Miners' Journal.

POTTSVILLE, PA.

SATURDAY, DECEMBER 5, 1857.

OUR CURRENCY AND COMMERCE.

A Plan, and Practical Suggestions for a Great Reformation.

Read the Plan—Ponder its Advantages.

Since the advent of the late monetary panic there have been many suggestions and plans in relation to the currency of the United States, none of which seem to us to meet fully the reformation desired. The *National Intelligencer*, and other influential, respectable journals, urge a reconstruction of a National Bank. This however, is open to serious objections, as it is too liable to be converted into a mere machine for party purposes. That the question of reform is being agitated, and that it will as it should, assume a tangible form, is evident from the fact that the President contemplates touching upon the currency question, and upon the unconstitutionality of the States individually issuing "promises to pay."—That it is unconstitutional cannot be denied, and is a point that would be affirmed by the United States Supreme Court, were the question brought regularly before it. However, the legality or illegality of State issues we do not purpose discussing. The question is, what reform shall be instituted, where reform is so much needed? No suggestions that we have seen, entirely meet the case. It is true that Sir Robert Peel's bill, as applied to the Bank of England, and adopted by Parliament, has done well, except when exposed to the violence of a panic. Twice in that emergency, it has failed, and the Government has been compelled to interfere and suspend the Bank's charter, in order to check runs, which might have annihilated even that powerful Institution... The question now is, cannot a plan be devised, free from such danger; one that will place the currency on a firm basis, and meet the necessities of the people? Let us see. We ask attention to the following:

We propose that the General Government should in accordance with the Constitution furnish the currency—that Congress shall, in connection with the Treasury Department, establish a Currency Department, and pass a General Banking Law for the United States, based on Stocks and Coin. Associations or Individuals desiring to engage in banking in any part of the United States might furnish this Department of the Government with Stocks of a reliable character in the market, and known to be of a certain value. Notes then could be issued from this Department for three-fourths of the market value of said Stock. The law could be so framed that monthly reports should be made by all the Banks, showing their circulation, amount of Coin, the Loans and Deposit—no Bank under any circumstances to issue more than three-fourths of the market value of the Stock, whether rising or falling, and no increase of issue to be made on the Stock first deposited, even if it rise in value. If any increase of the issue be required, it should be by the deposit of additional Stock—and if the Stock decreases in value the circulation must decrease in proportion. This would prevent undue expansions in times of speculation, &c., when stocks are "rushed up" beyond their intrinsic value. We would require every Bank always to have on hand a certain percentage of specie in proportion to its circulation.—These Notes, of course, would be taken in payment of Government dues throughout the United States, and would give us a currency of equal ample security to the Note holder under any circumstances. We see no good reason why the Government should have a different currency from the people who rule through their representatives—it looks too much like elevating the *servant* above the *master*.

No Note of a less denomination than TEN DOLLARS, should be issued. We are aware that there are unthinking *Reformers* who go from one extreme to the other, regardless of circumstances and common sense, and advocate restricting the issue of Notes to $20 and upwards. We advocate the medium course, which is in accordance with the circumstances as they exist—and all new legislation must be based on circumstances when what is most desired cannot be obtained. The coin of the world is not sufficient to do more than one-third of the business; or in other words, is only about one-third of the quantity that would be required of the circulating medium. This, of course, would be inadequate for a currency alone—hence a considerable portion of the currency, particularly in commercial countries, must be paper. In our country limiting the issue of Notes to Ten Dollars and upwards, would give us a currency composed of nearly one-half coin (over two-thirds) which, together with the per centage of coin required in the Banks in proportion to the circulation, would make one dollar of coin to every two of paper in circulation. This would give us rather more than our proportion of coin, and a much better currency than now exists in any State in the Union. If we were to draw more largely on the coin of the world, we would be forced to drain other countries, destroy the equilibrium (which always deranges business) and invite hostile legislation in other countries, with a view of recovering their coin again by draining us.

The advantages of this system are as follows:—It would establish a uniform rate of Banking interest throughout the country and give us a currency of equal value everywhere.

The Note holder would under any circumstances be secure—and a Bank must be badly managed indeed, under this system faithfully carried out, that could not always pay the Depositors and the Stockholders in full.

It would keep the Stocks in the country as a basis for our currency, instead of being sent abroad and sold, thereby causing a heavy drain on our coin in the shape of interest.

We would have a strictly National Currency of equal value everywhere, instead of twenty-five or thirty different kinds of State currency of unequal value and based on different laws—a currency that would circulate in Europe as well as in every part of this Union.

The Banks already in existence could easily conform to this law gradually, and as new Banks are required they could be organized whenever they furnish the necessary basis.

It would, by limiting the issue of notes to no less denomination than Ten Dollars, prevent runs on the Bank from that portion of the working classes who generally drain the coin out of Banks in times of panic—because they would not be the holders of many ten dollar bills—and besides the stock basis, together with the per centage of coin each Bank will be required to hold in its vaults, will give the note-holders and the depositors such ample security that there would be no motive to run a Bank. It would also give stability not only to the currency, but to business.

It would remove the objections to a National Currency issued in this manner, urged against a National Bank, capable of being controlled by the Government, and made a political machine. Under this system the bankers would be men of all parties furnishing the Stocks, and so long as they conformed to the law, the Government would have no control over the Banks—consequently the system could not be controlled the same as a National Bank was under the old system. It would give as all the advantages of a National currency without the disadvantages of a National Bank as it existed some years since.

Again, the currency of a country in order to keep business healthy, and prevent undue inflations, ought to be in proportion to the value of the property of the country, and should increase in proportion to the increased developments of that country, and consequently increased value of the property. The late John C. Calhoun gave it as his opinion, based on a thorough investigation of the subject, that there ought to be a dollar in currency for every $30 value of property—and this proportion should be kept up in order to prevent expansions or contractions. Now, as the United States Government collects the statistics of the country at short intervals, and can on them give a fair estimate of the value of the property of the country—Congress could under proper restrictions limit the issue, to conform to the relative proportion to keep up this equilibrium, in order to prevent undue expansions or contractions affecting the value of all kinds of property. Of course, there would have to be Branch companies in each State to force every Bank into liquidation on notice from the Currency Department of the Treasury that said Bank was departing from the law regulating its business.

The above is the outline of our plan for furnishing a currency for the country, and the advantages to be derived from its adoption. We submit it to the intelligent and thinking men of the country for their consideration.

If this plan should be adopted, of course it would be necessary to retain the gold and silver coin in the country to fill up all the channels of trade be-

Local Affairs.

☞ Tobacco is becoming abundant in this market.

☞ John Evans, a boy, was accidentally killed at Mr. Bast's mines on Tuesday last week.

☞ On the 21st ult., Thomas Williams was killed by an explosion of powder at Mr. Bast's mines.

☞ Repairs.—The Palo Alto Rolling Mill resumed operations this week. This is a gratifying fact.

☞ *A little son* of Mr. C. W. Clemens of this Borough, was seriously ambitioned last week. He is now convalescent.

☞ *On Monday last* Squire Reed held the Council of Palo Alto to bail, on a charge of maintaining a nuisance—impassable streets.

☞ *The Wattsville Colliery (Schuylkill Co.)* is said to have that two years since would have sold for $50,000, was sold yesterday for $30.

☞ *A man* whose name we were unable to learn, was run over by a train of cars, at Brown's Mines, Mine Hill Gap, on Thursday, and instantly killed.

☞ *During last week*, Umphrey Sudun, John Woolley, Daniel Kyte and Martin Fanyel were burned by explosions of fire damp in Mr. Bast's mines.

☞ *The editor of the Minersville Advocate* states that he was beaten on the night of the 21st ult., Alleged cause, an article which appeared in his paper of that date.

☞ *Wm. Donaldson*, a wealthy Coal Merchant of Tamaqua, and a man of stern integrity, has been elected President of the Anthracite Bank of Tamaqua, in place of Richard Carter, Esq., deceased.

☞ *A lad* named Strauch, was nearly drowned in the Canal at this Borough, on Thanksgiving day. He broke through the ice while skating. He was rescued by some boatmen, and with difficulty resuscitated.

☞ *Held to Bail.*—The publishers of the *Workman's Advocate*, of Minersville, charged by G. Bast with libel, had a hearing before Squire Reed, yesterday, and were held in the sum of $300 each, to answer at Court.

☞ *Masonic Election.*—At a stated meeting of Swatara Lodge, No. 267, A. Y. M., held at Tremont, Nov. 30th, the following officers were elected for the ensuing Masonic year:—John K. Fernsler, W. M.; John McFarland, S. W.; Gabriel Drake, J. W.; T. A. Godfrey, Treasurer; Jacob Gruber, Secretary.

☞ *Dr. Stewart*, whose treatment of Diseases of the Lungs, Throat, Epilepsy, etc., has been most successful, is still at the American House, and is visited by large numbers of patients. Those who come into town during Court week, and who are suffering under chronic disease of any description, should not fail to give Dr. Stewart a call.

☞ *A meeting of* the Young Men's Christian Association will be held on Monday evening next, at their room in the 3d story of Rusel's office building. There will also be a meeting of the Board of Managers, at the Association's room, (this Saturday evening.) A full attendance is requested, as business of importance will be laid before them.

☞ *Match against Time.*—On Tuesday morning a young gentleman of this Borough, walked to the Post Office in Schuylkill Haven and back, in one hour and fifty-five minutes. Distance, eight miles. Time specified, two hours. Wager, $10. He came in winner, with five minutes to spare. Very good walking for an amateur pedestrian. The excitement was quite lively at the termination of the last mile heat, eliciting a smile.

☞ *Assault and Battery with Intent to Kill.*—The wife of Robert Anderson, of this borough, was brought before Squire Reed, yesterday, to answer the charge of assaulting her husband with intent to kill him. She cut his head severely. There was no provocation for the assault. The affair happened at their residence, yesterday morning. The woman was intoxicated when brought before the Squire. She was after a hearing, committed to prison (to which institution she was conveyed in a handcart,) to answer.

☞ *Entered upon their Duties.*—Mr. Schoener who was at the last election, chosen Prothonotary without opposition, entered upon the duties of his office, on the 1st instant. He will we think, make an excellent officer.—Samuel Huntsinger, Esq., the retiring officer, was one of the best Prothonotaries Schuylkill county ever had. The following named gentlemen, also recently elected, have entered upon the duties of their offices:—C. A. Rahn, Clerk; Jacob Yager, Register; Levi Huber, Recorder; Wm. Bickel, Treasurer; Edward O'Conner, Commissioner; Nathan H. Butz, Director of the Poor, and George P. Weist, Auditor.

☞ *Yesterday* was a truly delightful day, clear, cool and pleasant. The canal is open, the weather of the week having been quite moderate. Our meteorological record is as follows:—

		P., R. & P. Railroad Office, Pottsville.		
		8 A. M.	2 P. M.	7 P. M.
Sat.	Nov. 28,	29°	52°	52°—clear.
Mon.,	" 30,	44	56	50—cloudy.
Tues.,	Dec. 1,	47	50	38—"
Wed.,	" 2,	24	46	40—"
Thurs.,	" 3,	40	42	32—"
Fri.,	" 4,	36	52	44—clear.

☞ "*Cupid*" is a sly rogue. Twelve he has attacked, wounded, and taken captive both Senior and Junior. The first "victim" was the Junior; the prize yielded the Senior. Both are now bound in rosy matrimonial chains. As to the times being unpropitious for such daring acts, probably both were influenced by a reason similar to that of the stout Hollander, who recently applied at the Probate Clerk's office in Cincinnati for a "check" to get married with. Upon being asked why he wished to take a wife in such hard times, he replied: "I plenty time now—nothing to do. Soon I work—can't attend to mine wife. Plenty time now—so I get's married."

☞ *Mr. Ruplette, Professor* of Dancing, at present a resident of Baltimore, but who has taught the art in Virginia, and other States, to the satisfaction of those who have taken lessons, and those who have entrusted their children to his care, proposes forming classes in this Borough. He brings with him the highest testimonials of his ability as a teacher, and deportment as a gentleman. He proposes teaching the fashionable dances in vogue in Paris and London. We refer the attention of the reader to Mr. Paulette's card in another column. Mr. Paulette can be seen at his room, second story Russel's Office Building, corner Second and Mahantango streets, or at the Pennsylvania Hall, by those either desirous of joining his classes, or placing their children under his professional care. Mr. P.'s school will open this afternoon.

☞ *Beautiful Roll.*—We yesterday examined one of the most ornamental pieces of penmanship probably ever executed in this country. It is a Roll of the Independent Greys of Philadelphia, five feet long by three wide. It was executed at Schuylkill Haven, in this county, by Mr. John H. Guertler, a gentleman 55 years of age, and one who has resided in this county upwards of thirty-one years. It was finished only a day or two since, and will be immediately forwarded to the Greys. Mr. Guertler merits especial commendation for the originality of the design of the Roll. The execution is perfect. Mr. Guert er will shortly give lessons in penmanship in the eastern portion of the State. Where he has heretofore taught, he has deservedly reaped both honor and profit. Mr. Guertler's *forte* is the execution of ornamental portions of German text, in which certainly, he has no superior in the country.

☞ *The Literary Society*.—The exercises of Tuesday evening last embraced a lecture on the Times, by G. M. Dallas, Esq., reading by Mr. Dodson, and a debate on the question, should the judiciary be elective by the people, which was decided in the negative. There was a fine audience in attendance.

After adjournment a business meeting was held, at which the following officers were elected for the ensuing term of two months:—President, JOHN HUGHES, Esq.; *Vice-President*, Eli Bowen; *Secretary*, Jas. J. Sherry, and *Treasurer*, John R. Boyle.

On motion of Eli Bowen, seconded by J. M. Wetherill, the following resolution was *unanimously* adopted.

Resolved, That the thanks of this Association be, and they are hereby tendered to the Rev. Daniel Washburn, for the able, graceful and impartial manner in which he inaugurated and has presided over its sessions.

The exercises of the next meeting will be as follows:—Inaugural address by John Hughes, Esq., *President*, elect; Reading by Wilson T. Harris; debate upon the question, "Is a Republican form of government preferable to a limited Monarchy?" *Affirmative*—Frank Carter and F. B. Gowen. *Negative*—J. F. Horts and J. P. Boyle.

☞ *Shocking Occurrence on the Mount Carbon Railroad.*—On Thursday, an Irish girl named Kennedy, while returning to Minersville from visiting her sister at St. Clair, was caught while on the track of the Mount Carbon Railroad, half a mile above this Borough, by a train of loaded coal cars, ran over and instantly killed. The body was literally quartered, the mangled remains presenting a horrible spectacle. It is stated that she was deaf, and not aware of the approach of the cars.—Every effort was made by the men on the train to warn the unfortunate girl of her danger. The cars on that portion of the road descend by means of gravity, and it being impossible to check the train which killed the girl, in time to save her life, the brakes were thrown on at her to warn her, but, all in vain. She remained on the track, it seemed almost as if intentionally, and lost her life. Another statement is, that the girl's foot caught in some planks at a crossing on the track, and that she was unable to extricate herself; that the first car of the train struck and cut her foot off, and that while laying at the side of the track, her clothing was caught by the wheels and she was dragged under the train, and killed. There is but one way to stop the recurrence of these disheartening accidents. Prohibit by law, persons walking on railway tracks. They are private property, and people in fact, have no right to use them for pedestrianing purposes. The penalty at present, is too frequently, loss of life. In protecting persons, we can establish some lighter punishment.

☞ *Proceedings of Borough Council.*—A stated meeting of the Borough Council was held on Tuesday evening, December 1st. Present—Messrs. McBarron, Derr, Kinsley, Sherlin, Evert, Falinagle, Nice and Hoover; Mr. Nice, President, pro tem.

Minutes of previous meeting were read and adopted.

Com. of Accounts on unfinished business, was con.

Com. of Survey was continued on grade in Second st., near Harrison.

St. Com. was continued on Market st. culvert.

Com. of Fire Apparatus was discharged on repairs of Humane Engine House.

The Special Com. on Report of Grand Jury, and to bring suit against O. W. Sayder, was con.

The St. Com. was discharged on cleaning out Norwegian Creek, from Caldwhill to Norwegian st.; continued on Church Alley culvert; continued on opening Palmylaw and Harrison sts.; and was discharged on replanking Norwegian Creek, from High st. to next street above.

Com. of Fire Apparatus was continued on petition of Rough and Ready Engine Company to procure a meeting room.

Special Com. on lot at corner of Centre and Market sts., was continued.

Special Com. on pushing bills against R. Pott, was continued.

A petition from R. Lee and others to construct the Market street culvert; to fillet of G. Halberstadt, was read, whereupon the following resolution was adopted:

Resolved, That the Street Com. are hereby authorized and required to substitute the culvert down Market st. from its present termination to where the creek crosses Market street, at the same price the present culvert has been constructed: *Provided*, said Com. can make said contract to be paid in orders falling due on the 1st of June next.

A petition for crossings in Market street was laid on the table.

On motion of Mr. Sherlin, the Street Com. was authorized to plank Norwegian Creek from corner of Mr. Strouse's lot to next street above.

The Street Com. was instructed to put in corner curbs at Church Alley.

The following bills were read and ordered to be paid:

C. W. Epting,	$7 00
Smith & Dunning,	45 80
W. & E. Derr,	122 70
E. Henry,	3 00
C. Worman and others,	94 75
J. Richard,	3 00
F. Stofroen,	14 25
James Gillingham,	24 00
John Hanley,	31 00
S. Harts,	20 00
P. Hellenthal, (on sec't.)	50 00
	$415 20

Adam Shilling's bill—$100 on account—was laid over. Council then adjourned.

☞ *December* has been ushered in with skies almost unclouded, and an atmosphere as balmy as that of Spring. One almost forgets the rapid approach of the storm-king, with his blasts of wintry fury, his plains and snow-capped hills, in the delightful weather we have experienced this week. In speaking of December in our cotemporary, the Philadelphia *Press*, the writer says:—according to our modern calendar, December is the twelfth month of the year, but the time was in the days of Romulus, some seven centuries or more before the Christian era, when, as its name implies, December was the tenth month of the year, and it continued to be so until the time of Numa, who introduced the months of January and February as preceding the month of March, which latter had, until then, constituted the commencement of the Roman year.

It may not be improper to state in this connection, that in England, up to the reign of William the Conqueror, the new year was commenced on the 25th of December, and was then changed to the 1st of January, not on account of its being the day of Circumcision, but rather to make this annual epoch coincide with the then most remarkable period of their history, viz: the crowning of that celebrated prince—the Conquering William.

Astronomically considered, December is typified by the Sign Sagitarius, the archer of the Zodiac, which consellation of the starry heavens the sun enters, in the age of the world, on the 17th instant. This evening constellation of the present month, is represented in ancient hieroglyphics, and which has thereby been preserved and handed down to us, assumes the form of a huntsman or archer, half quadruped and half human, in the attitude of discharging a dart from his drawn bow at the Scorpion—the constellation which leads him to the westward.

"Mistet golden stars he stands refulgent now,
And thrusts the scorpion with his bended bow."

When farther removed from the sun's disc, the individuality of this constellation is marked and beautiful, and may readily be distinguished from the position of five bright stars contained in it, so arranged as to form the shape of a dipper, with its handle lying in the Milky Way.

The *idea* of this constellation, joining the sun as it does in this hunting pursuit, was evidently founded by the ancients upon this circumstance.

But December is not only suggestive of its historical, astronomical and mythological *past*, but it is equally prolific in calling up reflections for the present and the future. It is the Saturday of the year. To use a somewhat obsolete term, it is the eventide of our annual revolution round the sun; the month, in which all those who systematize their business affairs endeavor to strike a balance sheet, as a kind of annual Ebenezer, in order that they may know how to plant their business compass for the future. To the juvenile portion of the community, the yearly return of the Christmas festival which this month brings is a golden epoch in the rolling year. How their little frolicksome hearts will bound even at this suggestion! and how slowly will move the finger of time upon the dial plate of their anxious hopes, from this on until they awake the song of merriment,

Another twelve months' work is done,
Another Christmas eve's begun!

And now, with its most solemn emblem, we conclude.—December typifies the *sunset of time*; not only the closing of the year, but the *end*—yes, the END of all earthly things. In this sense, let us improve the lesson; do what we can to make the last the best, and willingly to Heaven leave the rest.

PROCEEDINGS OF COURT.

REPORTED FOR THE MINERS' JOURNAL.

J. Montgomery & Brother vs. John Huber—This was an action brought by the plaintiffs to recover the value of a corn plow sold to the defendant in June, 1851, for the sum of $12, and for which the defendant gave his note to the plaintiffs. The plow was warranted for the season, and if it did not answer the defendant's purposes, it was to be placed "in the dry" until called for. The proof was that the plow did not suit for plowing the defendant's land, which was hilly and somewhat stony, and after a single trial was laid aside. The jury found for the defendants.

County of Schuylkill vs. Jacob Hehs—This was an action on a scaled note dated Dec. 27, 1838, at 6 months, given to the County Commissioners for $91 33. It was given for the payment of costs in a criminal case. The costs were subsequently taxed and the amount reduced to $71 04. There being no defence, the jury found a verdict for that amount with interest to the present time, amounting in the whole to $147 26.

John Lang vs. James Russell—This was an action brought by the plaintiff to recover the value of some marble furnished to the defendant for his house down in Morris's Addition, Pottsville. There was no defence to the plaintiff's claim, and the jury found a verdict for the plaintiff for $70 78.

Jacob Kohler vs. Edward P. Wiest, Geo. P. Wiest, Henry Carl and Justina Carl, and others, heirs of Dan. Wiest, deceased.—This was an action of ejectment for three hundred acres of land in Hubley township.

The land was originally taken up in 1787 by John Kopp and Jonas Kaufman, and by sundry conveyances became vested in John Youndt of Lancaster county. It was assessed to Youndt's land, and in June, 1844 was sold by the Treasurer for the unpaid taxes of 1842 and '43 to John P. Leebrick. There was a red option of the land in 1847 by Daniel Wiest, but as the law allows only two years after the sale to redeem, the redemption was of no effect in divesting the title of the purchaser at Treasurer's sale. On the 7th of February 1855, Leebrick and Benj. Parke, who had acquired an interest, conveyed the title to Jacob Kohler for $1100.

The defendants claimed under the original title from the Commonwealth.

The remaining facts of the case are contained in the charge of the Court, the substance of which we give:

The plaintiffs claim under a tax title from John P. Leebrick and Benj. Parke. The deed from Leebrick and Parke recites an agreement made by them with Daniel Wiest, for one third part of the land upon the payment by Wiest of one third part of all the costs, and conveys all their interest to Jacob Kohler. This Treasurer's title is good. The sale was good and valid, as the land was unseated at the time. The first question arising is whether the redemption in 1847 by Wiest is good. The law allows only two years within which to redeem. After that time the redemption is too late and the sale becomes absolute, unless in the case of the rights of minor children, who are allowed two years after coming of age to redeem. As the case stands before us the redemption of the land by Wiest was not good, and did not divest the title of the plaintiff.

The next question is, what part of the land was conveyed to Kohler by Leebrick and Parke's deed. Kohler said he bought two-thirds of the land, and one-third belonged to Wiest. On Dec. 23, 1846, Leebrick and Parke made an agreement with Daniel Wiest to convey one-third of the land to him, upon his paying one-third of all the costs. It is not defined what the costs were, but probably consisted of what the land had already cost them was meant. This agreement would give Wiest a right to call for a deed for one-third of the land upon complying with the terms of the agreement. Valentine Savage says that about the first of January, 1847, he and two of his neighbors were about purchasing the Youndt title to the land. Wiest hearing of it, they agreed that he might also join with them in the purchase. Subsequently Wiest purchased the whole for himself. The Court said that if Wiest and his heirs repudiated Leebrick's agreement, it would vest the whole title in Leebrick and Parke, and consequently in Kohler. If that were all, there would be no difficulty with regard to the case, but the defendants have presented a point upon which it is our duty to charge you, substance as follows: That if the jury believe that Mr. Tower was acting as the attorney for the estate of Daniel Wiest, deceased, and that Kohler knowing that fact, consulted with Mr. Tower with relation to the title to the land, and then purchased an adverse title, in pursuance of information obtained from Mr. Tower, the plaintiff would take nothing by his purchase, but it would go to the benefit of the defendants. What are the facts? It appears that in the fall of 1853, or beginning of 1854, Kohler went to the executors of Daniel Wiest, who had power to sell, and entered into articles of agreement with them to purchase the land for $1500, about $15 per acre, that he paid $500 down, and that the next payment was to be made upon the following first of April, when a deed was to be delivered and securities given for the balance of the purchase money. Upon the first of April, 1854, Kohler was sick in bed, and the executors went to his house in Mahantongo township, prepared to make the deed.—Mr. Tower was also there. Kohler wanted to be let off from the agreement, and to have his $500 returned to him. One of the witnesses says that Tower advised the Wiests to cancel the agreement and return the money—and this was done. Then, subsequently, in February, 1855, Kohler makes this purchase of land from Leebrick and Parke.

The evidence shows that Mr. Tower was employed as the attorney for Wiests' executors. The relation which he thereby took upon himself, sealed his mouth as to any information whatever, in regard to the defendant's title to the land. If Mr. Tower had obtained any information, he was bound to use it for the benefit of the estate. No matter what the information was or from what quarter, he was bound to use it for the benefit of his clients. He could not use it for any other cote's benefit. Mr. Tower says that when he came in 1847 to Orwigsburg, that the deed of redemption from the Treasurer's sale of 1844, was shown to him. In February, 1854, Mr. Tower says he made an examination of this Treasurer's sale, after Kohler had made his agreement with the Wiests for the purchase of the land. He says that he was called upon by Kohler to inquire about the title to this land, and that he then, or subsequently, told Kohler that the Treasurer's title was a good one, unless Youndt had minor children who had still a right to redeem.

On the first of April [illegible] November 30th, 1857.

Mr. Tower was at Kohler's house. Daniel M. Wiest says that Tower advised the destruction of the agreement, and the repayment of the money to Kohler. Mr. Tower says he thinks he came there afterwards. The defendants have presented another point, that if the jury believe there was any collusion between Tower and Kohler, (Tower being the counsel of the Wiests, and Kohler knowing it,) for the purpose of obtaining the defendants' land, that then the verdict should be for the defendants. The Court charged the jury in accordance with this point. Mr. Tower could acquire no title against the Wiests, and if a stranger joined with him knowing the relation existing between Tower and the Wiests, his title would be void. It would be contrary to the policy of the law. It would be against right, to raise up an adverse title through the attorney of the other party.

Then again if there were no collusion, no desire or intention on Mr. Tower's part to wrest the land from the Wiests, yet if you believe that Kohler employed Mr. Tower to examine the title, and he knew that Tower was counsel for the Wiests, and through him obtained his information of the adverse title, and Kohler, availing himself of it, repudiated the agreement he had made with the Wiests, and then purchased Leebrick's title, he would take no title. The law is, that Tower could not take title, neither could a third party. The law in relation to attorney and client is well settled, but as far as we know, it has not been extended so far as now, because here a third party is to be affected. There are no decisions on the subject. You are to decide on the facts. We leave the decision to you under all the facts. The jury found a verdict for the defendants.

William, Richardson vs. Michael Murphy. John R. Brick, to the use of Wm. Richardson vs. Michael Murphy. These were two actions on mortgages, which were tried together. In the spring of 1847, Michael Murphy purchased from Wm. Richardson and Robert Smethurst, four lots of ground in Centre street, Pottsville, below Trinity Church, containing 120 feet by 24 feet, for which he agreed to pay $7,000—$2,000 cash, and the balance in five equal, annual payments. To secure the payment of this balance, he gave two mortgages upon the property for $2,500 each, one to Wm. Richardson, dated May 3, 1847, and the other to Robert Smethurst upon the same day. In July, 1848, the Executrix of Smethurst assigned the mortgage to John R. Brick, who in January, 1850, assigned it to Wm. Richardson, both of the mortgages thus belonging to Richardson. Payments were made upon them at different times by Murphy, and the suits were brought upon the mortgages for the purpose of ascertaining what was still due.

The only question arising in regard to the amount of money already paid by Murphy on the mortgages, was whether a draft of the defendant's, on Patrick Carrigan, and accepted by him, and given to the plaintiff by Murphy, was to go as a payment on account of the bond.—The jury allowed the amount of the note to go as part payment.

The defendant contended further, that he did not receive the property purchased "clear of incumbrance" as by his article of agreement, he was entitled to receive it, there being a Coal reservation outstanding, and that the value of the property was thereby diminished, and also, that the Commissioners appointed by the State to locate the County Buildings, at the time the seat of Justice was changed from Orwigsburg to Pottsville, had agreed to purchase the one-half of the property for that purpose, for $5,000, and that in consequence of this outstanding Coal reservation, they had refused to purchase the property. The plaintiffs showed that the defendant had accepted a deed for the property, after he counsel had examined the title to it, and who knew of the Coal reservation, and further showed that the defendant had not made a defence to the payment of the money on that ground, until long after suit brought. The jury allowed only the direct payments as offsets against the mortgages, and found a verdict in favor of the plaintiffs of $1,400 on each mortgage.

The Buckwhite Blacksmith.

[FOR THE MINERS' JOURNAL.]

MESSRS. EDS:—Can you inform the many readers of your valuable paper what has become of that son of Vulcan, "The Buckwhite Blacksmith?" Can he not from any more soul inspiring strains in the sounds of his anvil and hammer, to favor the numerous admirers of his genius?

I trust that we will soon again be cheered with one of his poetical productions. ANONYMOUS.

[We join with our communicant in the hope that the Buckwhite Blacksmith will not let his harp remain long silent, but favor our readers soon with another scintillation from the anvil and hammer of his mind.—EDS. MINERS' JOURNAL.]

Tremont Affairs.

[FOR THE MINERS' JOURNAL.]

TREMONT, Nov. 30th, 1857.

MESSRS. EDS:—In my peregrinations through the County I am frequently asked about the state of affairs in this neighborhood, since the financial crisis, and in some instances am asked whether some of our people are not living on crackers. Now, we do not profess to be exempt from the difficulties incident to such a revulsion in business as has occurred. Our business men have had unforeseen difficulties to encounter, and perhaps more than some other portions of the Coal Region in proportion to the number of operatives. But to those who are well informed, they have breasted the storm manfully, and now are all at work with a right hearty good will and honest purpose of meeting all their liabilities.—They are determined to merit a credit for honest perseverance in the prosecution of business.

It appears that there is a disposition with some people to create an unfavorable impression with regard to the resources of the western end of the County, and particularly Tremont and vicinity. I have often been asked whether we have any good Coal veins here. Why gentlemen, we have as many and as good veins of Coal as can be found in any portion of Schuylkill County, and Coal of the very best quality. All that is wanting is more business men to develope our immense resources. We have what few other regions have, viz: the choice of two markets. We can send our coal east or south, and we do it now, while other portions have to depend entirely on the eastern market. Crackers indeed! No gentlemen, our men will not feed their families on crackers while Heil & Hammer, L. S. Spangler, David Oliver and Roger P. H. Horton send off such long trains of coal as are daily winding their way to Philadelphia and Baltimore and intermediate points. Our men are all at work who want work, and get their pay either in cash or provisions as they need them. Instead of standing in the streets croaking about hard times, all are attending to their business, and thus inspiring confidence which is all that is wanting to make business flourish and money plenty. If people would stop talking about hard times the trouble would be dissipated.

There is more specie and more produce in Tremont (States than ever before. From statistics, I learn that the amount of coinage to 1857 exceeds the exports two hundred and eighty-nine millions of dollars, of which eighty millions are in the banks, and the balance, over two hundred millions, in the hands of the people. The panic that the croakers keep up, causes individuals to be afraid to circulate their money, and consequently, 200 millions of dollars are not working as they should and would do were proper confidence to exist in the public mind in business matters. But I am getting off the track—Tremont is right side up with plenty of crackers, cheese and roast beef in the bargain.

Yours truly. ALPHA.

[CORRESPONDENCE OF THE MINERS' JOURNAL.]

Orwigsburg.

Its Sacred Quietness.—The Fine Country Scenery Around It.—The Arcadian Institute.

MESSRS. EDS:—The undersigned lately spent a few days in the beautiful country village of Orwigsburg. He feels inclined to say a few words in regard to the place, and what might be its future prospects and condition if its inhabitants were possessed of some little enterprise and Yankee go-ahead energy. Orwigsburg is certainly one of the most beautiful and healthy little towns in the State, and possesses very superior advantages for a certain kind of business. There are hundreds of towns in New England, similarly situated, having less natural advantages than Orwigsburg, but nevertheless, far superior to it, simply because their inhabitants know how to turn their advantages to their own profit. The celebrated Dr. Schaff, in his work on America, in speaking of the Yankee, has truly said, that "He can begin and make a fortune easier with one idea, than a German can with ten. His mottoes are: 'Help yourself,' and 'Go ahead.'" Dr. Schaff was a German by birth and education, but nevertheless, speaks thus favorably of the Yankee, in comparison with his slow-motioned, phlegmatic neighbor.

I have not the least doubt that a Yankee shoemaker alone, could bring a vast amount of business into the place. The readers of your paper know very well that a very large quantity of Yankee shoes come yearly to every part of the Coal Region. These shoes are manufactured in New England towns, where, rents and all kinds of provisions are much higher than in Orwigsburg. And yet, a number of towns in Yankee Land have been improved and advanced in prosperity by no other means than a Yankee shoemaker.

Suppose an industrious, shrewd Yankee of that trade having a little capital, were to come to Orwigsburg, employ fifty or one hundred men of the same craft, and manufacture shoes of a good quality, would not the merchants of all the towns in the Coal Region, prefer to make purchases of shoes at Orwigsburg, instead of going for that purpose to Philadelphia? The men thus employed would need houses to live in, gardens to cultivate, have clothing, etc., to wear. Hence, houses would be built, storekeepers would sell more, and vacant lots would no longer be seen all over town, but would the cows and sheep find pasture in the streets.

Sure am I, the first enterprising Yankee shoemaker of sufficient capital that I see, shall be induced to do the fine opening there is in Orwigsburg for a man of his craft.—I know no reason why he may not do so for it what a man of the same trade has done for Neotoe town, in as my joining State. What I say is no dream—but a veritable fact—and the soil of Pennsylvania is just as congenial for the reproduction of the same fact as its neighboring State; there being this difference, however, that Orwigsburg is near a good shoe market, while the town referred to is remote from one. Were I a Yankee shoemaker, my hammer should be heard in a few days, and my last manufactory under roof in short metre.

I have learned also, that a charter for a railroad, to pass through Orwigsburg and to bring it in direct communication with New York city, passed the Pennsylvania Legislature a year or two since. This road is to terminate at Pottsville. What a fine opportunity would be afforded to the business men of this latter place for having quiet homes for their families. They might thus have private residences in a quiet and retired village, enjoy the advantages of cheap and comfortable living, and yet be in Pottsville during the business hours of the day. The expense of going to and returning from Pottsville, by railroad, morning and evening, would be a trifle in comparison with economy and comfort gained in other respects. Some merchants of New York have their private residences at much greater distance from their places of business.

Since the removal of the county seat from Orwigsburg to Pottsville, the public buildings have been very properly used as school buildings. The Arcadian Institute is the Institution which finds a home within these commodious and capacious walls. An improvement which has been made quite recently, by the present Principal, makes these buildings and rooms, the most respective arrangement for school purposes I have ever seen. Everything is neat, comfortable, and promotive of health; and judging from the appearance of the pupils, seated along the well-furnished table, one must come to the conclusion that no other Institute has a healthier location, and better arrangements to make the students feel contented and happy, than the Arcadian Institute.

A literary institution so near the Coal Region, is certainly a great advantage to those who may wish to give their sons and daughters a thorough education. They are under no necessity of subjecting them to the heavy expense of a public or quickly near their loved ones.

But my article is already too long; so I close by—

PEN, PASTE AND SCISSORS.

☞ Deaths in New York last week, 504.

☞ Deaths in Philadelphia last week, 153.

☞ The Reading Artillerists are to be re-organized.

☞ At Buffalo flour is $4 75; Oswego, $4 50 per barrel.

☞ Connoisseurship was the Indian name of George Washington.

☞ How *civil* eyes of a man looks while you are paying him "that little bill."

☞ Capt. Gaddis of the United States Navy, died at Charlestown on Monday.

☞ The U. S. steamer Fulton, is at Boca del Torrio, watching for Gen. Walker.

☞ The city of New York expends daily $10,000 on cigars, and $8,000 on bread.

☞ Twenty-seven loaded coal trains passed over the Reading Railroad last week.

☞ Coal is selling at the mines, near Henderson, Kentucky, at 10 cents per bushel.

☞ The marine losses, for November, amount to $829,200, and for the year, $16,320,600.

☞ It is estimated that Erie County, Pa., will export this season $200,000 worth of fish.

☞ A family would only burn in forty years the coal it takes for a trip of a Collins steamer.

☞ N. R. Stimson, Esq., editor of the New York *Day Book*, died suddenly on Tuesday evening.

☞ Ten thousand dollars, in doubloons, were stolen from the bank Pentucket, New York, last week.

☞ William Williams was convicted of the murder of Daniel Hendricks, in Dauphin county, last week.

☞ Work on the Northern Central Railroad will be pushed with the greatest vigor during the winter.

☞ Harrisburg is making abundant provision for its poor. They receive coal, flour, vegetables, etc., gratuitously.

☞ Wild game is abundant in the mountains west of us. Deer are more numerous this season than of late years.

☞ Mrs. Henry Fry and Robert Ralston, Sr., of West Vincent township, Chester county, died on night last week.

☞ The Government employees at Washington, are paid in silver, which is at a depreciation compared with gold.

☞ A new post-office was recently established in Eckley, Luzerne county. Frederick Lauderslager, is postmaster.

☞ Gardner Furniss has withdrawn his suit against the New York *Times* for publishing Mrs. Woodman's affidavit.

☞ Franklin E. Hain of Reading, machinist, has been appointed a member of the Engineer corps of the U. S. Navy.

☞ Col. Orr, of South Carolina, will it is thought, be elected Speaker of the United States House of Representatives.

☞ Messrs. Baker & Martin's store, at Jersey Shore, Pa., was destroyed by fire last week.—Loss, $3000; fully insured.

☞ Albert Smith, a Tonawanda Indian, ran 10 miles in 55 minutes and 27 seconds, at Cleveland,