the proceedings of the committee, or have them conducted differently from those of the two preceding Committees of Investigation. On assembling, however, the next morning, at the Bank, they found the room which had been offered for their accommodation, pre-occupied by the Committee of the Board, with the President of the Bank, as an *ex officio* member, claiming the right to be present at the investigations and examinations of this committee. This proceeding the committee were not prepared to expect. When the appointment of the Committee of Seven was first made, it was supposed that that measure, however designed, was not calculated to facilitate the examination.

The officers of the Bank were believed to be the most appropriate agents of the Board of Directors to exhibit their books and papers.—By them the entries in the books are made, and by them such entries are most readily explained. It is their duty, too, to be daily at the banking house, and on that account they could assist in the examination more readily than the Committee of Directors.

These objections to the special agents of the Board, were felt and expressed, but they were waived, and no disposition had been manifested or felt by your committee, to conduct the examination in any manner not entirely acceptable to the Board.

Under these circumstances, your committee did think that a decent respect for their rights and privileges, and much more for the dignity of that body from which all their powers were derived, might have induced the Committee of Directors to forbear to make them feel an entire want of control over their own room. With a previous determination to be present when the books were to be inspected, they could have waited to avow it until these books were called for, and the attempt made to inspect them in their absence. These circumstances are now reviewed, because they then excited an apprehension, which the sequel formed into conviction, that this Committee of Directors had been appointed to supervise the acts and doings of your committee, and to limit and restrain their proceedings, not according to the directions contained in the resolution of the House, but the will and judgment of the Board of Directors. Your committee have chosen to ascribe this claim of the Committee of Directors, to sit conjointly with them, to the desire to prevent them from making use of the books and papers, for some of the purposes pointed out by the resolution of the House. They are sensible that this claim to be present at all examinations, avowed prematurely, and subsequently persisted in with peculiar pertinacity, could be attributed to very different motives; but respect for themselves, and respect for the gentlemen who composed the Committee of Directors, utterly forbid the ascription to them of a feeling which would merit compassion and contempt much more than resentment.

The novel position, voluntarily and deliberately taken by the Committee of Directors, predicated on an idea of equality of rights with your committee, under your resolution, rendered it probable, and in some measure necessary, that your committee should express its opinions of the relative rights of the corporation and the House of Representatives. To avoid all misunderstanding and future misrepresentations, it was desirable that each question should be decided separately. Contemplating an extended investigation, but unwilling that an apprehension should exist of improper disclosures being made of the transactions of the Bank and its customers, your committee, following the example of the committee of 1832, adopted a resolution declaring that their proceedings should be confidential, until otherwise ordered by the committee, and also a resolution that the committee would conduct its investigations "without the presence of any person not required or invited to attend." A copy of these resolutions was furnished to the Committee of Directors, in the hope that the exclusive control of a room at the Bank during its hours of business, would hereafter be conceded to by your committee, while the claim of the Committee of Directors to be present when their books were submitted for inspection, should be postponed for decision, when the books were called for and produced by them.

On the 28th ult. this committee assembled at the banking house, and again found the room they had expected to find set apart for their use, pre-occupied by the Committee of Directors, and others, officers of the Bank. And instead of such assurances as they had a right to expect, they received copies of two resolutions adopted by the Board of Directors, in which they were given to understand that their continued occupation of the room must be considered a favor, and not a matter of right; and in which the Board indulge in unjust commentaries on the House of Representatives; and intimate an apprehension that your committee design to make their examinations secret, partial, unjust, oppressive, and contrary to common right.

When this communication had been read, your committee adjourned to meet at their own chamber, at the North American Hotel. Notwithstanding all that had occurred, the correspondence with the Committee of Directors was continued. If, in so doing, an error was committed, let it be imputed to the belief that great forbearance well became the Committee of the immediate Representatives of the People.

While it was thus doubtful whether a room could be obtained in the banking house, without conditions being attached derogatory to the rights and dignity of the House and a concession in advance of a claim set up by the Bank, which might seriously incommode your committee in their business, they determined to execute your resolution, if practicable, without intruding on the Directors of the Bank. They therefore required of the President and Directors, in writing, to submit for the inspection of the committee, at their committee room, on the 3d day of May, certain books and papers of the Bank which might have been thus produced without interruption to the ordinary business of the Bank. The requisition, in terms, implied the presence of the Directors or their committee.

On the day named, the Board addressed a written communication to the committee, declaring "that they cannot comply with that part of the resolution of the committee of investigation which requires that certain books of the Bank be sent to the North American Hotel, this day, at 11 o'clock."

Your committee are of opinion that this refusal of the board of directors to submit the books of the Bank to the inspection of your committee, is a violation of the Bank charter, and a contempt of the laws and authority of the House of Representatives.

The reasons for this opinion need not be here repeated or enlarged.

It has been maintained, and is insisted, that the right to inspect the books of the Bank, carries with it the power to perform that office out of the banking house, if it cannot be done conveniently and effectually therein, and your committee cannot perceive that just ground of complaint exists against a claim of power, in a committee of either House of Congress, which, by the laws, and with a wise regard to the public interest, is conceded to the judicial tribunals of both the Federal and State Governments.

The facts already stated, demonstrate that a room could be procured in the Bank for the use of the committee, without a concession not to be recalled, which would have made your committee dependent on the courtesy of the Directors of the Bank at every step of the inquiry, and the various communications received from the directors and their committee, annexed to this report, will fully corroborate this statement.

Having failed to accomplish the object of procuring the books of the Bank for inspection, at their committee room, your committee felt it to be their duty to demand their submission for that purpose, at the Bank, of the President and Cashier of the Bank, the usual and general agents of the corporation. For that purpose, on the 5th day of May, having apprised the committee of directors of their intention, at one o'clock they repaired to the Bank and then required the President and Cashier, each of them respectively, to produce certain of the books of the Bank, for the inspection of the committee. This was refused by each of those officers, for reasons stated in writing, and to be found in the appendix to this report.

In this refusal, your committee believe there was a substantial violation of the Bank charter, and a contempt against the authority of the House committed.

They are of opinion, that your committee were under no obligation of right to recognise any agent of the Bank other than those generally known as such and make their duty and right to inspect the books depend on the convenience or caprice of such deputation.

If such be the fact, then the examination of the Bank will, in all cases, depend on the disposition of the directors to have their proceedings examined.

Having been thus denied, by the officers of the Bank, and having been informed by the Directors, that they were not aware of having declined to furnish a room for the exclusive use of the committee, your committee, sincerely desirous to meet the wishes and directions of the House, believed it to be their duty to seek another interview with the Committee of Directors, and by arrangement, met the committee of the board, at the Bank, on the 7th day of May, at an hour fixed by themselves.

Your committee then and there, in writing, required of the Committee of the Board, to produce to your committee, for inspection, certain books and papers of the Bank, to enable your committee to inquire into the truth of representations made by the Government Directors to the President of the United States and to Congress; and to ascertain whether the Board of Directors had violated the charter of the Bank, by authorizing the exercise of illegal powers by their committees or officers, and whether the Bank had any agency, through its management or money, in producing the present pressure, or has used its corporate power or money to control the press, to interfere in politics, or influence elections.

Without giving a specific answer to these calls for books and papers, the committee of directors presented a written communication, which was said to be "indicative of the mode of proceeding deemed right by the Bank."

[*To be concluded.*]

To the Editor of the Philad. U. S. Gazette.

SIR:—Concerned by the manner in which the letter of my uncle, Joseph Bonaparte, has been translated in the National Gazette, I beg that you will have inserted in your paper the following translation. Being one of the proscribed members of the Emperor's family, of which my uncle constitutes himself the Interpreter, it is impossible for me to allow the misinterpretations of the translator to pass in silence.

I am, with respect, &c.,

LUCIEN MURAT.

Bordentown, N. J., May 14, 1834.

"To the Subscribers of the Petitions addressed to the Chamber of Deputies, calling for the Repeal of the Law of Banishment, enacted in 1815, against the Family of Napoleon.

"*Gentlemen*—Your voice has been raised in favor of the family of Napoleon. We love to believe that it has expressed a popular wish;—and notwithstanding that it has not been granted by a majority of the Chamber, in the sitting of the 12th Feb., we are not less bound to offer you, as well as to the Members of the minority, the true interpreters of the national sympathies, the homage of our lively gratitude.

"On that occasion, the President of the Ministerial Council, the Duke of Dalmatia, Marshal Soult, Major General of the Emperor at Waterloo, and my old Chief of the Staff in Andalusia, &c., appeared as our accuser, and, not content with proscribing us, *he has dared to affirm*, that the brothers of Napoleon "had not in foreign countries refrained from the intrigues of factions." I alone, of the brothers of Napoleon, was in a free country at the time of the Revolution of 1830. I alone, was in a situation to *remind* France of the son of Napoleon, whose sentiments, entirely French, were known to me. I wrote to the Chamber of Deputies on the 18th of September, 1830, from New York. The new King had been proclaimed when my letter reached Paris, and it was not read to the Chamber. I arrived in England after the Bill of Reform; the very day on which the public journals announced the premature death of my brother's orphan. I learned at the same time that France was still shut against us. I have awaited under the social securities (which are not here deceitful illusions) the moment when the voice of the French people, restored to itself, should destroy that monument of national subjection, *enacted by strangers, in hatred of the French Revolution, and of him who had been its most formidable representative.* The France of July has re-erected his statue; his family is still proscribed. Its crimes are no others, than the name, which Napoleon has bequeathed to it. *I had a right to hope* for the repeal of an unjust law; I have forwarded it with all my prayers, less for my own private interests, than for that of fifty members of our family—and more still for the sacred interest of the outraged national dignity.

"Such are the intrigues of which I have pleasure in rendering an account of to my fellow-citizens. I appeal to the impartiality of their judgment; *they can legally manifest it, by using the sacred right of petition*, of which they cannot be deprived. If the police of Paris know of other intrigues, I challenge them to acquaint the President of the Council with them—I defy him to produce any thing in support of his calumnious assertions. I do not wish to recriminate further.

"As for the proposal of permitting us to reside in France, at the good pleasure of the Ministers, we hope no person has believed that any member of our family would ever re-enter France debarred of the security of the general law. Certainly it would be a strange spectacle to see the family of Napoleon, forming, among this great people, *a class of Ministerial Helots.* Doubtless, it was not to degrade us thus, that you have desired our return, and the members of the Chamber of Deputies *which rejected the measure, which prevented our rights of citizenship*, have been the interpreters of our sentiments and of yours. It is the *country*, with all the rights and all the duties of a citizen, that we claim, that you claim for us, and that we hope for, from the will of the nation.

"To depreciate us in the eyes of a new generation, and to justify the exile and confiscations with which they have afflicted us, they have made us pretenders. We belong to the age in which we live. The creatures of France in 1834; Frenchmen; subordinate to the will of France in 1834. We know that the present generation is not bound by the will of its ancestors; we know that nations may preserve, change, modify, restore, and destroy again, that which they have created in former times, and under other circumstances; we have always known that families and individuals are bound to free nations by obligations and not by rights. If Napoleon were living, he would think as we do. He *always* recognized the sovereignty of the French people, which only has a right to give to itself, the government which seems best for its interests, according to its pleasure, nay, according to its caprice. The too *long Dictatorship of Napoleon has caused him to be misunderstood by some persons. This Dictatorship was prolonged by the obstinacy of the enemies of the French Revolution*, who intended to destroy in him the principle of the national sovereignty, from which he emanated. But at the general peace. The universal suffrage, the liberty of the press, and all the securities of the lasting prosperity of a great nation, which he contemplated, would have unveiled him entirely to France, and would have caused him to be judged by his contemporaries, as he will be judged by posterity. His whole thoughts were known to me, and it is my duty to proclaim them openly. He sacrificed himself twice, that he might not bring civil war into France, and the inheritors of his name would renounce forever the happiness of breathing the air of their country, if they could think that their presence would occasion *there* the smallest disturbance. For the rest, *they will never neglect the call of the nation.*

"Such are the principles, the opinions, and the sentiments of all the members of the family of Napoleon, whose Interpreter I am—all *for*, and *by* the people. Such sentiments, my dear fellow-citizens, will justify, I hope, the patriotic solicitude which you have shown for us.

"JOSEPH NAPOLEON BONAPARTE."

OLD MAIDS.

A sprightly writer expresses his opinion of an old maid in the following manner: "I am inclined to believe, that many of the satirical aspersions cast upon old maids, tell more to their credit than is generally imagined. Is a woman remarkably neat in her person? "She will certainly die an old maid." Is she particularly reserved towards the other sex? "She has all the squeamishness of an old maid." Is she frugal in her expenses and exact in her domestic concerns? "She is cut out for an old maid." And if she is humane to the animals about her, nothing can save her from the appellation of an old maid." In short, I have always found, that neatness, modesty, economy, and humility, are the never-fading characteristics of that terrible creature, "an old maid."

La Hire, who lived in the reign of Charles VII., (says St. Foix,) just as he was going to battle, fell on his knees and prayed thus: "O, God! I beseech thee this day to perform for La Hire, as much as thou wouldst wish La Hire to perform for thee, if he were God, and thou wert La Hire!"

The doubtful prayer of a doubting man.—Sir William Windham mentions, that just before the battle of Blenheim, he heard a common soldier pray—"O, God! if there be any God, save my soul, if I have a soul!"