KEOWEE COURIER.

"—TO THINE OWN SELF BE TRUE, AND IT MUST FOLLOW, AS THE NIGHT THE DAY, THOU CAN'ST NOT THEN BE FALSE TO ANY MAN."

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TERMS.

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Report of the Special Joint Committee on the part of the Senate, appointed to examine the Branch Bank of the State, at Columbia; S. J.

(CONCLUDED)

It might be contended that these large sums were allowed to remain in the hands of the present borrowers for want of application for it from others; but such is not the fact, for the President of the Bank himself informed the Committee, that there were ten applications refused where one was granted, for want of means to accommodate. It has been contended that in granting loans, the Bank should, in determining the amount, be governed by the property or means to pay of the applicant. This we take to be a very erroneous and short-sighted view of the rule; to say nothing of the letter and spirit of the charter. A single individual may have wealth enough to give ample security for the whole circulation of the Bank, and yet it will hardly be contended, that a Bank established expressly to accommodate the people in a time of pressure, should lend all its funds to one man or a few men. Such, however, would be the legitimate result of the principle advanced. The very object in creating Banks is not to accommodate large capitalists, but those of small means. Wealthy men have money without borrowing, and it is the surplus capital of the wealthy men which they are not able to invest profitably otherwise that make up the Banks, or is put in Banks to be loaned to those that have small means and good credit. The idea of taxing people to raise funds to create a Bank to loan money to wealthy men, never entered into the hands of those that chartered the Bank. The conclusion, therefore, seems to be irresistable, that if the people's money must be put in Bank, it should be loaned in small sums; by that means doing the greatest good to the greatest number. If we are told that more money is made for the State by loaning large amounts, and the primary object of the Bank is to make money, don't stop Banking, but apply the money to all sorts of speculations; purchase cotton, negroes, merchandise, and enter into full competition with private enterprise. The moment the State steps beyond the mere collection of taxes sufficient to carry on the government, and pay the money to the money to the public servants who discharge the duties, there is no stopping place, and she has as much right, and it is as much her duty to make money in the various ways it is made by individuals as by banking. By reference to Exhibit A. it will be seen that the loans have been very unequally distributed among the different districts. A single district has half a million of dollars, whilst some have comparatively none. We are aware that the districts of Richland and Fairfield being so near to the bank would be more likely to make application for money than districts some distance off, and that in consequence of the town of Columbia being in Richland, more money would be needed than in any other district. If, however, the bank had applications from other districts, and that they had there can be no doubt, the Directors should have complied with the requisitions of the charter; at all events there should not have been so great an inequality. By classifying the debtors by districts, and affixing the occupation of each to his name, we found that the planters in Richmond owed the bank in round numbers $170,000. This is nearly four times as much as any other district, except Fairfield, received, and was certainly not needed for commercial purposes. This does not include the amount due on bonds, which would swell the amount to over $200,000, a large portion of which has been in the same hands for years. The rest of the Richland loan is in the hands of merchants, physicians, lawyers, &c. It is generally supposed that the planter is benefitted by the loan to merchants; such is sometimes the case when, by being enabled to borrow money, he makes advances to his customers or gives them a better price for their produce; with regard to Richland, a comparatively small portion of the loans are to factors and cotton buyers; the debts are mostly what may be termed stationary debts, though the amount is sometimes changed, in contradistinction to those frequently contracted and paid at short intervals. If, however, the planter is benefitted, it is to a very small extent; for the amount loaned to Merchants, including factors, is only $87,000, leaving over four hundred thousand in the hands of Planters, Physicians Mechanics, &c.

The loan to Fairfield is much larger than her share, and there is no reason we can see why she should have more than the other districts no farther off. With regard to the solvency of the debtors to the bank, the committee are not able to speak with certainty. They have no hesitation in saying that they saw very few debts that they knew to be bad, and had the assurance of the officers that nearly all the debts were well secured. Although they were authorized by the Legislature to send for persons and papers to ascertain the solvency of the debtors, they, upon reflection, were satified no good purpose could be effected by it. In addition to the time required and the difficulty of getting witnesses, very few know the situation of his nearest neighbor, and if they knew it, would be very reluctant to tell it. In fact, many do not know their own situation or have but a very imperfect knowledge of it. An individual may be in possession of ten thousand dollars worth of property with no judgment against him, and if we were called upon to testify would scarcely be able to say he was insolvent, although he may be an indorser for a friend for double the amount he is worth, and you are satisfied in your own mind his principal would fail; called upon to act yourself, you would not trust him, but upon a mere opinion of contingency to happen, you could not call him insolvent. The same thing may be said of the debts in bank. A owes five thousand dollars, you know him to be worth ten thousand, yet you see his name on twenty or thirty thosand dollars worth of paper as endorser; you would hesitate to own his paper yourself, and yet you would not be at liberty to call it bad. Hence the great and almost insuperable difficulty of a committee coming to a satisfactory conclusion. Take the case of a debtor to the bank, who has given Railroad stock and two houses and lots as security. At the present price of railroad stock and the estimated value of the property, by the President of the bank, enough to pay the debt could not be realized, and yet the property might sell for much more than its estimate, and the stock for more than its present price. No two men probably could agree as to the value of the house and lots, the value of that sort of property depending much upon it locality and the kind of business a purchaser might wish to engage in and other circumstances. The committee are of opinion that there is not much danger to be apprehended of the insufficiency of the security in the first place, and of the discretion the Directors have (or have assumed) of collecting some debts promptly and allowing others to remain unpaid, so that the change of a man's circumstances, after a lapse of time, sometimes renders a once good debt insecure. Having once obtained good security and determined to grant long indulgence, the change of fortune, in the multiplicity of business, escapes the attention of the Directors until it is too late. On the other hand, by loaning for a reasonable time and collecting a portion at certain intervals, and enforcing the collection whenever the parties fail to comply, there will be very little danger of loss.

The aggregate indebtedness of the Officers and Directors of the bank, on the 17th *May* last, was $308,645, and their liabilities as endorsers $146,399, although the statement furnished us would make their indebtedness only $176,645 The committee thought it proper to add the indebtedness of the firm, whenever an Officer or Director was a member of it, and also their indebtedness as endorsers, after the failure of the principal in the note, and his notorious insolvency, which then evidently made it the debt of the endorsers.

Exhibit B is a monthly statement of the Branch bank at Columbia, on the first of October, 1849, which ends the fiscal year, and shows a profit on the capital of a little above five per cent, if we take the average of the monthly statements of amounts due the parent Bank, and add thereto the average of deposites and deduct fifty thousand dollars as the supposed amount of the average of the indebtedness of the treasury. We were informed that there should be deducted from the supposed capital the item of 'drafts' in the monthly statements; but not being satisfied of the propriety of doing so, and furnishing the data upon which our calculation is based, no injustice to the bank can take place.

The committee called for the personal Ledger in order to ascertain whether the amount of $141, 697 to the debit of the bank, on the first of May, on account of personal deposites where the true amount as it was necessary to ascertain this fact, to know the real indebtedness of the bank, and consequenty whether it was able to meet its liabilities. The Officers of the bank refused to furnish the book, on the ground that the committee had no right to see it, and that it would be a violation of their duty to furnish it, and informed us that such was also the opinion of the Directors. The committee decided unanimously they had the right to make the examination, and made a formal demand on the Board of Directors, then in session, and received a formal refusal, giving as a reason that the investigation of the deposites of private individuals was not contemplated in the appointment of investigating committees; that it had never been done heretofore, and that such a custom would drive business men and depositors in general, and thereby materially injure the institution. (*See exhibit C*) Thus we have the branch of the bank, the creature of a creature, denying to its creator the right to investigate all its affairs. If the Legislature, through its committees, cannot examine every thing connected with the bank, no body else can, and the Directors are an irresponsible body, clothed with extraordinary power to manage the public money as they think proper. How they came to the conclusion that such an examination was not contemplated in the appointment of investigating committees, when in the act of 1824, the words, 'books, accounts and other documents' are used in reference to the examination by the committees, we are at a loss to determine; and so different is the construction of the human mind that the next reason assigned for not allowing the examination, viz: 'that it has never been done before,' is a very strong reason with us why it should be done now. The third and last reason is also incomprehensible to us. How it will injure a business man or any body else, for it to be known that he has money, we cannot conceive. That it would injure his credit to let it be known he is largely indebted in bank is reasonable enough (and this information is not refused us,) but if he was known to be a depositor of one or fifty thousand dollars it would displease him and drive him from the bank to some other bank where they will keep the secret for him, and prevent the public from knowing that he is wealthy. To say the least, these depositors are very different from nine-tenths of the community, who try to keep no secret of their wealth, and the only thing that could exclude the committee from an examination of every paper in the bank would be a law forbidding it, and such a law should be immediately repealed.

Since our examination of the bank, however, we have been informed by the President of the Bank, in a letter dated August 7th, that the board of Directors are now satisfied we have the legal right to examine every thing in the bank, and that the books and papers are at our service at any time; still adhering to the opinion, though, that such an examination would be injurious to the bank.

To recapitulate, we think the testimony sustains us in the assertion:

That the loans have not been distributed in the different districts as directed by the charter.

That the amounts loaned to individuals were too large and for too long periods of time.

That too many debts were allowed to remain under protest without suit.

That in many instances but one endorser was required, contrary to the charter, and that sometimes the endorser was an officer of the bank, and that the President and Directors endorsed for each other, against which practice there is a special resolution of the Legislature.

That one-tenth of each loan has not been called in each year.

That instead of discontinuing the practice of taking new bonds, and collecting the old ones, as determined by their own resolution, which a former committee trusted would be carried out in good faith they have not collected the old, and have taken new ones.

That in some instances they require a note renewed in sixty days, and in others they allow twelve months or more.

That they have allowed an old debt to be paid by substituting a new note, without even paying the interest. If, therefore, the bank is allowed so to discriminate between individuals equally solvent, of what avail is your charter, prescribing rules for its government, and what an immense moneyed influence a few men wield for good or evil.

The committee again met in Columbia, at the branch bank, on the 23d of November, and availed themselves of the change of opinion in the Directors, to examine the personal ledger. Not having allowed themselves but two days, and finding it would require weeks, if not months, to examine it thoroughly, they barely glanced at it.

We also turned our attention to the new business, since our examination in *May*, and found several notes that were under protest reinstated, and some of the other debts had assumed a new form, and nominally a considerable amount had been paid in; but how much in cash we failed to ascertain, after adopting the manner of examining pointed out by the President of the bank. The committee do not propose to recommend any particular action; but having given facts, and in some cases argnments, clearly deducible from them; they leave the matter in the hands of the Legislature.

All of which is respectfully submitted.

WM. H. GIST,
Chairman of the Com. on part of the *Senate*.

W. A. OWENS,
E. P. SMITH,
of the *House*.

I do not concur in the above report.
JNO. S. PRESTON.

CONGRESS.

On *Monday* the President's message was taken up in the Senate, when *Mr. Seward*, of New York, took the floor, and gave his views on the present questions in controversy. In order that it may be known to our readers how he means to act, we give a report from the Baltimore *Sun* as follows:

It was not true, as had been argued, that she had come here unceremoniously, for we stipulated, when we tore her from the Mexican dominion, that she should come into this Union. But it was true that she offered herself for admission without the customary preliminaries. This was justified by the failure of Congress to provide a Territorial Government for *California*. Thus California made her constitution and came here under the prominent law of self-preservation. He treated the subject of the boundaries assumed by *California*, and show that they included no territory except what was commercially connected with the port of San Francisco. He answered all the several objections that had been made to the admission of California as a *State*.

He urged that no compromise was necessary or would be successful.

He also insisted that there was no danger whatever of a dissolution of the Union or any revolution. The revolution beginning in a Congressional excitement would not disturb the Union.

This government had endured sixty years, and the crime of treason was unknown. When it should be exhibited, the people would rise and prevent it. The equilibrium of this government was that between the East and the West not between the North and South The ominous line of dissolution was between the West and East.

He considered the consequences of dissolution to the South, civil war—servile war—and the overwhelming power of the army and navy.

When Mr. Seward closed, Mr. Webster rose and requested the resolution for the admission of Texas, to be reported by all the gentlemen of the press, to wit: that all that part of Texas south of 36 30 shall be divided into not more than four States, which, at several times, should, with the assent of Texas, be admitted into the Union.

Mr. Foote gave notice that he should to-morrow urge his motion for a committee of thirteen to ascertain whether a plan of adjustment can be got.

In the House, *Mr.* King, of New York presented the resolutions of the Legislature of that State in regard to the slave question; on the motion to print, Mr Evans of Maryland, intimating his intention to debate, the *Speaker* ruled the matter over till next day. Mr King moved a suspension of the rules, to admit consideration of the motion, when the House refused by a vote of 108 to 63. The California question was then taken up in Committee. After the Committee rose, a resolution was introduced instructing the Judiciary Committee to inquire into the expediency of regulating telegraphing by *Congress*, and to bring in a bill, if they thought it expedient. Objection was made, and the House adjourned.

The heart-broken individual supposed to be the author of the following lines, was seen last Sunday with a "card of ginger-bread" under his arm, walking rapidly towards the river. He has not been heard of since:

But sickess and affliction is trials sent
By the will of a wise creation,
And always ought to be underwent
With fortitude and resignation.
Then mourn not for your pardner's death
But to submit, endevver;
For sposen she hadent died so soon,
She couldent a lived forever.

[From the Augusta Constitutionalist.]

MR. TOOMBS—BLOWING HOT AND COLD.

This distinguished Representative from the Eighth Congressional District, is very much like the Frenchman's flea. 'When you think you have your finger on him, he is not there.'

We certainly thought in our paper on Tuesday morning, we had him located on the admission of California question. We published that portion of his speech delivered on the 27th ult., in which he speaks of the California settlers as 'squatters on the public domain,' and asserts that 'the new doctrine asserting their right to assume sovereignty over it in its territorial state, was concocted only for a *Presidential* campaign, and is now brought into general contempt.' *He* moreover denounces the bill before the *House*, because, among other enormities about it he says:

'It has all the objections that existed against the former bill, with still graver ones superadded, and is without the merit of closing the question. It settles nothing but the addition of another non-slaveholding State to the Union; thus giving the predominating interest additional power to settle more fully the territorial questions which it leaves unadjusted. In this state of the question it cannot receive my support.'

This is Mr. Toombs, February 27th 1850. On the 11th March, 1850, he indites the following characteristic epistle:

Copy.

WASHINGTON, D. C., March 11, 1850.

SIR: I have received, under cover of your favor of the 25th ult.; the resolutions passed by the late General Assembly of the State of Georgia.

The 8th resolution of the series declares that 'it will become the immediate and imperative duty of the of this *State*, (Georgia,) to meet in convention to take into consideration the mode and measure of redress, upon the happening of either of four contingencies:

1st. The passage of the Wilmot Proviso by Congress.

2d. The abolition of slavery in the District of Columbia.

3d. *The* admission of California as a State in its present pretended organization.

4th. The continued refusal of the non slaveholding States to deliver up fugitive slaves as provided by the Constitution.'

The happening of either the first, second or fourth of these contingencies would justify the proposed measure, but, in my opininion, the happening of the third contingency would not warrant it. And I deeply regret that a just cause should be endangered by the assumption of such an unwise and untenable position. Congress has the express power to admit new States. The admission of California under that power is purely and solely a question of Congressional discretion, and would present neither a just nor a sufficient cause for State interposition, or revolutionary resistance. It would neither present a case of the usurpation of power not granted nor the abuse of a granted power I cannot but believe that its insertion was not based upon a just regard for the public welfare, but that it was prompted mainly by that disposition to promote local party schemes and objects which so eminently marked and disgraced the action of the majority of the General Assembly.

As a representative of the people of Georgia, I shall exercise the constitutional discretion without reference to the opinions of the General Assembly, and shall vote for, or against the admission of California, as in my judgement, will best promote the public interest.

As a citizen of the State, I shall oppose the action proposed by the Legislature, even if California shall be admitted against my vote.

I am respectfully, your ob't. ser'vt.
R. TOOMBS.

To His Excellency Geo. W. Towns, Govern of Georgia.

Now, here is the honorable member from the Eighth District, twelve days after his much lauded Southern rights speech, proclaiming that the admission of California by Congress "would neither present a case of a usurpation of power not granted, *nor the abuse of a granted power*." He even talks of the possibility of his voting for the California bill. This blowing hot and cold almost in the same breath. As some prospective porridge is concerned in the new tack of our versatile Representative, the figure is not inapt.

Improvement.—The manufacture of cotton and wollen goods has been introduced, with much profit, into the Mississippi penitentiary.