The Republican Compiler

"Truth is mighty, and will prevail."—JACKSON.

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The expunging resolutions have passed the House of Delegates of Virginia by the following vote:—Ayes 73—Nays 59.

A resolution declaring the "indubitable right of the State Legislature to instruct their Senators in Congress, on all points, either Constitutional or politic," passed the same body by a vote of Ayes 114—Nays 14.

The same resolutions, we believe, have passed the Senate by considerable majorities. *Carlisle Republican.*

Mormonism in New England.—The Mormons have congregated in some force at a place called St. Johns-burg, in Vermont.—Their house of worship is an old barn, which they have fitted up. The elect from the land of faith and promise in the West have despatched twelve apostles to the East for the purpose of making proselytes. An eastern paper furnishes an account of their mode of worship and the articles of their faith.—A brother of Joe Smith the chief prophet of the western tribe of Mormon Saints, is the principal apostle now on a pilgrimage of faith to the East. He claims—as do his brethren—the gift of tongues, and the gift of healing—and he recommends—very justly, that these gifts be not abused. The saints to whom they have been vouchsafed, have trifled with both these gifts. Their gift of tongues has induced them to talk a great deal of nonsense, and their gift of healing, has failed in its efficacy, probably because those on whom it was exercised, were deficient in faith. By the book of Mormon it appears, that a large tract of country has been set by Providence with proper metes and bounds, for the abiding place of the latter day saints, to which, although they have a right, yet they consider it prudent to obtain an earthly title by purchase. The object of the Mormon apostles is to induce certain ignorant fanatics in the East to dispose of their property, and proceed to the West. There is every reason to believe—says an Eastern paper—that they will succeed in making proselytes in Vermont.

N. Y. Times.

Admissibility of Witnesses.—A bill has been introduced into the legislature of Massachusetts abolishing the religious test act in regard to witnesses. This is as it should be. A man's professions form no criterion of his integrity. The inquiry should be, not what a man believes, but what he does. No man can suppose he is under no obligation to tell the truth; and whatever his speculative opinions on other subjects may be, they should never altogether exclude him from testifying. If a man is totally depraved, it is more reasonable to bring forward some proof of his turpitude, than to incapacitate him as a witness on account of a mere opinion upon a subject on which the best men differ so widely.

We are happy to perceive that the subject is agitated in our state legislature.

N. Y. Eve. Post.

Further particulars of the Destruction of the Holland Land Office by a Mob.—From a letter to the editor, dated at Westfield, Chautauque county, Feb. 8.

"An exhibition of violence took place at Mayville, (the county seat) on Saturday evening, the 6th inst., which will serve to illustrate the state of the public feeling in this region. It is well known that the Holland Land Company have recently sold out their lands to other companies; and that the last sale, including the county of Chautauque, except the town of Charlotte, was made to Messrs. Trumbull Cary and others. Suspicions having been excited with regard to the intentions of the new companies, county and town meetings of the settlers, have been held and committees appointed to call upon the agents, and ascertain their terms and general policy. Meanwhile, the excitement had reached such a height, that between 7 and 800 persons assembled on Saturday evening, being well organized, and under a commander, and marched to the land office, forcibly removed the pillars, stripped off the clapboards, and turned the frame over into the public road. All the books and valuable papers of the office, as well in as out of the chest, having been first taken out, to the amount of two sleigh loads, were conveyed about two miles to Barnhart's Inn, and there burnt. Fortunately, the agent was not to be found, or he might, under the feeling of the moment, have received personal injury."—*Albany Argus.*

AN ACT,

To repeal the State tax on real and personal property, and to continue and extend the improvements of the State by rail roads and canals, and to charter a State Bank to be called the 'United States Bank.'

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That all and every provision of the Acts of Assembly passed the twenty-fifth day of March, in the year one thousand eight hundred and thirty-one, respectively, entitled an act assessing a tax on personal property, to be collected with the county rates and levies, for the use of the Commonwealth, and an act to increase the county rates and levies for the use of the Commonwealth, be and the same are hereby repealed, except so far as relates to the collection of taxes assessed before the first day of October last: Provided, That the said repeal shall not go into effect until all the terms and provisions hereinafter set forth shall be fully complied with.

SECT. 2. The present stockholders of the Bank of the United States, excepting the United States and the Treasurer of the United States, and such other persons as may become stockholders agreeably to the by-laws made for that purpose, to an amount not exceeding in the whole the present capital of the said Bank, their successors and assigns, be and are hereby created a corporation and body politic, by the name and style of "the President, Directors, and Company of the Bank of the United States," and shall so continue until the third day of March, in the year one thousand eight hundred and sixty-six; and by that name shall be and are hereby made capable in law, to have, purchase, and receive, possess, enjoy, and retain, to them and their successors, lands, rents, tenements, hereditaments, goods, chattels, and effects, of whatsoever kind, nature and quality, and the same to sell, grant, demise, alien or dispose of, to sue and to be sued, to use a common seal, and the same to alter and renew, and to make such by-laws and ordinances as they shall deem necessary, not being contrary to this act, the Constitution of the United States, or to the Constitution and laws of this Commonwealth; and also to prescribe rules for the transfer of the stock of said corporation, and generally to do all the acts which to them it shall or may appertain to do, and to enjoy the same privileges and authority given by law to any bank within this Commonwealth, subject to the rules and restrictions hereinafter prescribed.

SECT. 3. For the management of the affairs of the said corporation, there shall be annually elected at the banking house, in the city of Philadelphia, on the 1st Monday in January in each year, by a plurality of votes, which shall be given by the qualified stockholders of the said Bank in person or by proxy, twenty directors, who shall be capable of serving for one year, and who shall, at the first meeting after their election in each year, proceed to elect one of their directors to be the president of the corporation, who shall hold the said office during the same period for which directors are elected; but if any election of directors or of the president should not be made on that day, the said corporation shall not for that cause be dissolved, but it shall be lawful at any other time to hold such election; and until such elections be made, the directors and president for the time being shall continue in office; and in the case of the death or resignation of the president the directors shall elect another president from their own number; and in case of the death or resignation of a director, the vacancy may be supplied by the remaining directors.

SECT. 4 The following shall be the fundamental articles of the said corporation, to wit:

Article I. None but a stockholder who is a citizen of the United States shall be a director, or vote at an election for directors, either in person or by proxy; and all proxies shall be dated within sixty days before the day of each election. The number of votes to which each stockholder shall be entitled in voting for directors shall be as follows: for one share and not more than two shares, one vote; for every two shares above two and not exceeding ten shares, one vote; for every four shares above ten, and not exceeding thirty, one vote; for every six shares above thirty, and not exceeding sixty, one vote; for every eight shares above sixty, and not exceeding one hundred, one vote: but no person, copartnership or body politic, shall be entitled to a greater number than thirty votes: and after the first election, no share or shares shall confer a right of voting, unless the same shall have been held three calendar months before the day of election.

Article II. Not more than three-fourths of the directors who shall be in office at the time of an annual election shall be elected for the succeeding year, and no director shall hold his office for more than three out of four years in succession, but the director who shall be the president may always be re-elected: & previous to each election of directors the board of directors shall appoint 3 stockholders, not directors, to be judges of the election, who shall conduct and regulate the same, after having severally taken and subscribed an oath or affirmation, before some justice of the peace or alderman, well and faithfully to conduct the election, and who after the conclusion of the ballot shall decide and openly declare who are chosen directors for the ensuing year. No director of any other bank shall be, at the same time, a director of this bank: nor shall the governor, or any executive or judicial officer of this commonwealth, or member of congress, or of the state legislature, be a director

Article III. Not less than seven directors shall constitute a board for the transaction of business, of whom the president shall always be one, except in case of sickness or necessary absence, in which case his place may be supplied by any other director whom he by writing under his hand shall depute for that purpose: and in case the president shall not so depute, the board of directors may elect a director to act during the absence of the president.

Article IV. A general meeting of the stockholders for purposes relative to the institution may at any time be called, either by the board of directors, or by sixty or more stockholders, owning one thousand or more shares of the capital stock, on giving at least six weeks notice in two public newspapers, published in the city of Philadelphia, and specifying in such notice the object or objects of such meeting. And there shall be a general meeting of the stock holders at the banking house, in the city of Philadelphia, on the first Monday of January in every year, at which time the directors shall lay before them a general and particular statement of the affairs of the company.

Article V. The lands, tenements, and hereditaments which it shall be lawful for the said corporation to hold, shall be only such as shall be requisite for its immediate accommodation in transacting its business, and such as shall have been bona fide mortgaged to it by way of security, or conveyed to it in satisfaction of debts previously contracted in the course of its dealings, or purchased at sales upon judgements which shall have been obtained for such debts, or purchased for the purpose of securing such debts. The said corporation shall not directly, or indirectly, deal or trade in any thing except bills of exchange, gold and silver bullion, or in the sale of goods, really and truly pledged for money lent, and not redeemed in due time—or goods which shall be the proceeds of its lands. Neither shall it make any loan to any foreign prince or state unless previously authorized by law. The said corporation shall not be at liberty to purchase any stock whatever, except their own stock, treasury notes, or public stocks created by the Government of the United States, or of this State, or stock of, or loans to any of the incorporated companies of this State, for the construction and improvement of roads, bridges, canal or inland navigation, or other stocks which may be bona fide pledged as security for debts to the Bank, and not duly redeemed.

Article VI. The rate of discount at which loans may be made by said Bank within this commonwealth, shall not exceed one half of one per centum for thirty days. And the notes and bills which shall be issued by order of said corporation, or under its authority, shall be binding upon it, and those made payable shall be assignable by endorsement, but none shall be issued of a denomination less than ten dollars; and if the bank shall neglect or refuse to pay its notes or bills or moneys deposited when due, on demand made at the bank during banking hours, the person or persons entitled to the same shall receive interest thereon at the rate of twelve per centum a year until payment be made. And the notes of the corporation in circulation, shall never exceed the capital actually paid in. The total amount of debts which the said corporation may at any time owe, whether by bond, note, or other contract, excepting the amount of money due to depositors, shall not at any time exceed double the amount of capital stock actually paid in: and in case of excess, the directors under whose administration it shall happen, shall be liable in their individual capacities, and an action of debt may in any such case be brought against them, or any of them, or any of their heirs, executors or administrators, in any court having competent jurisdiction, by any creditor or creditors of such corporation, and may be prosecuted to judgement and execution, any condition, covenant or agreement to the contrary notwithstanding: but this shall not be construed to exempt the said corporation, or the lands, tenements, goods and chattels of the same, from being also liable for and chargeable with the said excess. Such of the said directors as may have been absent when the said excess was contracted or created, shall not be considered as consenting thereto, or liable therefor, and those who may have dissented from the resolution or act whereby the same was so contracted or created, and who shall enter their dissent upon the minutes of the board, may exonerate themselves from being so liable, by forthwith giving notice of the fact to the stockholders at a general meeting which they shall have power to call for that purpose.

Article VII. If the said bank should at any time refuse to pay any of its notes, bills, obligations or deposited moneys, in gold or silver, then at or after the expiration of three months from the time of the first refusal of said bank to pay as aforesaid, it shall and may be lawful for the holder or proprietor of the same to make application in writing to any judge of any court in the proper county, to allow him or her to make proof of said refusal on oath or affirmation, by one or more disinterested witness or witnesses, before said judge, whose duty it shall be to give at least ten days notice to the president or cashier of said bank, of the time and place of making such proof, in order that an opportunity may be afforded for rebutting the same by testimony, and if the facts be substantiated, it shall be the duty of the said judge to reduce the same to writing, and to transmit the same to the Governor. And it shall be the duty of the Governor, immediately on the receipt of the written proof above specified, to issue his proclamation, declaring the charter of the said Bank to be forfeited. And from and after the tenth day after the date of the said proclamation, the charter of the said bank shall be absolutely null and void and of no effect whatsoever—except that the said bank shall be liable in its corporate capacity, for the fulfilment of all contracts previously made and entered into by it; and the stockholders thereof shall have power to elect directors as usual, and be capable of compelling the fulfillment of any contract entered into with said bank, previously to the date of the said forfeiture.

Article VIII. Dividends of so much of the profits as the directors may deem advisable shall be declared twice a year, on the first Mondays of January and July in each year, and paid to the stockholders on demand at any time after the expiration of ten days therefrom. But such dividends shall in no case exceed the amount of the nett profits, actually acquired by the bank, so that the capital stock of the said bank shall never thereby be impaired. If the directors of the bank shall make any dividends which shall impair the capital stock of the bank, the directors consenting thereto shall be liable in their individual capacities to such corporation for the amount of the stock so divided; and each director present when such dividend shall be made, shall be adjudged to be consenting thereto, unless he forthwith enter his protest on the minutes of the board, and give public notice to the stockholders of the declaring of such dividend.

Article IX. The salary of the president shall be established and allowed by the stockholders, at a general meeting, and no compensation shall be allowed to any person for his services as a director. The board of directors shall appoint a cashier, and such other officers, clerks, and persons as shall be necessary for transacting the business of the bank, and shall take from each such security as the by-laws shall prescribe, and shall make to each a just compensation, for his services.

Article X. The said bank shall make to the Auditor General monthly returns of its condition, showing the details of its operations, according to the form of the returns the Bank of the United States now makes to the Secretary of the Treasury, or according to such form as may be established by law.

SECTION 5. It shall at all times be lawful for a committee of the Legislature, 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 this charter have been violated, or not; and if the officers of said corporation should refuse to be sworn or affirmed, or give evidence, or to produce all such of their books or papers as may be demanded before any such committee, then the legislature may by law declare the said charter void, and repeal the same; and whenever any committee as aforesaid shall find and report, or the Governor shall have reason to believe, that the charter has been violated, it may be lawful for the legislature to direct, or the Governor to order, a Scire Facias to be issued out of the Supreme Court of Pennsylvania, in the name of the Commonwealth of Pennsylvania, (which shall be executed on the president of the corporation for the time being, at least ten days before the commencement of the term of said court,) calling on said corporation to shew cause wherefore the charter hereby granted, shall not be declared forfeit; and it shall be lawful for said court upon the return of said Scire Facias, to examine into the truth of the alleged violation, and if such violation be made to appear, then to pronounce or to adjudge that such charter is forfeited and annulled: Provided, however, every issue of fact which may be joined between the commonwealth & the corporation, such issue shall be tried by jury: and on the trial thereof, the commonwealth shall have the right to change the venue from the county of Philadelphia to any adjoining county. And it shall be lawful for the court aforesaid to require the production of such of the books or papers of the corporation, as it may deem necessary for the ascertainment of the controverted facts, and the final judgment of said court shall be subject to all the usages of law in other cases.

SEC. 6. In consideration of the privileges granted by this act, and in lieu of all taxes on dividends, the said corporation shall pay into the Treasury of the Commonwealth the sum of two millions of dollars at such times and in such instalments as the governor may require: Provided, That at least thirty days notice shall be given by the governor of the time when each instalment will be required: And provided also, That for all sums the governor shall not so require to be paid within three months after the acceptance of this charter by the stockholders, interest at the rate of five per cent. a year shall be paid by the corporation, commencing at the expiration of the said three months, and terminating thirty days before the time fixed for the payment of each sum: and the said corporation shall also, whenever required by law, advance on permanent loan any sum or sums, not exceeding in the whole six millions of dollars, and for each sum of money so loaned shall receive from the commonwealth a negotiable certificate of stock, reimbursable on the third day of March, one thousand eight hundred and sixty-eight, transferable at the bank of Pennsylvania, or such other place as the legislature may hereafter designate, bearing an interest of either four or five per cent. per annum, payable half yearly at the bank of Pennsylvania, or such other place as the legislature may hereafter designate, as the law requiring such loan may determine, and in case the interest shall be five per cent. shall pay to the commonwealth one hundred and ten dollars in money for each hundred dollars of stock, or if the interest be four per cent. shall pay one hundred dollars in money for each hundred dollars of stock; and the said corporation shall be bound, whenever required by law, to advance to the commonwealth as a temporary loan any sum of money not exceeding one million of dollars in any one year, at an interest of four per cent. a year, reimbursable at the pleasure of the commonwealth, within twelve months from the date of the loan; and the said corporation shall further pay to the treasurer for the use of the commonwealth, the sum of five hundred thousand dollars on the third day of March, Anno Domini one thousand eight hundred and thirty-seven, and shall pay the further sum of one hundred thousand dollars on the first Monday of June next, and the like sum of one hundred thousand dollars on each succeeding first Monday of June, for nineteen years thereafter, to be added to and paid over with the annual appropriation provided by the commonwealth for common school purposes, and be distributed according to the several laws of the commonwealth regulating the distribution of such appropriations; and the said corporation shall further be bound to subscribe the following sums to the capital stock of the following named companies, if requested so to do by the directors of the said companies, or either of them, within one year from the passage of this act, namely, to the capital stock of the Baltimore and Ohio rail road company, the sum of two hundred thousand dollars; To that of the Williamsport and Elmira rail road company, the sum of two hundred thousand dollars; To the Monongahela Navigation Company, fifty thousand dollars, if the same be incorporated, at the opening of the books of subscription for the capital stock thereof, and the further sum of fifty thousand dollars as soon as one hundred thousand dollars subscribed by other persons or bodies corporate shall have been bona fide expended in the construction of the said work; To the Cumberland valley rail road company, one hundred thousand dollars; To the Warren and Pine Grove rail road company, twenty thousand dollars; To the Warren and Franklin turnpike road company, fifteen thousand dollars, if the said companies be incorporated this session of the Legislature; To the Warren & Ridgeway turnpike road company, five thousand dollars; To the Johnstown & Ligonier turnpike road company, ten thousand dollars; To the Snow Shoe and Packerville turnpike company, twenty thousand dollars; To the Roseburg and Mercer turnpike company, five thousand dollars. All of which subscriptions shall place the said bank on the same footing as to the rights and liabilities with the original subscribers to said companies respectively: Provided, That such subscription shall not be made to the stock of the Baltimore and Ohio Rail Road company until a law of Maryland shall be passed, and assented to by said company, enabling the commonwealth of Pennsylvania, and any company or companies duly authorised by the said commonwealth, to intersect by rail road and unite with the Baltimore and Ohio rail road at any point in the state of Maryland; and that the whole amount so to be subscribed by the said bank, shall be appropriated exclusively to the construction of the rail road from Cumberland to Pittsburg: and that no payment shall be called for by the directors of the Baltimore and Ohio rail road company on account of said subscription, until at least twenty miles of the rail road within the state of Pennsylvania shall have been bona fide placed under contract, and the construction thereof actually begun.

SEC. 7. Six hundred thousand dollars of the amount to be paid into the treasury as aforesaid, shall be appropriated in lieu of the receipts from the state taxes hereby repealed, to pay the interest on the public debt, and other just demands upon the commonwealth.

SEC. 8. For the purpose of enabling the several turnpike companies hereinafter mentioned to improve the condition of said roads, the following sums are specifically appropriated to be paid to the said companies respectively, for the aforesaid mentioned purposes, which said sums shall be distributed in the following manner: To the Chambersburg & Bedford turnpike road company, the sum of twenty thousand dollars: To the Somerset and Bedford turnpike road company, twenty thousand dollars: To the Somerset and Mount Pleasant turnpike road company, twenty thousand dollars: To the Robbstown and Mount Pleasant turnpike road company, eight thousand dollars: To the Washington and Williamsport turnpike road company, eight thousand dollars: To the Mount Pleasant and Pittsburg turnpike road company, five thousand dollars: To the Washington and Pittsburg turnpike road company, fifteen thousand dollars: To the Bedford and Stoystown turnpike road company, ten thousand dollars: To the Stoystown and Greensburg turnpike road company, twelve thousand dollars: To the Greensburg and Pittsburg turnpike road company, twelve thousand dollars. To the state road from the White Horse tavern on the top of the Allegheny mountain to the Virginia state line in Greene county, nine thousand dollars, one-third to be expended by the commissioners of Somerset county, one-third by the commissioners of Fayette county, and one-third by the commissioners of Greene county.

SEC. 9. It shall be the duty of the canal commissioners to put under contract not less than twenty miles, nor more than forty miles, of the North Branch division of the Pennsylvania canal during the ensuing year, commencing at or near the N. York state line, towards which the sum of one hundred and fifty thousand dollars is hereby specifically appropriated. And the said canal commissioners are hereby further directed to put under contract not less than thirty-six, nor more than sixty miles, of the Pennsylvania canal, extending the same by canal or slackwater toward the harbour of Erie, from such point or points as will best advance the interests of the state, having due regard to distance, lockage, cost and commercial interests: Provided, that no part of said distance is on the Ohio or Allegheny rivers, towards the completion of which the sum of two hundred thousand dollars is hereby specifically appropriated. And the said canal commissioners are hereby further authorised and required, without delay, to survey and locate the most advantageous line for a rail road from the borough of Gettysburg, to cross the route of the Baltimore and Ohio rail road, and connect with the Chesapeake and Ohio canal, at some point in the state of Maryland, at or west of Williamsport: & to put under contract not less than twenty nor more than thirty miles thereof, towards which the sum of two hundred thousand dollars is hereby specifically appropriated: *Provided*, That no such contract shall be entered into, unless the Baltimore and Ohio rail road company shall have consented to a satisfactory connexion of their road with that hereby authorised; and the said canal commissioners are hereby required to cause to be surveyed by a competent engineer, the route of a canal and slackwater navigation from the head of the west branch division to the Allegheny river, and if in his opinion a sufficient supply of water cannot be obtained for that purpose, then he shall ascertain the most eligible route for a rail road between the said points, or of a communication partly by canal and partly by rail road, as he may deem most advisable. The said surveys to terminate opposite the town of Franklin, Venango county; of which surveys accurate and full reports and estimates shall be made to the said commissioners, and by them be laid before the legislature at its next session; and for the expenses of which, the sum of nine thousand and five hundred dollars is hereby specifically appropriated. And the said canal commissioners shall also cause to be made by a competent engineer, a survey, estimate and report to the next legislature of the practicability and importance of constructing a rail road from the town of Lewisburg, in Union county, to or near Water street in Huntingdon county, for which two thousand dollars is hereby specifically appropriated. And the said canal commissioners shall also cause to be made by a competent engineer, a survey, estimate and report upon the practicability and importance of connecting by rail road the Pennsylvania canal at or near Freeport, by way of Butler, with the Pennsylvania canal at or near Newcastle, for which the sum of five hundred dollars is hereby specifically appropriated.

SEC. 10. The sum of six hundred fifty-one thousand seven hundred & eighty dollars and seventy-four cents be, and the same is hereby appropriated specifically, for the following purposes to wit: To complete the Columbia rail road, twelve thousand five hundred and fifty-two dollars: To complete the portage rail road, forty-two thousand four hundred and sixty-one dollars:—To complete the extension of the west branch division to the mouth of the Tangascutack, one hundred and twelve thousand and seventeen dollars: For a reservoir at Johnstown, thirty thousand dollars, if the canal commissioners shall deem it advisable to commence the same within the present year: For ropes on the Columbia rail road, three thousand three hundred dollars: For moneys due on the locomotives contracted for on the Columbia rail way, five thousand four hundred and forty three dollars and fifty-nine cents: For four new locomotive engines, and for ropes, repairing machinery, and debts due for motive power on the Portage rail road, sixty-one thousand one hundred and seventeen dollars: For new work, and for paying debts due on finished lines, and for pay of canal commissioners, appraisers, superintendents, and engineers, thirty thousand dollars: For the repairs of canal and rail roads, three hundred thousand dollars: For the payment of damages, twenty thousand dollars: For the payment of retained per centage due to contractors, twenty-five thousand dollars: To pay the award of arbitrators for damages sustained by the owners of land through which the Grants Hill tunnel passes, nine thousand eight hundred eighty-nine dollars thirty-seven and a half cents.

SEC. 11. The sums appropriated as aforesaid by the three preceding sections of this