

LEWISBURG CHRONICLE.

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Speech of Gen. Wm. F. Packer.

Delivered in the Senate of Pennsylvania, Friday, Feb. 21, 1851, on the Bill to tax the York & Cumberland Railroad Co.

The Bill authorized the assessment of a tax on the York & Cumberland Railroad of 25 cents per ton on all freight, and 15 cents per passenger on all passengers paying fare, passing over the said road, and was before the Senate on second reading.

Mr. Carson, of Franklin, proposed to amend the bill by striking out all after the enacting clause, and inserting four new sections, the first of which was as follows: '§ 1. Be it enacted, &c., That it shall be the duty of the York & Cumberland Railroad Company, to pay into the State Treasury, semi-annually, for the use of the Commonwealth, under the provisions of the eighth section of the act to which this is supplementary, the sum of three mills per mile upon every ton of freight or merchandise, except the ordinary baggage of passengers, and ten cents upon every passenger paying fare passing over the said road.'

Mr. Packer said:—Mr. Speaker—The question before the Senate is one of vast importance to the people of Pennsylvania. It is not only important to the district represented by the Senator from Philadelphia (Mr. Crabb) who has discussed so eloquently upon it—and who has advocated the bill as reported by the Committee on Finance with an energy and a zeal deserving of a better cause—but it immediately and vitally affects the whole valley of the Susquehanna—the valley of the Juniata—Cumberland Valley—the main line of our public improvements from Harrisburg to Pittsburg—the city of Pittsburg itself—and indeed the entire Commonwealth.

I have given this subject some attention, and I think I am able to show, by facts and figures, that the bill on your table, imposing unusual and ruinous burthens on the York & Cumberland Railroad, will inflict upon the people of Pennsylvania an irreparable injury—and so far from promoting the prosperity of Philadelphia, whose interest it is especially intended to protect, the prohibitory tax proposed, by driving the Baltimore trade from your State, and compelling it to seek its destined market by other channels, will cripple the resources of Pennsylvania, paralyze the energies of the Central Railroad and thus disastrously affect the interests of Philadelphia itself.

Mr. Packer said:—Mr. Speaker, you see the question before us involves interests in the north, as well as in the east and in the west. This improvement, I repeat, connects the public works of Pennsylvania with the city of Baltimore by the most direct route that can be opened. Let that fact be conceded with all the force the Senator from the city (Mr. Crabb) could desire; for I have no wish to conceal it. Sir, it is not the first improvement leading toward the city of Baltimore that has met with the special opposition of members representing the city of Philadelphia. They were equally vehement in their opposition to the incorporation of the Tide Water canal company. Look at their course year after year, when that question was before the Legislature, and you will find them, sir, with uplifted hands, protesting against the passage of that bill—Whenever and wherever the question was presented Philadelphia unceremoniously and pertinaciously voted No! No! Ruin to the prospects of Philadelphia would be the inevitable result of the construction of that canal! Well, sir, the bill was finally passed; the canal was made; and has now been many years in operation, and what has been the consequence? Why, Mr. Speaker, there is a continuous stream of boats passing from the public improvements of Pennsylvania down that canal to the Chesapeake & Delaware canal, eighteen-twentieths of the entire number of those boats find their way to Philadelphia. Yes, sir, although the improvement was made by Baltimoreans, and with Baltimore capital; and although a free navigation is afforded by the bay from Havre de Grace to Baltimore; the distance much shorter than to Philadelphia; and the expense per boat but one-half; still, with all these advantages,

the preceding six months, and that they shall also at the same time pay into the Treasury of this Commonwealth a tax or duty on all tonnage of whatsoever kind or description, except the ordinary baggage of passengers that may have passed over the entire extent of said road during the preceding six months at such rates as the Legislature may hereafter direct, not exceeding twenty-five cents on every ton thereof; and also, pay into the Treasury aforesaid, at the same time, a tax or duty on all passengers that may have passed over the entire distance of said road, between the aforesaid points, during the last preceding six months, at such rates as the Legislature may hereafter direct, not exceeding fifty cents for each passenger."

Mr. Speaker, then this is the provision in the charter of the York & Cumberland railroad, which gives to the Legislature the right of taxation. Senators will observe that it does not impose a tax of twenty-five cents on every ton of freight, and fifteen cents on each passenger, but merely gives to the Legislature the right of taxing, at its discretion, not exceeding those amounts. These sums are fixed as the maximum rates beyond which the Legislature may not go, leaving to the exercise of a sound discretion whether any, and if any, what amount of tax should be levied. It is left to the Legislature also to say when the interests of the Commonwealth would be promoted by imposing the slightest amount of taxation. The railroad has but just been completed, and before it has fairly gone into operation, it is proposed to tax it to the full extent. Is this the time, sir, when the Legislature should exercise the power of taxing reserved to them by the act of incorporation, and, if so, is the maximum the proper sum to be levied? These are the questions left open by those who have gone before us, for grave and candid deliberation, and they are here for our action this day.

Why, Mr. Speaker, the provision under consideration inserted in the original charter? As was truthfully remarked by the Senator from Franklin (Mr. Carson) from his seat, it was because there was then such a jealousy on the part of some members of the Legislature, of any projected improvement designed to lead towards the city of Baltimore, many of whom were unwilling to permit any avenue to be opened tending in that direction, without reserving the right to tax even to prohibition. Unfair, ungenerous, aye, Mr. Speaker, and unwise as was the motive which governed the enemies of this road, in desiring to defeat the project, by the reservation of the right to impose onerous taxation, such was the confidence of its supporters in the propriety of the measure, in every point of view, and such was their confidence in the wisdom and justice of future legislation, that they agreed to the proposition, and accepted of the charter, on terms which their enemies hoped were ruinous. Sir, they not only accepted their charter, but they have completed their road—asking no advantages of this Commonwealth, and fearing no improper taxation; believing, then, as now, that the State would at all times find it her interest to protect and not to destroy this important link in the chain of her improvements; that they were right in this conclusion is what I now propose to show.

The York & Cumberland railroad connects the State improvements and the Central Railroad, at Harrisburg, with the Baltimore & Susquehanna railroad at York, thus opening a direct communication between the valley of the Susquehanna and the city of Baltimore, and consequently between Baltimore and Pittsburg. It will also form a part of the great line of railroad improvements, extending north and south, by the same valley, from the great lakes on our northern frontier, to the city of Washington, and thence to New Orleans, of which the Williamsport and Elmira road forms a part. In this latter improvement my own immediate constituents are deeply interested. Hence, Mr. Speaker, you see the question before us involves interests in the north, as well as in the east and in the west. This improvement, I repeat, connects the public works of Pennsylvania with the city of Baltimore by the most direct route that can be opened.

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Baltimore gets but two boats in every twenty. This is the ruin the Tide Water canal has brought upon Philadelphia! Sir, the truth is, no improvement has ever been constructed that has done more for that city, and yet it was forced upon her, by the interior without her aid, and against her votes! Sir, in view of the opposition which that improvement encountered at the hands of Philadelphians, and the jealousy with which they are prone to look upon any line of canal or railroad designed to run in any other course than directly to their city—a feeling that has doubtless given rise to the proposition contained in this bill to clop up this thoroughfare by an excessive tax, simply because it runs towards Baltimore; and to deprive the broad extent of the state lying upon the beautiful banks of the noble Susquehanna, from its natural outlet to market—I have I repeat, in view of all these facts, often thought that Almighty God had committed a great mistake in not making that great river a tributary of the Schuylkill or Delaware; for in that case Philadelphia, the metropolis of our State, would have been willing that its broad banks and rolling waters should be used for the benefit of Pennsylvania throughout her wide borders. Unfortunately for us in the north, our noble stream flows into the Chesapeake bay, upon whose banks stands a rival city in a neighboring State. Unfortunately, I say, Mr. Speaker, for where are the railroads running north and south through the centre of Pennsylvania, on the shores of this mighty river? Alas! echo answer, where? Not a mile, sir, has been constructed above the mouth of the Juniata, and not a mile ever will be, if the same ungenerous and shortsighted policy shall continue to prevail! Nature designed that the valley of the Susquehanna should be as great as that of any other stream in this Republic. In proof of this we need but point to her rich alluvial soil; her mountains of both anthracite and bituminous coal; her inexhaustible beds of iron ore and the boundless wilderness of timber that borders her countless tributaries. Wise legislation and capital properly applied, are all that are required to make her what God and Nature intended she should be.

Mr. Speaker; the tax proposed by the bill introduced by the Senator from Delaware (Mr. Brooke), and now under consideration, is twenty-five cents per ton on all tonnage passing over the road, from a point opposite Harrisburg to York; a distance of twenty-five miles; making the tax nearly one cent per ton per mile. The average established rate of toll and transportation on the York & Cumberland railroad is seventy-eight cents per ton for the whole length of the road, or three cents per ton per mile. If the proposed tax of twenty-five cents per ton, for the same distance, be levied by the State, it would be an addition of one cent per ton per mile or 331 per cent. on the present average toll and transportation, and would force the company to add that amount to their present charges; thereby increasing the tolls and transportation charges to four cents per ton per mile. If three cents per ton only were charged the Commonwealth would be entitled to one-third of the whole receipts for freight; or, if the tax were added to the charges for freight and transportation, the would receive the one-fourth!

Is it not palpable therefore Mr. Speaker, that it is the manifest interest of both the Commonwealth and the Central Railroad to encourage this trade, and that the only effect of the imposition of the proposed tax will be to drive it from them and force it to find another avenue to market? Sir, in this connection let me call the attention of the Senator from Delaware (Mr. Brooks), to this subject. Let me ask him, as he introduced this bill, to inform the Senate, by what route has the Philadelphia trade for the far-west been carried during the last sixty days, since the close of navigation on the Pennsylvania Canal? Does it go by the Central Railroad? Does it go by any improvement leading through Pennsylvania? No, sir, not a ton; it all goes by the Wilmington and Baltimore Railroad, and by the Baltimore and Ohio Railroad to Cumberland, and from thence by the National Road and Monongahela navigation to Pittsburg.

Mr. Brooks, I do not represent Philadelphia. Mr. Packer—No, sir, the Senator does not represent Philadelphia, but he represents Delaware county, and the Railroad from Philadelphia to Baltimore, passes through that county, and I want to know why that Road remains untaxed. It leads to Baltimore—it carries the trade and tonnage of Philadelphia from the State improvements—why then does not Philadelphia seek to tax the trade on it, at the rate of 25 cents per ton per 26 miles? It is as much a Baltimore improvement as the York and Cumberland, and is calculated to do our State improvements far greater injury, by its connection with the Baltimore, and Ohio Railroad. But the city of Baltimore, the great "monstrum horrendum" in the eyes of Philadelphia; becomes it seems as harmless as a lamb when Philadelphians profit by her trade, and in such case the interests of the Commonwealth are entirely overlooked! Am I not fully sustained in the assertion! Sir, I hold in my hand the "Baltimore American" of yesterday—let me read an article I find in its columns. It speaks volumes, and it call the attention of Senators to it. [Mr. P. here read from the Baltimore American as follows:]

TRANSPORTATION TO THE WEST. Messrs. Editors—You are requested to state that the following petition is in circulation for signatures; and you are authorized to say that one of our Baltimore Forwarding Lines has made application to the President of the Baltimore & Ohio Railroad Company to be placed upon the same terms as the Philadelphia lines, and has not obtained permission. To the Honorable the Mayor and City Council of Baltimore. Gentlemen—The undersigned Merchants and traders of the city of Baltimore respectfully represent: That we are informed the President and directors of the

Philadelphia and Ohio Railroad Company have entered into an arrangement with the several Philadelphia Transportation Companies; by which a discrimination is made in favor of said Companies for the transportation of merchandise over their road, and against the Merchants and Traders of the city of Baltimore. We are informed that certain descriptions of produce are transported through Cumberland to Philadelphia at the rate of forty-five cents per 100 pounds, while the Baltimore and Ohio Railroad Company charge for similar produce fifty cents to Baltimore. We are also informed that dry goods and other articles, for which the Baltimore & Ohio Railroad Company charge the Baltimore Merchants 35 cents per 100 pounds, are taken by said Company for the Philadelphia companies at the rate of 7-12ths of fifty cents per 100 pounds, being about 28 cents per 100 pounds. We respectfully ask that you will instruct the Directors on the part of the city in the Baltimore & Ohio Railroad Company to inquire in this matter, and if the above statements are correct, that you will further instruct said Directors to use all means in their power to have such discrimination discontinued for the future. Sir, it is not evident from the extract I have just read, that the Baltimore and Ohio Railroad is now, at this moment, sir, carrying the trade of the west past your public improvements not only to Baltimore, but to Philadelphia itself, and in return delivering the Philadelphia Merchandise at Cumberland, a distance of 178 miles from Baltimore—from thence the trade and travel take the National Road to Brownsville, and from that point take the Monongahela Slack water navigation to Pittsburg, thus avoiding, under the disadvantages of a broken connection, requiring two transshipments, the Pennsylvania Improvements entirely! Sir, if these things "be done in the green tree, what may we not expect in the dry?"

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Philadelphia and Ohio Railroad Company have entered into an arrangement with the several Philadelphia Transportation Companies; by which a discrimination is made in favor of said Companies for the transportation of merchandise over their road, and against the Merchants and Traders of the city of Baltimore. We are informed that certain descriptions of produce are transported through Cumberland to Philadelphia at the rate of forty-five cents per 100 pounds, while the Baltimore and Ohio Railroad Company charge for similar produce fifty cents to Baltimore. We are also informed that dry goods and other articles, for which the Baltimore & Ohio Railroad Company charge the Baltimore Merchants 35 cents per 100 pounds, are taken by said Company for the Philadelphia companies at the rate of 7-12ths of fifty cents per 100 pounds, being about 28 cents per 100 pounds. We respectfully ask that you will instruct the Directors on the part of the city in the Baltimore & Ohio Railroad Company to inquire in this matter, and if the above statements are correct, that you will further instruct said Directors to use all means in their power to have such discrimination discontinued for the future. Sir, it is not evident from the extract I have just read, that the Baltimore and Ohio Railroad is now, at this moment, sir, carrying the trade of the west past your public improvements not only to Baltimore, but to Philadelphia itself, and in return delivering the Philadelphia Merchandise at Cumberland, a distance of 178 miles from Baltimore—from thence the trade and travel take the National Road to Brownsville, and from that point take the Monongahela Slack water navigation to Pittsburg, thus avoiding, under the disadvantages of a broken connection, requiring two transshipments, the Pennsylvania Improvements entirely! Sir, if these things "be done in the green tree, what may we not expect in the dry?"

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