Terms of Publication,

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be in an adjoining County. Business Cards, not exceeding 5 lines, paper in.

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THE MURDERER. HIS SINGULAR DETECTION.

A little more than fifty years ago, a man by the name of Henry Thompson called at the house of Mr. J. Smith, a resident in a retired part of England, and requested a night's lodging. This request was granted, and the stranger, having taken some refreshments, retired early to bed, requesting that he might be awakened early the following morning.

When the servant appointed to call him entered the room for that purpose, he was found in his bed perfectly dead.

On examining the body no marks of vio-lence appeared, but his countenance looked extremely natural. The story of his death spread soon among the neighbors, and inquiries were made un to who he was and by what means he came to his death.

Nothing certain however, was known.

He had arrived on horseback, and was seen passing through a neighboring village about an hour before he reached the house where he had come to his end. And then as to the manner of his death, so little could be discovered, that the jury returned a verdict that he "died by a visitation from God." When this was done the stranger was buried.

Days and weeks passed on, and little further was known. The public mind was not at rest. Suspicions were excited that foul means had hastoned the stranger's death .--Whispers to that effect were expressed, and in the hearts of many Smith was the guilty man.

The former character of Smith had not been good. He had lived a loose and irreg. ular life, involved himself in debt by his extravagance, and at length, being suspected of having obtained money wrongfully, he suddenly left the town.

More than ten years, however, had now elapsed since his return, during which he had lived at his present residence, apparently in good circumstances, and with an approved character. His former life, hawever, was now remembered, and suspicion was fastened upon him.

At the expiration of two months, a gentleman one day stopped in the place for the purpose of making inquiries respecting the stranger who had been found in his bed. He supposed himself to be a brother of the man. The horse and clothing of the unfortunate man still remained, and were immediately known as having belonged to his brother.

The body also, was taken up, and though considerably changed bore a strong resemblance to him.

He now felt authorized to ascertain if pos sible the manner of his death. He proceeded, therefore, to investigate the circumstances as well as he was able. At length he made known to the magistrate of the district the information he had collected, and upon the strength of this, Smith was taken to jail to be tried for the wilful murder of Henry Thompson.

The celebrated Lord Mansfield was then on the bench. Ho charged the grand jury to be cautious as to finding a bill against the prisoner. The evidence of his guilt, if guilty, might be small. More information might be obtained. Should he be acquitted he could not be molested again whatever testimouv ferred to bring her forward, and stated as a not be molested again whatever testimony reason, not that he was unwilling she should

THH AGITATOR. Devoted to the Briension of the Area of Freedom and the Spread of Healthy Reform.

WHILE THERE SHALL BE A WRONG UNRIGHTED, AND UNTIL "MAN'S INHUMANITY TO MAN" SHALL CEASE, AGITATION MUST CONTINUE.

WELLSBORO, TIOGA COUNTY, PA., THURSDAY MORNING, DECEMBER 17, 1857. NO. XX.

a horrid tale that the stopper of a small bottle | simple and artless manner of the man, perof a very singular description had been found in the prisoner's house. The stopper had haps not one present doubted her entire innocence,

been examined, and said by medical men to have belonged to a German vial, containing the kind of poison he had described. But then, was that poison administered by Smith, or at his instigation?

VOL. IV.

Who were the prisoner's family ? It consisted of himself, housekeeper and one man servant. The man servant slept in the outhouse adjoining the stable, and did so on the hight of Thompson's death. The prisoner lept in one end of the house, the housekeeper at the other end; the deceased had been put a room adjoining the housekeeper's.

It could be proved that about two hours after midnight on the night of Thompson's death, a light had been seen moving about the house, and that a figure holding the light was seen to go from the room in which the prisoner slept to the housekeeper's room .----The light now disappeared for a minute, when two persons were seen, but whether they went into Thompson's room the witness could not swear; but shortly after they were observed to pass quite through the entry to Smith's room, into which they entered, and in about five minutes the light was extinguished.

The witness would further state that after the person had returned with the light into Smith's room, and before it was extinguished, he had twice seen some dark object intervene between the light and the window, almost as large as the surface of the window itself, and which he described by saying it appeared as if a door had been placed before the light,-Now in Smith's room there was nothing that could account for this appearance, as there was neither cupboard nor press in the room, which, but for the bed, was entirely empty; the room in which he dressed being a distance bayond it.

The counsel for the prosecution here concluded what he had to say. During his ad-dress, Smith in no wise appeared to be agitated or distressed—and equally unmoved while the witness testified in substance what the opening speech of the counsel led the court and jury to expect.

Lord Mansfield now addressed the jury .-He said that in his opinion the evidence was not sufficient to convict the prisoner, and if the jury agreed with him in opinion, he wo'd discharge him. Without leaving their seats, the jury agreed that the evidence was not sufficient.

At this moment when they were about to render a verdict of acquittal, the prisoner rose and addressed the court. He said he had been accused of a foul clime and the jury had said there was not sufficient evidence against him. Was he to go out of court with suspicions resting upon him, after all ? This he was unwilling to do. He was an innocent man, and if the judge would grant him an opportunity, he would prove it. He would call the housekeeper, who would con-

firm the statement he would now make. The housekeeper had not appeared in court. She had concealed herself or been concealed by Smith. This was considered a should rise up against him. The grand jury, however, did find a bill, but by a majority of farsful sho would be bridd to give to the two fearful she would be bribed to give testimony contrary to fact. But he was now ready to relate all the circumstances that he knew ; she might be called and examined. If her testimony does not confirm my story, let me be condemned.

The housekeeper was now introduced and examined by the counsel of the prisoner .--She had not heard any part of the statement of Smith, nor a single word of the trial.-Her story confirmed all he had said.

To this succeeded a cross-examination by the counsel for the prosecution. One circumstance had made a deep impression on his mind-that was, that while the prisoner and the housekeeper were in the room of the former, something like a door had obstructed the light of the candle, so that the witness testified to the fact, but could not see it .--What was this obstruction? There was no door-nothing in the room-which could account for this. But the witness was positive that something like a door did for a moment come between the window and the candle .--This needed explanation.

The housekeeper was the only one that could give it. Designing to probe this matter to the bottom, but not wishing to excite alarm, he began by asking her a few unimportant questions, and among others, where the candle stood when she was in Mr. Smith's room?

"In the centre of the room," she replied. "Well, was the closet, or cupboard, or whatever you call it, opened once or twice while it stood there?

She made no reply.

"I will help your recollection," said the counsel. "After Mr. Smith had taken the medicine out of the closet, did he shut the door, or did it remain open ?"

"He shut it."

"And when he replaced the bottle in the closet, he opened it again, did he not ?

"He did." "How long was it open the last time ?"

"About a minute." "Well, when open, would the door be ex-

actly between the light and the window ?" "It would." "I forgot," said the counsel, "whether you

said the closet was on the right or the left side of the window." "On the left hand side."

"Would the door of the closet make any

noise in opening ?" "None."

"Are you certain ?

"I am."

"Have you ever opened it yourself, or only een Mr. Smith open it ?"

- "I never opened it myself." "Did you ever keep the key ?"
- "Never." "Who did ?"
- "Mr. Smith, always."

At that moment the housekeeper chanced to cast her eye towards Mr. Smith, the prisoner. A cold damp sweat stood upon his brow, and his face had lost all color; he appeared a living image of death. She no sooner saw him than she shrieked and fainted. The consequence of her answers flashed across her mind. She had been so thoroughly deceived by the manner of the advocate and of the little importance he seemed to altach to her statements that she had been led on from one statement to another till she had

told him all he wanted to know.

ourt, and a physician v nt was

The result-was too obvious to need expla- the people occasioned by the suspension of nation. It scarcely need be added, that Smith was convicted and executed, and brought to his in either aspect of the case, it can do but awful punishment by his own means. Had he said nothing-had he not persisted in call. ing a witness to prove his innocence, he might have escaped. But God had evidently left him to work out his own ruin, as a just reward of his awful crime.

ABSTRACT OF THE

THE CURRENCY.

It is one of the highest and most responsible duties of government to insure to the people a sound circulating medium, the amount of which ought to be adapted with wants of internal trade and foreign exchanges. If this be either greatly above or greatly below the proper standard, the marketable injustice to individuals as well as inculcula. ble evils to the community are the conse-

quence. Unfortunately, under the construction of

the Federal Constitution, which has now prevailed too long to be changed, this important and delicate duty has been dissevered from the coining power and virtually transferred to more than fourteen hundred State banks, acting independently of each other, and regulating their paper issues almost exclusively by a regard to the present interest of their stockholders. Exercising the sovereign power of providing a paper currency instead of coin for the country, for the first duty which these banks owe to the public is to keep in their vaults a sufficient amount of gold and silver to insure the convertibility of their notes into coin at all times and under all circumstances. No bank ought ever to be chartered without such restriction on its business as to secure this result. All other restrictions are comparatively vain. This is the only true touchstone, the only efficient regulator of a paper currency-the only one which can guard the public against overissues and bank suspensions. As a collateral and eventual security it is doubtless wise, and in all cases ought to be required, that banks shall hold an amount of United States or State securities equal to their notes in circulation and pledged for their redemption. This however, furnishes no adequate security against over-issues.

Each of our fourteen hundred banks has but a limited circumference for its circulation; and in the course of a very few days the depositors and no:e-holders might demand from such a bank a sufficient amount in specie to compel it to suspend, even although it had coin in its vaults equal to one-third of its immediate liabilities. And yet I am not aware, with the exception of the banks of Louisiana, that any State bank throughout the Union has been required by its charter to keep this or any other proportion of gold and silver compared with the amount of its com-bined circulation and deposits. What has been the consequence?' In a recent report made by the Treasury Department on the condition of the banks throughout the differ-She was obliged to be taken out from the

the banks, and to provide against a recurrence of the same calamity. Unfortunately, little. Thanks to the Independent Treasury, the Government has not suspended payment, as it was compelled to do by the failure of the banks in 1837. It will continue to discharge its liabilities to the people in gold and silver. Its disbursements in coin will pass into circulation, and materially assist in restoring a sound currency. From its high credit, should we be compelled to make a temporary loan, it can be effected on advanageous terms. This, however, shall, if possible, be avoided ; but, if not, then the amount shall be limited to the lowest practical sum. I have, therefore, determined that while no useful Government works already in progress shall be suspended, new works, not already commenced, will be postponed, if this can be done without injury to the country. Those necessary for its defense shall proceed as though there had been no crisis in our monetary affairs.

After all, we must mainly rely upon the patriotism and wisdom of the States for the prevention and redress of the evil. If they will afford us a real specie basis for our paper fifty dollars; if they will require that the banks shall at all times keep on hand at least cally ascertained. one dollar in gold and silver for every three dollars of their circulation and deposits; ka and Kansas act, when struggling on a reand if they will provide by a self-executing enactment, which nothing can arrest, that he moment they suspend they shall go into liquidation, I believe that such provisions, with a weekly publication by each bank of a statement of its condition, would go far to secure us against future suspensions of specie mit the question of slavery to the decision of payments.

ayments. Congress, in my opinion, possess the power o pass a uniform bankrupt law applicable to all banking institutions throughout the United States, and I strongly recommend its exer-This would make it the irreversible cise. suspension of specie payments shall produce its civil death. The instinct of self-preservation would then compel it to perform its duties in such a manner as to escape its to substitute their own will for that of a lepenalty and preserve its life.

The existence of banks and the circulation of bank paper are so identified with the habits of our people, that they cannot at this day be suddenly abolished without much imme diate injury to the country. If we could confine them to their appropriate sphere, and prevent them from administering to the spirit f wild and reckless speculation by extravagant loans and issues, they might be contin ued with advantage to the public.

But this I say, after long and much reflection : if experience shall prove it to be impossible to enjoy the facilities which well regulated banks might afford, without at the same time suffering the calamities which the excesses of the banks have hitherto inflicted upon the country, it would then be far the lesser evil to deprive them altogether of the power to issue a paper currency and confine them to the functions of banks of deposit and discount.

Our relations with foreign governments to January 1857, the aggregate amount of are, upon the whole, in a satisfactory condi-KANSAS. It is unnecessary to state in detail the all arming condition of the Territory of Kansas siderably less than one dollar in seven of gold at the time of my inauguration. The opposing parties then stood in hostile array against each other, and any accident might have relighted the flames of civil war. Besides, at this critical moment, Kansas was left without a Governor by the resignation of Gov. Geary. On the 19th of February previous, the territorial legislature passed a law providing for the election of delegates on the third Monday of June to a convention to meet on the first Monday of September, for the purpose of framing a constitution preparatory to admission into the Union. This law was in the main fair and just; and it is to be regretted that all the qualified electors had not registered themselves and voted under its provisions. At the time of the election for delegates. an extensive organization existed in the Territory, whose avowed object it was, if need be, to put down the lawful government by force, and to establish a government of their own under the so-called Topeka Constitution. The persons attached to this revolutionary organization abstained from taking any part in the election. The act of the Territorial Legislature had omitted to provide for submitting to the people the Constitution which might be framed by the Convention ; and in the excited state not equal to one dollar in seven and a half of public feeling throughout Kansas an aprelation to Slavery against their will. In this emergency it became my duty, as it was my unquestionable right, having in view the Territorial laws, to express an opinion on the true construction of the provisions concerning Slavery, contained in the organic act of Congress of the 30th May, 1854. Congress declared it to be "the true intent and meaning of this act not to legislate Slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic insticeived into the Union with or without slavery, to the "domestic institution of slavery. as their Constitution may prescribe at the time of their admission."

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kinds of Jobbing done in country establishments, executed neatly and promptly. Justices', Consta-bles' and other BLANKS, constantly on hand and rinted to order.

question of slavery, or did they intend, by leaving it to the people, that the people of Kansas themselves should decide this question by a direct vote ? On this subject, I confess, I have never entertained a serious doubt, and, therefore, in my instructions to Governor Walker of the 28th March last, I merely said that when "a Constitution shall be submitted to the people of the Territory, they must be protected in the exercise of their right of voting for or against that instrument, and the fair expression of the popular will must not be interrupted by fraud or violence."

In expressing this opinion it was fur from my intention to interfere with the decision of the people of Kansas, either for or against slavery. From this I have always carefully abstained. Intrusted with the duty of taking, "care that the laws be faithfully executed." my only desire was that the people of Kansas should furnish to Congress the evidence required by the organic act, whether for or against slavery; and in this manner smooth their passage into the Union. In emerging from the condition of territorial dependence into that of a sovereign State, it was their

duty, in my opinion, to make known their will by the votes of the majority, on the direct question whether this important domestic circulation by increasing the denomination of institution should or should not continue to bank notes, first to twenty and afterward to exist. Indeed, this was the only possible mode in which their will could be authenti-

The friends and supporters of the Nebrascent occasion to sus'ain its wise provisions before the great tribunal of the American people, never differed about its true meaning on this subject. Everywhere throughout the Union they publicly pledged their faith and their honor, that they would cheerfully subthe bona fide people of Kansas, without any restriction or qualification whatever, All were cordially united upon the great doctrine of popular sovereignty, which is the vital principle of our free institutions. Had it then been insinuated from any quarter that it wo'd organic law of each bank's existence, that a be a sufficient compliance with the requisitions of the organic law for the members of a convention, thereafter to be elected, to withhold the question of slavery from the people, and

> gally-ascertained majority of all their constituents, this would have been instantly rejected. Everywhere they remained true to the resolution adopted on a celebrated occasion recognizing "the rights of the people of all the Territories-including Kansas and Nebraska-acting through the legally and lairly-expressed will of a majority of actual residents, and whenever the number of their inhabitants justifies it, to form a constitution with or without slavery, and be admitted into the Union upon terms of perfect equality with the other States "

The convention to frame a constitution for Kansas met on the first Monday of September last. They were called together by virtue of an act of the Territorial Legislature, whose lawful existence had been recognized by Congress in different forms and by different en-actments. A large proportion of the citizens of Kansas did not think proper to register their names and to vote at the election for delegates; but an opportunity to do this having been fairly afforded, their refusal to avail mselves of their right could in no. affect the legality of the convention. This convention proceeded to frame a constitution for Kansas, and finally adjourned on the 7th day of November. But little difficulty occurred in the convention except on the subject of slavery. The truth is, that the general provisions of our recent State constitutions are so similar-and, I may add, so excellent-that the difference between them is not ressential. Under the earlier practice of the Government, no constitution framed by the convention of a Territory, preparatory to its admission into- the Union as a State, had been submitted to the people. I trust, however, the example set by the last Congress, requiring that the constitution of Minnesota "should be subject to the approval and ratification of the poople of the proposed State," may be followed on future occasions. I took it for granted that the convention of Kansas would act in accordance with this example, founded, as it is, on correct principles ; and hence my instructions to Governor Walker, in favor of submitting the Constitution to the people, were expressed in general and unqualified terms. In the Kansas-Nebraska act, however, this requirement, as applicable to the whole constitution, had not been inserted, and the convention were not bound by its terms to submit any other portion of the instrument to an election, except that which relates to the "domestic institution" of slave; 7. This will be rendered clear by a simple reference to prehension extensively prevailed that a design its language. It was "not to legislate slaexisted to force upon them a Constitution in very into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way." union of all good citizens in support of the According to the plain construction of the sentence, the words "domestic institutions" have a direct, as they have an appropriate. reference to slavery. "Domestic institutions" are limited to the family. The relation between master and slave and a few others are "domestic institutions," and are entirely distinct from institutions of a political character. Besides, there was no question then before Congress, nor indeed has there since been tutions in their own way." Under it Kansas, any serious question before the people of Kanwhen admitted as a state," was to "be re- sas or the country, except that which relates The Convention, after an angry and ex. cited debate; finally determined, by a major-Did Congress mean by this language that ity of only two, to submit the question of the delegates elected to frame a Constitution Slavery to the people, though at the last (Continued on Od page)

PRESIDENT'S MESSAGE.

the utmost possible wisdom and skill to the value of every man's property is increased or diminished in the same proportion, and

only one.

At length the time of the trial arrived. Smith was brought into court and placed at the bar. A great crowd thronged the room, eager and anxious to se the prisoner, and to hear the trial. He himself appeared firm and collected. Nothing in his manner or appearance indicated guilt; and, when the question was put to him by the clerk, "Are you guilty or not guilty ?" he answered with an unfaltering longue and with a countenance perfectly unchanged, "not guilty."

The counsel for the prosecution now opened the case. But it was apparent that he had little expectation of being able to prove the the case was in great mystery. The prisoner was a man of respectability and of property. truth of what he said. The deceased was supposed to have about him gold and jewels to a large amount; but the prisoner was not so much in want of know what articles of value he had? funds as to be under strong temptation to r had obtained the property, he had effectually concealed it. Not a trace of it could be lound.

Why then was the prisoner suspected.

The deceased Henry Thompson, was a eweler, residing in London, and a man of wealth. He had left London for the purpose ected to make a large purchase. The traold to a large amount.

With these in his possession he left Hull hat he stopped until he reached Smith's and he next morning he was discovered dead in his bed. He died, when in Smith's house, if it could be shown that he came to his eath in an unnatural way, it would increase ay connected with the murder.

Now, then, continued the counsel, it will lighting a fire. e proved beyond the possibility of a doubt at the deceased died by poison.

uffering and no contortion of features. But then the question, when and by whom

The request of the prisoner appeared reasonable, and Lord Mansfield, contrary to the usual practice, granted it.

The prisoner went on with his statement. He said he wished to go out of the court relieved of the suspicions which were resting upon him. As to the poison, by means of which the stranger is said to have died, he knew neither the name of it, nor even the prisoner guilty. He stated to the jury, that existence of it, until made known by the counsel. He could call God to witness the

> And then as to Mr. Thompson, he was a perfect stranger to him. How should he

He did not know. If he had such articles ommit murder. And besides, if the prison- at Hull, he might have left them on the road or which was more probable, have otherwise disposed of them. And if he died by means of the fatal drug, he must have administered t himself.

He begged the jury to remember that his premises had been repeatedly searched, and not the most trifling article that belonged to f meeting a trader at Hull of whom he ex- the deceased had been discovered in his possession. The stopper of a vial had been ler he did meet, and Mr. Thompson was found-but of this he could only say he had nown to have in his possession jewels and no knowledge, and had not seen it before it was produced in Court.

One fact had been proved, and only one. on his return to London. It was not known That he would explain, and his housekeeper would confirm the statement.

A witness had testified that some one had gone to the bed-room of the housekeeper on the night in question. He had been subject for much of his life to sudden fits of illness; he suspicion that the prisoner was in some he had been seized with one on this occasion, and had gone to procure her assistance in

She had returned with him for that purpose.

What was the poison? It was a recent on her clothes. This would account for the he having waited in the passage while she put iscovery of some German chemist, said to momentary disappearance of the light.produced from distilling the seeds of the After remaining a few minutes in his room wild cherry tree. It is a poison more power-and finding himself better, he had dismissed ul than any other known, and deprived of her, and retired to bed, from which he had fe so immediately as to leave no marks of not risen when informed of the death of his guest,

Such was the prisoner's address, which mall one indeed, and yet upon it might hang in a firm, impressive manner, and from the of the unfortunate Thompson.

court, and a physician who was present was requested to attend her. At this time, the of their circulation \$214,778,822, and of solicitor for the prosecution (answering to our State's attorney) left the court, but no one knew for what purpose.

Presently the physician came into court, and stated that it would be impossible for the housekeeper to resume her seat in the box short of an hour or two.

It was almost twelve in the day. Lord Mansfield, having recommended that the jury be accommodated with a room where they could be kept by themselves, adjourned the court two hours. The prisoner, in the meantime, was remanded to jail.

It was between four and five o'clock when the judge resumed his seat upon the bench. The prisoner was again placed at the bar, and the housekeeper brought in and led to the box. The court room was crowded to excess, and an awful silence prevaded the place.

dressed the housekeeper. "I have but a few more questions to ask you," said he "take heed how you answer, for your life hangs upon a thread.

"Do you know this stopper ?" "I do." "To whom does it belong ?"

"To Mr. Smith."

"When did you last see it ?"

At that moment the solicitor entered the court bringing with him upon a tray, a watch, two money bags, a jewel case, and a bottle of the same manufacture as the stopper and having a cork in it.

The tray was placed on the table in sight of the witness, and from that moment no doubt remained in the mind of any man present of the guilt of the prisoner.

A few words will bring this melancholy tale to a close. The house where the murder was committed was between nine and ten in our own markets with foreign manufacmiles distant.

The solicitor, as soon as the cross examination of the housekeeper had discovered the incidental protection afforded to our domestic existence of a closet, and its situation, had manufactures by the present revenue tariff. set off on horseback, with two sheriff's offi- But for this the branches of our manufaccers, and after pulling down a part of the tures compsed of raw materials, the producwall had detected this important concealment. The search was well rewarded. The whole iron and woolen fabrics-would not only of the property belonging to Mr. Thompson have acquired almost exclusive possession of was found there, amounting in value to some the home market, but would have created for thousand pounds; and to leave no toom for themselves a foreign market throughout the doubt, a bottle was discovered which the med-

ical men instantly pronounced to contain the as it administered? One circumstance, a produced a powerful effect. It was delivered very identical poison which caused the death

their deposits \$230,351,352. Thus it appears that these banks in the aggregate have conand silver compared with their circulation and deposits. It was palpable, therefore, that the very first pressure must drive them to suspension, and deprive the people of a convertible currency with all its disastrous consequences.

Is is truly wonderful that they should have so long continued to preserve their credit, when a demand for the payment of oneseventh of their immediate liabilities would have driven them into insolvency. And this is the condition of the banks, notwithstanding that four hundred millions of gold from California have flowed in upon us within the last eight years, and the tide still continues to flow. Indeed such has been the extravagance The cross-examining counsel] again ad- of bank credits that the banks now hold a considerably less amount of specie, either in proportion to their capital or to their circulation and deposits combined, than they did before the discovery of gold in California. While in the year 1848 their specie in proportion to their capital was more than equal to one dollar for four and a half, in 1857 it does not amount to one dollar for every six dollars and thirty-three cents of their capital. In the year 1848 the specie was equal within a very small fraction to one dollar in five of their circulation and deposits; in 1857 it is of their circulation and deposits.

It is this paper system of extravagant expansion, raising the nominal price of every article far beyond its real value, when compared with the cost of similar articles in countries whose circulation is wisely regulated, which has prevented us from competing tures, has produced extravagant importations. and has counteracted the effect of the large tion of our own country-such as cotton, world.

In the mean time it is the duty of the Govcroment, by all proper means within its power, to aid in alleviating the sufferings of should have authority finally to decide the