The Press.

MONDAY, OCTOBER 12, 1857.

☞ On motion of Sr. George T. Campbell, Esq., Frank M. Ryting was, on Saturday last, admitted to practice as an Attorney-at-Law, in the District Court and Court of Common Pleas for the city and county of Philadelphia.

First Page—Living too Fast, (Editorial); Correspondence; and General News.

☞ A host of editorial articles, communications, and other matters, are omitted by a press of advertisements, and by our full legislative reports.

TELEGRAPHIC ELECTION RETURNS.

Although we have made ample arrangements to obtain full telegraphic reports of the election returns, we shall be deeply obliged to our friends and correspondents in different parts of the State, for such additional despatches as they can forward to us on Tuesday night.

Hon. J. S. Black, Attorney General of the United States, reached Philadelphia on Saturday night, and is stopping at the Merchants' Hotel. The Attorney General is in excellent health. He will remain in this city during to-day.

GENERAL WILLIAM F. PACKER AND THE ELECTION TO-MORROW.

The distinguished Democratic candidate for Governor, General Packer, will close his campaign by a speech, this evening, at the National Hall in this city, to which we invite all men of all parties. He has made a brilliant canvass, and fitly finishes his labors in the great city which awaits the election day to record an immense majority in his favor.

Our limited space this morning compels us to cut short our elaborate comments on State politics. But we think we may in advance congratulate General Packer and the Democratic party on the great victory of to-morrow.

Everything conspires to this end. The triumphant settlement of the Kansas troubles and the peaceful election of Monday last—the great test-day of the whole difficulty—is a proof of fulfilled pledges on the part of Mr. Buchanan, and a proud promise of future tranquillity in that heretofore divided Territory. This, and the general belief that Gen. Packer is *the* man, of all others, to lead in the adjustment of our pecuniary troubles, and the true representative of the old Pennsylvania feeling, are auguries of a goodly day to-morrow.

Let all Democratic citizens go to the polls, and vote the entire Democratic ticket.

THE TRUE MEASURE OF RELIEF.

It is really not a matter of the first importance whether the Banks resume in January or in April. The great object that our Legislature should keep in view is *the immediate radical reformation of the system, preparatory to the deliberate action of the new Legislature upon the system itself.* The Legislature, by decided majorities, has decided in favor of legalizing suspension and of giving time. The present difference among members is not as to the propriety of this legalization or the principle of giving time, but mainly as to the extent of time to be given. *We have not, therefore,* the slightest hesitation in saying that if the great reform which the people most sincerely expect and demand can be secured by passing the Senate bill, as amended by our highly accomplished and orthodox Senator, Mr. Browne—we mean to fix the date of resumption in April—then it is the duty of the House to agree to it. The true "relief" is not the temporary expedients *contained in any bill. These expedients may* relieve present distress, protect many from immediate loss, and provide means for the poor against the inclemencies of the coming winter; *but the relief we advocate, and shall insist upon, is based upon those enduring principles by the neglect of which we have been brought to the troubles that now beset us.* This has been our attitude from the first.

Saturday's Proceedings.

After the above article was written, the full proceedings of Saturday's Legislature came to hand, to which we beg our readers' attention. Our correspondent informs us that it is likely that the Senate bill, as amended by the House, will pass both branches to-day. The House debate on the Senate bill, giving the amendments of the House, and the amended bill itself, will be found detailed in the report. It cannot fail to be most interesting to our readers at this moment.

Mr. S. J. Randall and his Opponents.—The card of Mr. Randall, the Democratic candidate for senator in this, the city district, which appears in The Press this morning, refutes in strong language a silly slander concocted against him, to the effect that he sought a nomination on the so-called liquor ticket, and was ready to pay for it. His own *statement*, in a community where he is well known as a young man of high character and the most scrupulous sense of honor, is conclusive, and the cards of the three witnesses of his accuser, Mr. Armstrong (the highly intelligent candidate for Assembly on the Democratic city) and the two Messrs. McGowan abundantly confirm his own ample denial. We have already spoken of this so-called "people's ticket," which affected to act for the opponents of prohibitory legislation on the liquor question, and was simply an invention to help a few individuals to votes, or to secure to others hush-money, as a most unworthy feature of city politics; and we now add, that we *know* it to be disapproved by all those really interested in the liquor business. The parties who have been busy in getting it up have, we are glad to hear, got heartily ashamed of it, and have accordingly withdrawn it from the field. Nothing but a sense of duty, not to reject any respectful advertisement offered for insertion in these columns, prevented us from refusing the paid-for publication of this ticket in The Press.

THE AMENDMENTS.

A very distinguished lawyer of this city sends us the following argument:

The first, second, and third sections of the new *article very distinctly declare that the State may* contract debts for certain purposes therein expressed, and few will deny that such a power is necessary to the maintenance of our State sovereignty.

The fifth section effectually destroys the first, second, and third, or renders them nugatory, by declaring that, the credit of the Commonwealth shall not, *in any manner or event*, be pledged or loaned. Because no State can contract a debt without pledging its credit either expressly or impliedly for its payment. And as credit that can't be used is good for nothing, or equivalent to no credit at all, the adoption of this amendment would leave Pennsylvania utterly helpless in the event of war, invasion, insurrection, or any other extremity.

(Perhaps *not utterly* helpless—for the Legislature could resort to the *unlimited power of taxation* to supply the means required for such emergencies.)

If the amendment be adopted, no part of the present debt can be renewed when it falls due, for new bonds cannot be issued in exchange for the old, as contemplated by the second section. The means of payment, if provided at all, must be raised by increasing the taxes to an amount that must be oppressive—which may end in a refusal to pay, and consequent repudiation.

You cannot vote for *some* of the sections in the new article proposed and *against* others, because the Legislature has made no provision by which that can be done. The act making provision for submitting the amendments to the people submits this new article as *one* amendment only, although it contains *seven distinct* sections, and embraces, in fact, *seven distinct amendments*. This was a serious and fatal error on the part of the Legislature, for the tenth article of the Constitution expressly declares, "that if more than one amendment be submitted, they *shall* be submitted in *such manner and form* that the people may vote *for or against each amendment, separately and distinctly.*"

The fourth section is imperfect, and its provisions incongruous. The Legislature shall provide *a sinking fund* sufficient to pay *the accruing interest* on the public debt, and annually to reduce the principal thereof by a sum not less than $250,000.

A sinking fund is a fund created to *sink* or *pay* a public debt. A fund provided to pay the interest cannot, in any proper sense of the term, be called *a sinking fund*, because it cannot reduce or pay any part of the debt itself—the interest being a mere incident of the debt. But this section makes it imperative on the Legislature, not only to create a sinking fund, but it fixes the amount of it. The interest being about $2,000,000 a year, the fund created must be at least $2,250,000. What is to be done with it? The same section declares that *no part of it*, unless in case of war, invasion, or insurrection, shall be used or applied *otherwise than in the extinguishment of the public debt.*" Therefore, no part of it can be used to pay the accruing interest. There must be an *additional* appropriation of $2,000,000 to meet that. Where is the money to come from? It cannot be supplied from the present sources of revenue without a large increase of the tax on real and personal property.

It is too late now to cure the defects and uncertainties found in the new article proposed. As you cannot vote for the good and against the bad, there is no alternative but to vote against what the act of Assembly designates as the first amendment.

WHAT THE WHIGS THOUGHT OF JUDGE WILMOT IN 1846.

It will be remembered, says the Bedford *Gazette*, that *the Tariff of 1842 was repealed by Congress four years after its establishment.* When this repeal was made, the opposition of the Democratic party were as violent in their denunciations of Democratic members of Congress as they are now of those who voted for the much-abused Kansas-Nebraska bill. Yet the very politicians who raved and swore so terribly at the passage of the bill repealing the Tariff of '42, and cursed David Wilmot so bitterly for lending it his support, are now warmly advocating Mr. Wilmot's claims to the Governorship of Pennsylvania. We give below a number of extracts from the leading Whig journals, published at that period, which show how vehement the Whig party of Pennsylvania was in its hostility to the present Adjudication candidate for Governor:

[*From the Harrisburg Telegraph, July 15, 1846, then published by Theo. Fenn, who now edits the Lancaster Independent, a Wilmot paper*]

"But one BRITISH FREE TRADE TORY was found in all Pennsylvania, and that was WILMOT, of Bradford. The execrations of every friend of Pennsylvania will fall upon and follow him, until he reaches that place where the worm dieth not and the fire is not quenched!!"

"His (Wilmot's) INFAMOUS TREACHERY should be revenged by disowning and turning him upon the South for support. HIS NAME AND HIS DEED WILL STINK IN THE NOSTRILS OF EVERY TRUE-HEARTED PENNSYLVANIAN FOREVER."

[*From the Miner's Journal, September 10, 1846, then as now published by Benjamin Bannan, being also at present an advocate of Wilmot for Governor.*]

"IT WOULD BE A BLESSING TO THE STATE TO RETURN WILMOT TO CONGRESS."

[*From the Berks and Schuylkill Journal, July 11, 1846, a paper now warmly supporting Wilmot for Governor.*]

"Among those who voted for the *Ad Valorem* Tariff bill was Mr. Wilmot, of Pennsylvania, A LOCOFOCO FREE-TRADE RENEGADE FROM THE BRADFORD DISTRICT."

[*From the same paper, July 18, 1846.*]

"The name of WILMOT should be held up to the SCORN AND CONTEMPT of every freeman in the State. The man who, for the sake of party, or SOME PROMISED REWARD, betrays his constituents by supporting a measure so disastrous to their dearest interests, IS UNFIT TO BE THE REPRESENTATIVE OF A FREE PEOPLE."

[*From the York Republican, August 5, 1846, then edited by Thos. E. Cochran, who was last fall a candidate on the Abolition State ticket, and who is now a supporter of David Wilmot for Governor.*]

Resolved, That the fond expectations of our citizens, "HE WILL CAN hereafter cling to the skirts of these TREACHEROUS leaders, (including Wilmot among the class,) who can confide in their representations, or yield to their influence, IS UNWORTHY OF THE NAME AND privileges of a freeman."

[*From the Norristown Free Press, July 9, 1846, a journal at present supporting Wilmot, and edited by the same man who*

"Even Pennsylvania could furnish ONE LOCOFOCO (WILMOT) TO VOTE AGAINST HER BEST INTERESTS."

[*From the same paper, Sept. 2, 1846.*]

"Wilmot, the TRAITOR REPRESENTATIVE in Congress, * * * has been marked by his betrayed constituents. * * * This *traitor*, by his adopting men of the North must no longer put their trust in NORTHERN MEN with SOUTHERN PRINCIPLES."

PUBLIC AMUSEMENTS.

On Saturday evening, at the Academy of Music, we saw the opera of "Lucrezia Borgia" produced in a manner altogether superior to any thing of the sort we have yet witnessed, here or in Europe. The dresses were rich and appropriate; the scenery beautiful—particularly an Italian Garden, by Russell Smith, in the third act. The excellent orchestra was under the leadership of Max Maretzek. The principal performers were Madame Gazzaniga, perhaps the most dramatic vocalist on the lyrical stage, (she certainly gave us a more touching *Lucrezia* than ever Grisi had presented,) with Miss Adelaide Phillips as the Page, Brignoli as *Gennaro*, and Amodio in the *role* of Orsini. This admirable act, with all the other "side and appliances to boot," ought have carried the opera through with triumphant success. So it did. Every point was made. The deep tragic feeling of the second act was rendered with an effect which, at times, kept the audience almost breathless with expectation. The first act, full of passion and pathos, was exquisitely given—even though Brignoli was tame and cold, by the side of Gazzaniga's concentrated force of feeling. Yet, with all this, a treat which the lovers of music *knew* they could receive and enjoy, the audience was thin.

THE LATEST NEWS BY TELEGRAPH.

The Virginia Banks.

Washington, October 11.—The *Richmond Dispatch* states, that on the 30th ult. Governor Wise instructed the First Auditor and State Treasurer to correspond with the Virginia banks, and inform them that the Commonwealth would redeem within fifteen days, with specie, such of their notes as had been received for State dues, in pursuance of a prohibition against the future receipt of their notes would be withheld. The representatives of a portion of the banks met at Charlottesville on the 7th inst., and resolved that the course indicated by the Governor was impracticable and injurious, but that the object would be attained if the banks would continue to pay the interest of the last of December, to meet the interest of the State debt due on the 1st if January; also, that all the banks in the Commonwealth should unite in a protest against the State be requested to notify the State Treasurer that such demands would be satisfied by receiving payment in the issue of the creditor banks. These resolutions were presented to the Governor, who did not give a decided opinion, but intimated that he had no intention of prohibiting the receipt of the suspended bank issues for the State revenue, as long as the banks acted in good faith, but he had no power to compel the banks to receive the notes of suspended banks, but the treasury, as far as practicable, would receive and pay out their issues, trusting to their integrity to redeem them as fast as possible.

The convention of bank officers approved of these sentiments, and pledged the faith of the respective banks to carry out his views.

The Southern Mail.

Washington, Oct. 11.—The Southern mail has arrived, with papers as late as the 8th inst.

The Tallahassee *Sentinel* alludes to Governor Perry's address upon the occasion of his inauguration, which occurred on the 6th ipst. It is full of sound and pleasing official wisdom. He speaks of the cause of education, and the completion of the railroads inaugurated by the State. A portion of his address, commenting on the federal relations and Governor Walker's policy, was greeted with applause. The inaugural is not published, nor does the *Sentinel* give any synopsis of this portion of the address.

Death of George Washington Parke Custis.

Washington, October 11.—*George Washington Parke Custis*, the last member of General Washington's family, died yesterday at Arlington, Alexandria county, Virginia.

The Bank Relief Bill.

Harrisburg, Oct. 11.—There is a probability that the bill pending in the House for the relief of the banks will be defeated to-morrow by a small majority. Many of the friends of the legislation of the last session will vote against it, *hoping*, by its defeat, to get a better bill as regards the length of time to be allowed.

The Latest from Kansas.

St. Louis, Oct. 10.—Later advices from Kansas state that Mr. Parrot, the *free-State* candidate for Congress, will have a majority ranging between five and eight thousand.

According to the estimate of the free-State men, the Legislature will be composed as follows:

	Republicans.	*Democrats.*
Council	9	4
House	24	15

Johnson county, according to the latest report, gives a Democratic majority of 250.

The New York Banks.

New York, October 10—Evening.—There was a run on the Bowery Savings Bank to-day, but that institution met all demands promptly.

The Park Bank went through the run nobly, coming out stronger than before.

Run on the Brooklyn (N. Y.) Savings Bank.

New York, October 10.—There was a run made this *morning on the Brooklyn Savings Bank.* A large crowd was congregated in the vicinity of the bank, and some excitement prevailed.

The police were called upon to preserve order.

The bank is abundantly able to meet the run.

Riot at Bergen Tunnel.

New York, October 10—10 P. M.—The tunnel laborers, this morning, paraded through the streets of Hudson, hooting and riotous. The first regiment was called out and quartered at the jail. Later in the day, the Erie Company raised funds and paid off the men, when they dispersed. All is now quiet.

Non-Arrival of the Atlantic.

New York, Oct. 11.—The steamship Atlantic, now due here with Liverpool dates to the 30th ult., has not yet been signalled below.

East River Bank Suspended.

New York, Oct. 11.—The East River Bank, of this city, has suspended specie payments.

The Michigan Central Railroad Failure.

Boston, Oct. 10.—In consequence of the delay in Western remittances, and almost total suspension of paper negotiations here, the Michigan Central Railroad has suspended payment, until they can realize from the proposed subscriptions to its bonds on the 10th of November. They will pay their coupons as usual.

The steam-frigate Merrimac sails for Rio Janeiro on Tuesday, taking out Mr. Meaf, our minister to Brazil.

Affray at Boston—A Gambler Shot.

Boston, October 10.—An affray took place last night, at a drinking saloon in this city, during which Thomas Mead shot a man named Jeremiah Agin dead. Both of the parties were gamblers.

Death of the Hon. Mr. Treble.

Portland, Oct. 11.—The Hon. Wm. Pitt Treble died in this city last evening.

Victims of the Central America Disaster.

New Orleans, October 10.—The ship Sultana, from *New York*, arrived here, reports that on the 22d ult. she passed off the coast of North Carolina the corpses of four men floating on a piece of wreck. They were supposed to be victims of the Central America disaster.

The New Orleans Banks.

New Orleans, October 10.—There is nothing doing in exchange, and the money market continues tight. The weekly statement of the New Orleans banks shows a decrease of their specie of $260,000, and that their deposits have decreased $741,000.

The Bank of Kanawha.

Richmond, Va., October 10.—The Governor has issued a proclamation prohibiting the notes of the Bank of Kanawha being received in payment for money due the State, that bank having refused to redeem its assets beyond the limits of the State.

The State Bank of South Carolina.

Augusta, (Ga.,) October 10.—Reliable telegraphic intelligence from Charleston announces the suspension of the Bank of the State of South Carolina, a State institution. C. M. Firman is the president.

Another Prize Fight in Canada.

Buffalo, Oct. 10.—A prize fight took place to-day in Canada, opposite this city, between Lazarus and Harrigan. They fought one hundred and twenty-eight rounds, occupying two hours and fifty-eight minutes, when neither conquering, the fight was terminated, and the stakes withdrawn.

Markets.

New Orleans, Oct. 10—There were 3,000 bales of cotton to-day. The prices were irregular, but the sales were mostly at 11@11½c for middling. Flour was steady at $5.62½.

FROM HARRISBURG.

The Special Session of the Legislature.

FIFTH DAY'S PROCEEDINGS.

FROM OUR SPECIAL REPORTERS.

[Exclusive Correspondence of the Press.]

HARRISBURG, Oct. 10th, 1857

SENATE.

The Senate met at ten o'clock A. M.

The journal of yesterday was read and approved.

Mr. Latrobe presented the petition of citizens of Carbon county, praying for the passage of a law affording relief to the banks in their present embarrassment; which was referred to the select committee.

Mr. Harris read in place a bill for the relief of William K. Potts. Mr. Potts had been appointed a clerk of Butler county, the Court of Common Pleas, and Orphans' Court, for an unexpired term of two months, and it was unfair that he should be charged the full tax on his commission, and the bill releases him from the payment of that tax. The bill was passed through its various stages, and then passed finally for the concurrence of the House.

Mr. Jordan reported back from the select committee a bill regulating the banks of this Commonwealth; which was laid upon the table.

Mr. Browne reported back from the select committee a joint resolution relative to the control and restraint by Congress of the circulation of paper money, and moved that it be now considered. The motion was agreed to.

A message was received from the House that that body had concurred in certain Senate bills, and had passed a resolution providing for the payment of the expenses of the present extra session of the Legislature.

Mr. Browne said that it might be doubted whether Congress possessed the power referred to in the measure he had reported, but it was certain that there would be no uniform currency until control of the matter was vested in some such general legislative body as the Congress of the United States. State Legislatures were influenced by local sentiment, and the result was that their action was various. Congress has the right to establish a general law of bankruptcy. Suppose such a law were passed, providing that any bank which should refuse to pay specie for its notes should at once go into assignment. In that way Congress might have control of the subject; but the measure might be a harsh one, and there might be unwillingness to resort to it. The Constitution should be so amended as to vest in Congress power to control and restrain the circulation of paper money. The majority of executive minds have grown enlarged basis of metallic currency as the only guard against bank disasters.

Mr. Taggart believed that to enlarge the powers of Congress, and to control those of the States, were held to be characteristic of Federalism. If so, then the proposition made its introducer a Federalist.

Mr. Scofield said that the gentleman had expressed his opinion of the proposition.

Mr. Browne thought it very strange that the gentleman from Northumberland should make the objection he had. The Republican party, to which that gentleman belonged, had contended with great earnestness and determination that Congress should have the control of the currency. Instead of being those who favored it, instead of leaving those people to form their own institutions in their own way. The gentleman's was the Federal party, and not the Democratic party. It appeared the gentleman and his party were recognizing their recent action on the subject.

Mr. Conrad moved the following substitute for the resolution:

"That, in the opinion of the Legislature, this present financial embarrassment of the country is the result of, from the operation of the *tariff act of 1846*, and the modification thereof made by the last Congress, whereby the revenue laws of the United States, and the gold and silver of the country has been exported to pay for those things which should have been manufactured at home."

Mr. Browne desired to know whether Judge Wilmot, the Republican candidate for Governor, did not vote for that tariff.

Mr. Wright then inquired whether Judge Wilmot was not responsible for the present embarrassment under the very terms of the gentleman's resolution? Judge Wilmot had, at York, declared the charge false. He was not a Democrat, and of course asserted that he was as great a free trader now as he was before he had gone over to the Republicans.

Mr. Gazzam made a Republican stump speech, followed by Mr. Coffey in the same strain.

The discussion was continued at great length on political generally, and not with reference to the resolution particularly.

Motions were made that when the Senate adjourns, it adjourn until this afternoon at three o'clock, until Monday, at three o'clock P. M., and until Monday, at 9 o'clock A. M., and the question was taken on them.

Then, on motion, the Senate adjourned at 11¼ o'clock A. M., until this afternoon at three o'clock.

AFTERNOON SESSION.

The Senate reassembled at 3 o'clock P. M.

Mr. Brewster, in place, an act relative to the Chambersburg, Greencastle, and Hagerstown Railroad, which was considered in Committee of the Whole, reported back from the same with the amendments of Mr. Johnston to strike out "second Monday of April, 1858," and insert "third Monday of January, 1858;" it was not agreed to—yeas 8, nays 18.

Mr. Jenkins moved to amend by striking out all after the enacting clause, and inserting House bill reported from select committee.

The yeas and nays were required by Mr. Jenkins and Mr. Zimmerman, and were as follows, viz:

Yeas—Messrs. Brown, Brandt, Brown, Cleaver, Crawford, Foster, Gildea, Hamel, Hillegas, Hoffman (Lebanon), Jenkins, Johnson, Lovett, Mumma, Nicholson, Rupp, Shaw, Smith (Lancaster), Tolan, Vail, Vanvoorhis, Wagoner, Walter, Weaver, Zimmerman, Getz, (Speaker)—35.

So the amendment was not agreed to.

The question being on the amendment of Mr. Johnston to strike out "second Monday of April, 1858," and insert "third Monday of January, 1858," it was not agreed to—yeas 7, nays 18.

Mr. Jenkins moved to amend by striking out all after the enacting clause, and inserting House bill reported from select committee.

The yeas and nays were required by Mr. Jenkins and Mr. Zimmerman, and were as follows, viz:

Yeas—Messrs. Brown, Brandt, Brown, Cleaver, Crawford, Foster, Gildea, Hamel, Hillegas, Hoffman (Lebanon), Jenkins, Johnson, Lovett, Mumma, Nicholson, Rupp, Shaw, Smith (Lancaster), Tolan, Vail, Vanvoorhis, Wagoner, Walter, Weaver, Zimmerman, Getz, (Speaker)—35.

So the amendment was not agreed to.

The question being on the amendment of Mr. Zimmerman, and were as follows, viz:

Yeas—Messrs. Brown, Brandt, Brown, Cleaver, Crawford, Foster, Gildea, Hamel, Hillegas, Hoffman (Lebanon), Jenkins, Johnson, Lovett, Mumma, Nicholson, Rupp, Shaw, Smith (Lancaster), Tolan, Vail, Vanvoorhis, Wagoner, Walter, Weaver, Zimmerman, Getz, (Speaker)—35.

So the amendment was not agreed to.

The question being on the amendment of Mr. Johnson, and the yeas and nays were required by Mr. Stevenson and Mr. Zimmerman, and were as follows, viz:

Yeas—Messrs. Abrams, Arthur, Bigham, Blair, Bull, Beck, Bower, Brandt, Brown, Calhoun, Campbell, Carty, Chase, Ent, Fausold, Foster, Gilbert, Hamel, Hamilton, Hancock, Harper, Heins, Hill, Hillegas, Hoffman, (Berks,) Hoffman, (Lebanon,) Housekeeper, Imbrie, Junes, Jacobs, Kerr, Longaker, Mumma, Nicholson, Pearson, Penrose, Peters, Pownall, Reed, Rupp, Sloan, Smith, (Cambria,) Smith, (Centre,) Smith, (Lancaster,) Stevenson, Struthers, Thorn, Tolan, Vail, Vanvoorhis, Voeghley, Walter, Wagoner, Williston, Wintrode, Witherow, Zimmerman—33.

Nays—Messrs. Brown, Cleaver, Crawford, Dock, Eyster, Gibbons, Hiestand, Hine, Hoffman, (Berks,) Jenkins, Johnson, Knight, Lebo, Leisenring, Lovett, McCalmont, McIlvain, Nichols, Nicholson, Nunnemacher, Pearson, Purcell, Ramsey, (Philadelphia,) Ramsey, (York,) Reamer, Roberts, Rupp, Smith, (Cambria,) Smith, (Centre,) Smith, (Lancaster,) Tolan, Vail, Vanvoorhis, Walter, Weaver, Wherry, Williston, Wintrode, Witherow, Wright, Yeasley, Zimmerman, Getz, (Speaker)—46.

So the question was determined in the negative.

Mr. Kaufman moved to amend by striking out the words "second Monday of April, A. D. 1858," in the clause suspending the penalties incurred by the banks and inserting "third Monday of January, A. D. 1858." His object was to place the time sufficiently distant in the future to give the Legislature another session, for, by compelling them to an opportunity of doing so. By that time the banks will prepare a statement showing their condition; and if they cannot resume relief, and the business community demanded it, he had no doubt but that it would be granted.

Mr. Wright moved to amend the amendment by striking out "8" in 1858, and inserting "9," so that it would read "1859."

Mr. Kaufman asked the gentleman to modify his amendment by adding "unless otherwise elected by the Legislature."

Mr. Kaufman so modified his amendment.

Mr. Mumma said the banks would base their calculations upon the time granted them, and would go on transacting their business and shaping their affairs accordingly. If the time was only extended to January, 1858, as proposed by the gentleman from Bucks, the interest of the debtor class would be injured, for the banks, who would not extend their business or discounts at all, but would wind up their business and prepare for resumption, would be compelled to do so, and would utterly ruin and destroy the merchants, manufacturers, and business men of the community. He would, therefore, oppose the amendment from Lancaster, as modified by himself, would be adopted.

Mr. Kaufman proposed to extend the time to 1859, because the Legislature was composed of men who represented *all the interests of the State*, and the interest of the country was largely engaged in manufacturing; she had thousands of men engaged directly and indirectly in manufacturing iron, and a relief was not granted in thirty days, every one of them would be thrown out of employment. To merely extend the time to January, 1858, would be no relief to them, and they had better go home without doing anything than to adopt the amendment of the gentleman from Bucks. If adopted, the amendment, as modified, would receive the sanction of the House.

Mr. Longaker was opposed to affording greater discounting privileges to the banks. They could not now redeem their notes in circulation and pay their depositors, and yet the Legislature was called upon to place them more time to flood the country with their irredeemable issues. If was necessary that the House should legislate for the benefit of the people, and that the banks whose liabilities were now falling due, but, in doing so, they should fix as short a time as possible, and let them all try to work up to it. To make the amendment would assemble in a few months, and if the system was working to the satisfaction of the people, and it was deemed necessary to extend the time, the Legislature would assemble in a few months, and if the system was working to the satisfaction of the people, and it was deemed necessary to extend the time, the Legislature would do so. The difficulties were laboring under we had brought on by extravagance in all the pursuits of life, and legislation should be directed *with a single eye to* retrenchment.

Mr. Mumma agreed with the gentleman from Montgomery, (Mr. Longaker,) that these difficulties had been brought on by over-trading and extravagance, but he thought that if the large crops of the West could be got into market, they would yet partly do away with the country, and restore things to their former footing. He argued that it was necessary to extend the time at least a year, in order to grant the business community relief and give them *opportunity* of enjoying the benefits these crops would confer.

He (Mr. Longaker) was in favor of giving a time within the power of the next Legislature, who could extend it if it was necessary. He hoped the amendments proposed would be adopted now, and that the House would adopt the bill as it stood. He was in favor of extending the time to March or April, but would not agree to placing it beyond the session of the next Legislature.

Mr. Ecker, of Allegheny, contended that it was necessary for the business interests of his constituents that the longest time proposed should be given.

The question being on the amendment of Mr. Kaufman to extend the time to January, 1859,

The yeas and nays were required by Mr. Thorn and Mr. Kaufman, and were as follows, viz:

Yeas—Messrs. Backus, Benson, Bishop, Cleaver, Crawford, Dock, Eyster, Gibbons, Hiestand, Imbrie, Jacobs, Kaufman, Moorhead, Mumma, Musselman, Penrose, Peters, Pownall, Reed, Shaw, Stevenson, Struthers, Thorn, Warner, Witherow—25.

Nays—Messrs. Abrams, Anderson, Arthur, Babcock, Bull, Beck, Brandt, Brown, Calhoun, Campbell, Carty, Chase, Ent, Fausold, Foster, Gildea, Hamel, Hamilton, Hancock, Harper, Heins, Hill, Hillegas, Hine, Hoffman, (Berks,) Hoffman, (Lebanon,) Housekeeper, Jones, Jenkins, Johnson, Knight, Lebo, Leisenring, Longaker, Lovett, McCalmont, McIlvain, Nichols, Nicholson, Nunnemacher, Pearson, Purcell, Ramsey, (Philadelphia,) Ramsey, (York,) Reamer, Roberts, Rupp, Sloan, Smith, (Cambria,) Smith, (Centre,) Smith, (Lancaster,) Tolan, Vail, Vanvoorhis, Voeghley, Walter, Wagoner, Williston, Wintrode, Wherry, Wright, Yeasley, Getz, (Speaker)—43.

So the question was determined in the negative.

Mr. Kaufman moved to amend the amendment by striking out the words "until the second Monday of April, A. D. 1858," and inserting "unless otherwise enacted by the Legislature;" and also striking out, further down in the section, the words, "be, and the same is hereby, suspended until the day and year aforesaid," so that the clause would read:

"That the provisions of every act of Assembly, or of incorporation or re-incorporation, heretofore passed, declaring or authorizing the forfeiture of the charter of any bank for suspension of specie payments, or for any other violation of law, shall not be enforced against any bank or banks which shall, before the period hereinbefore mentioned, resume and continue the payment of specie on all their liabilities, and, after such resumption, and during such continuance, be subject to any of the provisions of this section: *Provided*, That no bank shall be required to receive the notes of any bank against which a certificate may be made as aforesaid, at any time after the delivery of the same to the Governor, until the commissioners shall report in favour of such bank, after which the notes of such bank will again be received as required by the provisions of this section.

Section 4. That the several collectors of taxes, tolls, and other revenues of the Commonwealth, and also county treasurers for State purposes, are hereby authorized to receive the notes of the solvent banks of this Commonwealth, made and declared such by this act, in payment of the said taxes, tolls, and revenues, and the State Treasurer is hereby authorized to receive and receipt for the same in the same manner as though said banks were specie paying.

Section 5. That the deposits by the State Treasurer to the credit of the Commonwealth in the several banks and other corporations, and 4th bank notes which are now or may hereafter be in the treasury during the period of suspension aforesaid, shall, from time to time, on demand of the said treasurer, be paid by the said banks or other corporations, respectively, in specie: *Provided*, That the said treasurer shall, if required by the cashier or president of any such bank upon which used only convertible into specie to pay the interest on the public debts of the State.

Mr. McCalmont opposed the amendment to the amendment; he wanted all specie.

The amendment was disagreed to.

The second section of the Senate bill was then read as the sixth section.

Mr. Struthers moved as a substitute for the section *a provision reviving during the continuance of this act* the law of 1842, relative to a stay of execution.

Mr. Ent said that the law of 1842 was a beneficent law, and stood as a monument of those who had enacted it. It had afforded great relief to the rural districts after the revulsion of 1837.

Mr. McCalmont believed the law of 1842 was an unmitigated curse: he had been compelled to look into the question.

The yeas and nays were required by Mr. Ball and Mr. McCalmont, and were as follows, viz:

Yeas—Messrs. Augustine, Babcock, Backus, Ball, Benson, Bishop, Brown, Cleaver, Crawford, Dock, Eyster, (Gibbons), Hamilton, Hancock, Hiestand, Hine, Hoffman, (Lebanon,) Housekeeper, Imbrie, Kaufman, Moorhead, Musselman, Nichols, Pearson, Penrose, Peters, Purcell, Ramsey, (Philadelphia,) Reamer, Reed, Rupp, Sloan, Smith, (Cambria,) Smith, (Centre,) Smith, (Lancaster,) Stevenson, Struthers, Thorn, Tolan, Vail, Vanvoorhis, Voeghley, Walter, Wagoner, Williston, Wintrode, Witherow, Wright—52.

Nays—Messrs. Abrams, Anderson, Arthur, Augustine, Backus, Beck, Bower, Brandt, Brown, Calhoun, Campbell, Carty, Chase, Fausold, Foster, Gildea, Hamel, Hamilton, Hancock, Harper, Heins, Hill, Hillegas, Hoffman, (Berks,) Hoffman, (Lebanon,) Housekeeper, Junes, Jenkins, Johnson, Knight, Lebo, Leisenring, Longaker, Lovett, McCalmont, McIlvain, Nichols, Nicholson, Nunnemacher, Purcell, Ramsey, (Philadelphia,) Ramsey, (York,) Reamer, Roberts, Rupp, Smith, (Cambria,) Smith, (Centre,) Smith, (Lancaster,) Tolan, Vail, Vanvoorhis, Wagoneller, Walter, Weaver, Wherry, Williston, Witherow, Yeasley, Zimmerman, Getz, (Speaker)—42.

So the question was determined in the negative.

Mr. Kaufman moved to amend the amendment by striking out the words "unless otherwise enacted by the Legislature;" and also striking out, further down in the section, the words, "be, and the same is hereby, suspended until the day and year aforesaid," so that the clause would read:

"That the provisions of every act of Assembly, or of incorporation or re-incorporation, heretofore passed, declaring or authorizing the forfeiture of the charter of any bank or banks which shall, before the period hereinbefore mentioned, resume and continue the payment of specie on all their liabilities, shall not, after such resumption, and during such continuance, be subject to any of the provisions of this section: *Provided*, That no bank shall be required to receive the notes of any bank against which a certificate may be made as aforesaid, at any time after the delivery of the same to the Governor, until the commissioners shall report in favour of such bank, after which the notes of such bank will again be received as required by the provisions of this section.

Section 4. That the several collectors of taxes, tolls, and other revenues of the Commonwealth, and also county treasurers for State purposes, are hereby authorized to receive the notes of the solvent banks of this Commonwealth, made and declared such by this act, in payment of the said taxes, tolls, and revenues, and the State Treasurer is hereby authorized to receive and receipt for the same in the same manner as though said banks were specie paying.

Section 5. That the deposits by the State Treasurer to the credit of the Commonwealth in the several banks and other corporations, and 4th bank notes which are now or may hereafter be in the treasury during the period of suspension aforesaid, shall, from time to time, on demand of the said treasurer, be paid by the said banks or other corporations, respectively, in specie: *Provided*, That the said treasurer shall, if required by the cashier or president of any such bank upon which used only convertible into specie to pay the interest on the public debts of the State.

Mr. McCalmont opposed the amendment to the amendment; he wanted all specie.

The amendment was disagreed to.

The second section of the Senate bill was then read as the sixth section.

Section 6. That upon all judgments heretofore entered, in suits commenced by writ or otherwise, or which may be entered during the period hereinbefore mentioned, in actions instituted by writs or otherwise, in any court in this Commonwealth, or before any alderman or justice of the peace, on judgments obtained before said officers, if the defendant shall be possessed of any estate, in fee simple, within the respective county, worth, in the opinion of the court, alderman, or justice, the amount of the said judgment, over and above all incumbrances, from levy and sale in execution, he shall be entitled to a stay of execution thereon, on judgment now obtained, or to be obtained, on suits now brought, for the term of one year from the date of the passage of this act, and on all others, for one year, to be computed from the first day of the term to which the action was commenced, and every defendant in such judgment may have the same stay of execution thereon, if, within thirty days from the passage of this act, or within thirty days from the rendition of any future judgment, he shall give security to be approved of by the court, or by a judge thereof, for the sum recovered, together with the interest and costs: *Provided*, That this section shall not apply to the wages of labor; nor to debts upon which stay of execution is expressly waived by the debtors; nor to judgments upon which a stay of execution has already been taken under existing laws: *And provided*, That the provisions of this section shall extend to judgments entered, or to be entered, in Ward, upon bond and warrant of attorney as upon mortgages, to secure the same, and to any subsequent grantee or owners of the premises so bound, as well as to the original obligor or mortgagor: *And provided further*, That said stay of execution shall not apply to judgments on mortgages, unless the interest shall be regularly paid, as provided by such mortgage bond, in such funds as the banks are authorized by this act to use.

Section 7. This act shall take effect immediately, but no bank or other corporation shall be embraced within its provisions more than thirty days after the passage hereof, or after any bank shall have suspended specie payments upon its notes or obligations, unless the stockholders of such bank or other corporation shall, before the expiration of the said thirty days, or within thirty days after any bank shall have suspended specie payments upon its notes or obligations, at a meeting to be called by the directors thereof for that purpose, on ten days' public notice, in one or more newspapers, accept the provisions of this act by a majority of votes of said stockholders, to be voted and counted according to the provisions in the charter of such accepting bank, or other corporation, regulating the election of directors; but to make such acceptance valid, there shall be filed in the office of the Auditor General of this Commonwealth a certificate that this act has been duly accepted, under the common seal of such bank or other corporation, attested by the signature of its president or cashier; and each of the said banks accepting the provisions of this act shall also pay into the treasury of the Commonwealth, on or before the first day of January, anno. Domini one thousand eight hundred and fifty-eight, a sum equal to one half of one per centum upon the capital stock of said bank, in addition to any amounts they are now by law required to pay.

Section 8. That section forty-seven of the act, approved the 4th day of April, 1850, entitled "an act regulating banks," be, and the same is hereby, repealed.

Section 9. That the Legislature hereby reserves the right and power to alter, amend, and revoke the charter or charters of any bank or banks, corporation or corporations, accepting the provisions of the act whenever, in their opinion, the same may prove injurious to the citizens of this Commonwealth, in such manner, however, as to do no injustice to the corporators."

The question was taken, and the amendment was agreed to.

Mr. Vail offered an amendment, authorizing banks to pay out notes of any good bank in the United States, of a denomination less than $5, when they shall be in the regular course of business; which was disagreed to