Did you arrest him then. Did not discover anything extraordinary about his conduct.

Direct resumed—Aylesworth told me that "a man might write his name on a piece of paper and he would write it under or over and the man could not tell which was his own signature." Did you see him imitating the handwriting of other persons? (Objected to—objection overruled.) I saw him imitating the handwriting of others three or four years since. Can not be positive that I saw him imitating the signatures of Cashiers and Presidents of Banks.

Cross-examined—Saw a Miss Bennett and Mrs Luce. Mrs. Luce was in her room. The experiment of writing was in the bar room on his bar, a number was present. Made no secret of his penmanship. Did not try the experiment myself. Should have been ashamed to compare my writing with him. Mrs. Luce was wife of Dr. Luce as they called him. He was not there.

James M. Ward Sworn—I was present at the house of Aylesworth at the time of the search. Did not go in. I made an examination of the premises of J. McDonald, Sen. H. Larraway, Benjamin Comfort, Grey and Salmon were with me. We commenced searching the lower part of the house. In one of the bureau drawers we found some copper plates covered with silver—plain. They were perhaps three by four inches—plain and bright. Should think they were silver-plated. We went from there up stairs. We passed round the head of the stairs. Found in the middle room several boxes, or trunks. Opened one of the trunks. We found a bill in a paper box—a ten dollar bill. It was on the "Commercial Bank of Whitehall." (Examining Bill.) Should think this is the bill. I put my initials on the bill I found—they are on this.

Objected that this bank is not included in the Indictment. Indictment sets forth certain Banks "and other Banks of the States of New York and New Jersey," these words are surplussage and they are precluded from giving evidence of notes of other Banks.

By the Court—The offence is conspiracy to cheat and defraud citizens of the Commonwealth, the indictment would have been good if no Banks had been named. They have abundant notice under the indictment. I have no hesitation with regard to the admissibility of the evidence. It is the same offence charged in the indictment.

Examination resumed—We found in the room at the head of the stairs, a pine box, or chest, with a rope handle. This box I should think is the box, it has the appearance of it at least. We opened the box. We pried the staple out, it was locked with a padlock. Mr. McDonald was in the house. We had asked him for keys to open the other boxes. Some had no keys. He gave us keys to the others. Asked him for the key to this, said he had none. We found a post with tenons—four rollers—two wood and two Iron—a box of Ink, I judged it to be printers Ink—a small cup—a wrench—pieces of cloth. There might have been other things. Should say these were the tools. The three patterns were not in at the time we found it.

Cross-examined by Bentley—When we went there McDonald was a bed. Told him we had come to make an examination of his house. He told us to go a-head. Found a bill in a trunk. There were some old papers and letters in the same trunk. There were papers in the paper box. It lay loose. The paper box was smallish. Think there was a cover on it. He gave us the key to the trunk in which we found the papers. We asked him for keys after we found the trunks. We had found one or two locked, and asked him for keys. He gave us them. After finding the box, we asked for the key to it. He said he had none. Did not tell us where he got the box. That it had been brought there a few days before and he knew nothing about it. It was among some old barrels and old harness. There was quite a lot of old traps around it. The room was not locked. Do not recollect that I spoke to him about the bill. Esquire Comfort and I looked at it. In the morning I let the District Attorney have it. I put my initials upon it at that time, at Nichols. Did not pull the staple until we asked him for the key. Do not recollect any more about the box except asking for the key. McDonald did not say anything about the bill. That it had been there a long time. When we pried off the staple, he was below I think. He made no reluctance to the examination. It was quite early in the morning. Shortly after daylight. He lived probably sixty or eighty rods from Aylesworth's.

Direct resumed—The bill is dated Nov. 12, 1850. Young McDonald was there that morning. He lived a short distance, fifteen or twenty rods from the old gentlemans. Have not been acquainted with Brown. Can not say how long he had been there. Had seen him there some three or four times.

Resumed, by Bentley—The first I saw of McDonald, Jr., he was coming towards the house, sometime after we had made the search.

Henry Larraway, Sworn—I went over to McDonald's with Comfort, Ward, and Salmon. The first thing we searched was the bureau. I found the plates in a paper box. I handed them to Mr. Ward. There was one engraved partly. The engraving was of the head of the person—and part of the body.

Objected to evidence of witness describing the plates. The plates should be produced.

The Court—It is a description of personal property, and can be given.

Witness—The engraving appeared to be intended to represent the head and part of the body of a male. I searched no farther. McDonald was put in my charge. I saw that box brought down. Saw the contents; saw all but the patterns; did not see them at that time.

Cross-examined by Bentley—The plates were about the usual size of daguerreotype plates. I could not tell whether these were ordinary daguerreotype plates. Should think they were about the size and appearance of daguerreotype plates. I think there were 5 or 6. Did not see any daguerreotype likenesses. This picture was regularly cut in. It was a good one. The features of the countenance were plainly marked. The whole figure was probably 2 of an inch in length. I gave them to Mr. Ward at the time we were standing at the bureau. They were in my hands about 5 seconds. I saw them at Mr. Ward's hands afterwards. The bureau was in a bed-room or recess off from the room in which they were sleeping. The door was open; they made no objections to our going in; there was clothing and paper in the bureau; said nothing about the plates to McDonald; they were done up in a paper; I think they were at the end of the drawer; it was not locked; when we first came to the house told him we came to search the house; he made no objections; did'nt interfere in any way; don't recollect whether there was a collar or cravat on the person in the engraving; think there was no coat; can't tell anything about the hair; judge from the features that it was a male; did not put my hand upon it; judge from my eye. About the time they went up stairs, they put him in my charge; think Gere put him in my charge. The reason why I did'nt go up stairs was because he was in my charge; he was sitting by the stove when they found the chest, or said they had found it. Heard persons ask him for keys; do not recollect who; he gave them what he had; I think there were one or two other papers taken out at the time by James Ward; don't know but they were letters.

Bowne—I went up to Aylesworth's with the company; did'nt go into the house till morning; saw a person coming out of one of the windows; she came out of the main part upon the roof of an addition, and went into a further bed-room window; she was dressed in her night-clothes; she came out of the second story window; went into a window over the kitchen; think it was in a bed-room window; the winnow was up; she pushed the curtain aside and stepped in. She or some one else raised the window that she came out of; do not know who it was; did not know Miss Bennett; the window she came out of was a hall window: she went north; this was about the time that the search first commenced; do not know that it had commenced.

Direct resumed—Am acquainted with the house, but do not know which room Miss Bennett occupied, nor its situation in reference to J. H. Brown's room.

AFTERNOON SESSION.

Larroway recalled by def'ts—I went to the window after the girl went in; saw a light; saw her the next morning; she was called Ann Bennett; I boarded at Aylesworth's three years ago some few months; I know Aylesworth, Prindle and Winters.

Direct—Have seen M'Donald's, am not acquainted with them; I have known Prindle 7 or 8 years; his reputation as far as I have known his character is good and has been; he is a mechanic.

Cross-ex'd—It is three years ago this winter since he left Lanesboro'; he has been at work on his farm at Starucca, about 10 miles from Lanesboro'; heard Wm. Morris say he was an honest, hard-working man; he told me this some two months since; he was talking about this indictment.

F. A. Ward, sworn—I was present at the searching of Aylesworth's house; I did not go into the house until after the search. I was standing on the stoop; Comfort was by my side; there was a light of glass out; I saw Salmon coming down stairs, Brown behind him; they went into the bar-room; Salmon passed by Brown, went to the stove, opened the door with his left hand; I thought from the motion of his hand that he had thrown something on the fire and so remarked to Comfort; he made the motion with the left hand: when I went in there was a fire in the stove; I saw a man in the employ of Aylesworth go in another room, and return with wood and shavings and kindle a fire; immediately after Brown appeared at the door; Winters have seen there; seen Dalton there; Brown has made it his home there for a year; Brown had no business that I know of; Have seen the McDonalds at Aylesworth's before the arrest; I remember of seeing them there but once in particular distinctly, in the early part of the fall of 1850; they had been drinking; the young man was noisy; I asked Aylesworth who they were; he said the two McDonalds.

Cross-examined by Bentley—The McDonalds were in the bar-room; that was in the evening; I was frequently at Aylesworths; I sometimes was at Lanesboro'; don't know that I have seen them there any oftener than other neighbors; they lived about a half a mile from Aylesworth's; I should think I had a distinct recollection of seeing them there at different times, but cannot specify particular times; there is nothing but reports that I have heard which induced me to notice their being there; should think I had seen them there after the time mentioned, together and apart; previous to the time mentioned did not know them; can't state any different from what I have said; can't say anything more definite about Prindle; it is a mile from Lanesboro' to the Depot; I saw Brown throw something in the stove; I should think that the search of the stove was not made until after the fire was made.

Simeon Woodruff, sworn—Sometime last February or March, John H. Brown called upon me to plane a board; my occupation is a carpenter; it was a hard-wood board, some 5 feet long, 4 or 5 inches wide, about an inch thick; it might have been beech; don't recollect what use he said it was intended for; he told me; he wanted it very true; I dressed it once and he carried it away and returned it; said it was not true enough; he wanted it made true across; I took a square plane and made it true as I could; that (the board was shown to the witness) is just such a kind of a board that I dressed; it is about the size; possibly it may be the board, it may not; I have resided at Aylesworth's some; Winters was there at the time; I think it was a year ago last fall or latter part of summer; he was there when I went there and when I left; I was tending bar there.

Q. Did he offer you counterfeit money?

[Objected to. They cannot give evidence of a bill, said to be counterfeit, without producing the bill. Wheeler's crim. cases 412, People *vs.* Maxwell.

The Court said it would not be admissable in an indictment for conspiracy to defraud, cheat, &c. They may prove acts to show a conspiracy.]

Witness—Some time last winter, I took a $3 bill of Winters, and laid it on the bar; Aylesworth came along and looked in the drawer, and looked at it; said it was counterfeit bill, and he must take it back; I told him and he did; he let me have a $5 at another time which I showed to Aylesworth, and he said he must take it back, that it was a counterfeit; he took it back and gave me other money; this $5 bill was passed in February perhaps; I think Aylesworth was not present on either of these occasions when he took them back; don't recollect what bank they were on; think they were banks of York State; think they were on different banks; when I took them back I told him what Aylesworth said; don't recollect his reply; Winters was there tending stable for Aylesworth; do not recollect any other occasion on which he passed money upon me; Aylesworth gave me a $5 bill to go and buy oats with, which was returned; I redeemed it and gave it to Aylesworth; do not recollect the bank the bill was on. Am not very particularly acquainted with the McDonalds; they were in there while I was there; McDonald Sr. requested me to let him have all the new $1 bills that I took in, and he would let me have other money for them; I should think I had seen all that are hereto the defendants at Aylesworth's; have seen McDonald Sr. in the bed-room, near the bar, in close conversation with Aylesworth; door was locked; they remained there some time, perhaps half an hour, perhaps an hour; this has occurred more than once; it occurred a number of times; Wellman and Valentine have been closeted with them; whether both at the same time, dont know; Dr. Luce was there; he was closetted with them also; M'Donald sr., Aylesworth and Dr. Luce were once closetted there; don't recollect that Aylesworth was with them every time; never saw Brown with them; he boarded there when I was there: don't know of his being engaged in any business; have seen Dalton there; have seen Prindle at Aylesworth's: he was there once or twice while I was there; I went there in September and left in February; I let J. M'Donald sr. have several $1 bills; don't recollect any particular remarks that he made, only that he wanted new ones; Christopher Wellman came there while I was there; his visits might have been a month or six weeks apart; Nathan Taylor was there occasionally.

[Evidence in regard to Taylor objected to, and rejected by the Court.]

Cross-examined—I can't tell the time when I first saw McDonald in the bed-room with Aylesworth; they passed through the bar to get to it; I have sometimes tried to get in and found it locked; sometimes called Aylesworth; I would start to go in for something and find it locked; he has sometimes come out and gone back again; may have been in there in the evening and daytime the spring after they were arrested; don't recollect seeing him go in with any other persons; it excited my suspicions at the time; I did not speak about it to Aylesworth as I recollect; can't tell the precise time that Wellman and Valentine were in there; It made an impression on my mind at the time; all the kind of notes that I recollect his asking me for, were new one dollar notes; don't recollect his asking for relief notes; I might have let him have ten or fifteen; I might have let him have them at four times; he never let me have larger bills for ones; I had some ones of him, I let him have others; those that I let him have were new; those he let me have were old; Mr. Prindle was not oftener in town than others; never saw anything suspicious in him; he staid over night at Scott's once; I knew him when he was at work at Lanesboro'; he attended to his business for anything that I know; I took the money as Aylesworth's agent; he had something at the bar, I gave him the change; have understood that Dalton lived at Deposit; Aylesworth kept his books and papers in that room; people sometimes went in there; the door was generally unlocked, and when people were in there have known it locked more than once; have no knowledge of the business he transacted there.

Direct resumed—Don't know Dalton's business there, only upon one occasion he attended a dancing party; the door was locked upon one or two occasions other than I have mentioned. Dr. Luce was in there and a young man named Parsons; Luce and Parsons were in at different times; they have been in there together; I think Winters did not offer me money at any other time.

Cross-examined by Bowne—This door was generally unlocked; when they were in there I got in if I asked.

The Court—When Parsons was in there and Luce I knew what they were doing; they were playing cards.

James Wright, sworn—I am the cashier of the Bank of Owego; this bill shown me is a genuine $1 altered to a $5; this is one of the same description; the third is the same; I am acquainted with the plates and notes of the bank of Chemung; we are in very frequent correspondence with the bank; we handle the notes every day; have never seen either of these officers write; we pay their notes out at the counter; it is an altered note bank of Chemung; it is altered from a 1 to 10; I think they have no $10 notes; I am confident; they have but one plate; they have a $7 or $9 plate; there are four pieces to a plate; I am not particularly acquainted with the plates of the Franklin Bank of Chatauque co.

G. A. H. Englehart, sworn—I am connected with the Bank Department of the State of New York; I am one of the Registers; I am acquainted with the plates and notes of the Free Bank Department; am acquainted with the plates of the Marine Bank of Buffalo; this note appears to me to be a 1 altered to a 10; it is a genuine *one*; I can swear to the hand-writing of the Register, S. Moffat; the note of the Franklin bank is an altered 1 to a 10; the plates of the Free Banks are kept in a vault in the Department; the impressions are taken at New York under the supervision of an agent appointed by the Governor; they are then brought to Albany under the seal of the agent and printer, registered and numbered in the office, and sent to the banks.

EVENING SESSION.

Mr. Englehart recalled—I am acquainted with copper-plate presses; they are similar to this press shown me; they operate like this only they are much stronger; they have four levers; the plate passes through rollers like these.

Charles Nickson, Sworn—Mr. Brown bought a horse of me. The money proved not to be good. He gave me a hundred dollar bill. I have it with me. (Shows the bill to the Court.) This is the bill which J. H. Brown gave me. It is the man who is in Court. It is on the City Bank of New Haven. A brother-in-law of mine, Mr. Gleason, was present when it was passed upon me. Others were present.

Cross-examined—I reside in Berkshire, Tioga Co., State of New York. I sold my horse in March last—the 22d day, if I made a correct minute. I sold my horse at my residence. No person was with the person who purchased the horse. He came out a foot and alone. I came over to see him in jail. I recognised him. His face was paler. His whiskers larger. His whiskers now come down under his chin. The man that bought my horse came from the east. I live fifteen or sixteen miles from Owego. The Owego and Ithaca Rail Road is six or eight miles from me. He might have come from Owego. I do not know where he came from. He was there first in the afternoon, two or three o'clock. He bantered with me some time. Tried to beat me down. He went to Speedsville about one mile from me and came back and closed the bargain. It was between sundown and dusk when he left. He did not stammer. He told me he had sold his horses to Pollard of Main, in Broome County. Said he sold for one hundred and ninety dollars. Said Pollard shaved him. Told he was a mechanic. He and his brother-in-law was going to farm it that season; his brother-in-law had a large bay horse, he wanted a match; he went back the same way he came; I told him a better road, but he seemed to have one marked out; he told me his name was Brown; I went to Maine village; they told me there was no man of that description there; there were they said, several men of that name there; I found it was a story that he had sold Pollard the horses; his brother-in-law and clerk told me Pollard was gone down the river; I saw him in June last; have been there three times and seen Brown; never saw the man before he bought the horse; I did not suspect the man, if I had, I would not have sold him the horse; he talked like a deacon or minister; he gave me one hundred and twenty-five dollars for the horse; two tens and a one hundred dollar bill; the tens went for good bills; they did not return to me at any rate; I think his clothes were dark; his pants were corded; I thought he was a poor man and had'nt any better ones.

Direct resumed—There are two roads; the east road is the more direct and best; I next saw him in jail; don't know what I ever saw the horse again. Mr. Gleason's name is Silas P. Gleason.

Silas P. Gleason, Sworn—I was at Nickson's when he sold the horse; the individual said his name was Brown; have seen him since; first saw him in jail; I think that is the man; (pointing him out.)

Cross-examined—I would not be willing to state positively, because there are men very much alike; I took a little more notice of him than I usually do; noticed his hands and countenance; Thought he was not a laboring man.

Geo. A. H. Englehart, recalled—This plate is the original plate of the old emission of one dollar notes. I am familiar with the one dollar bills of the City Bank of New Haven. Should say it had been altered by pasting the 100 over the end. The denomination in the body is stuck or pasted on in my opinion.

James Wright, recalled—I am not more acquainted with the New Haven Bank, than the Banks of New York; have corresponded with the President; he was a stockholder of the bank of Owego; have no doubt but that this bill is altered by pasting the 100 on the corners, and the word one hundred on the body; the vignette on the one hundred is on the bottom instead of the center;

Amos Barnes, Sworn—Aylesworth came to my shop the last of February last; said he wanted some work done; wanted patterns made; an iron roller, some five or six inches long and three and a half inches in diameter with a journal on each end, with a bearing for a crank on one end; my occupation is carrying on a machine shop; we cast those rollers; my younger son turned them smooth; Mr. Aylesworth took them away; that is the pattern I made; These are the rollers; I recollect said rollers which I spoke to Aylesworth about; he said it made no difference; recollect the bearings which give a place for a crank on each end; he said he wanted more irons; he came to the shop again and I got up this pattern from his discription; (witness here explained the construction and operation of the "*stump machine*;") he called it a lever power; said it would raise builhings of any size; James McDonald came to my shop in the fall or winter, year ago last fall; had a couple of irons, wanted the ends turned; said he was a going to make *ketchup*; I told my son to do it; he told me in the evening he had done it; there was no wood on the irons; they were about the size and length; one longer than the other and, square on the end; Aylesworth said he was a going to get up a *sugar cruiser*; he did'nt like to be be-holding to his neighbors; I got the idea that he was going to put wood on them as it is on now; I took one of McDonald's rollers into my hands; my youngest son is sick and could not come.

Benjamin Comfort, Esq., Sworn—I saw all those tools before; I think I made the screws; there is no particular mark by which I recognize them; think I made them for James McDonald, jr.; I made two little plates of the fashion of these shown me; I cut these off and was a going to punch them; he said I need not, for they would be in a place where they would lay in their place; I saw this box at McDonald's; was there at the search; the Sheriff sent several of us up to make search; I rapped and he opened the door and told us to come in; we told him our business; he lit a candle and we went down stairs and up stairs; we found a ten dollar bill, and the box containing the tools with a padlock; it was sometime in the winter, a year ago that he got the screws made; don't recollect his getting any journals made; I have a partner; he is not here.

Cross-examined by Bentley—They look like my work; I can generally tell my work; the general appearance shows it; one of the plates is not square at the end; I was at Aylesworth's; there was a search before the fire was made; we took the wood out; it was after Brown put something in the stove; I think I let him have that iron to turn the screws with.

William G. Gregley, Sworn—I was present at the time Aylesworth's house was searched; noticed a stove in the bar room; it was examined after Brown came into the bar room; there was fire in it; there was live coals in it, considerable many; I was on the stoop and saw Brown when he came down stairs; saw him go to the stove; he came down with Salmon; he opened the stove with his left hand and threw something in; After that I saw the coals in the stove; It might have been a minute or a minute and a half before the search; as soon as he made that motion the hired man of Aylesworth poked up the coals and went to get shavings and wood; I am in the employ of the New York and Erie Rail Road Company; have charge of the Express Depot; John H. Brown was in the habit of frequenting the office; it was the American Express Company; packages came to Brown frequently.

[Offered to prove that Brown received packages resembling packages of money. Objected to. Ruled out.]

Witness—Brown and Aylesworth were frequently there together after passengers; they frequently waited for packages; I think I have known Brown to stay at least two nights; he received two packages; he sometimes came down afoot on the track, sometimes came in the carriage; saw nothing.

Amos Barnes, recalled—Had seen J. McDonald jr. before, had heard him called James; my son called him James; can't tell how long before he came to my shop; never had any conversation with him since; should think I had seen him about Aylesworth's between the time he got this work done and the arrest; should think I saw him on the stoop as I passed; I think it is the man that stands behind you; don't think I am mistaken; never saw a countenance like his before; my son was sitting up; he could'nt lie down the day before I left; I thought he could not come; I live eighteen miles from here.

David Taylor, Sworn—I have noticed lights in Aylesworth's garret a year ago this winter late at night; I had two brothers-in-law carpenters, who worked on the New York and Erie Rail Road; they mentioned it; they came home late frequently; I got up and unlocked the door and saw the light; have frequently seen McDonald, Sen; seen him at Aylesworth's frequently; he came into the place when I came home from down the river; have seen McDonald, jr. there; have seen Brown there; don't know that I ever saw McDonald and Brown in close conversation.

Cross-examined—Saw the McDonald's at other places; don't know that he (McDonald, Sr.) had any occupation; while the Pouey lived he was generally driving him around and stopping at the tavern; Poney died about the time whortleberries were ripe; he rented a house; do not know that he had any land with it; he might have made a garden.

FRIDAY MORNING.

Simeon Woodruff, recalled—Have you made further examination of the board? (Objected to.)

By the Court—If the witness can upon reflection or examination speak more confidently he may.

Witness—The mark on the end of the board is the same I should think that was made by my bench hook.

Cross-examined—If a board had been planed upon that bench by any other person it would have looked like it; if planed upon another bench with a similar hook, it would have resembled this; I do not swear positively that it is the same board; I think it is the same; the board looks like it; the marks are like those made by my hook.

Robert W. Cooley, recalled—When I came down from the garret I noticed the stove; they were looking in the stove for something that they said Brown threw in there; there were a bed of coals; I did not see him throw any thing in; Salmon was looking in; he is not here; don't know that he stopped the man with wood and shavings; don't know that he examined it immediately.

Almon Barnes, Sworn—(Is shown the journals.) They are not of my manufacture; I have seen some like these; they were longer than these. I made them for J. McDonald, jr. I think one was fourteen or fifteen inches, the other a foot; might have been a little longer and might have been a little shorter. I came over in the cars and stage.

Cross-examined—I came because I was subpœned by the commonwealth; did'nt come before on account of my sickness.

John Fritchley, Sworn—Have seen J. McDonald, jr.; in the first place he came up to my shop and wanted to hire a horse.

Bownes—If they offer to prove and offer to show declarations of one defendant to effect the others, we object.

By the Court—The evidence is clearly admissable.

Witness—This was last spring or forepart of the summer; said he wanted to go up the Starucca; didn't let him have it; said I was going to use it; he said I need not be afraid of my poney; that day or the next he came up again; said he wanted to go up the Starucca to see his brother; he had hired Sanders grocery; did not let him take it; he called me out to the corner of the barn where the horse was and asked me if I was a Freemason, "I said I was free to every one that used me well;" he put his hand into his vest pocket I should think it was; he took two bills, a one dollar I should think and a two dollar bill; said I need'nt be afraid, he had the money; he must have one horse. I told him I was not afraid of the pay at all, but I could not let him have it; he went away at that time. A short time after I was at Whitcomb and Newman's grocery down in the village; I believe J. McDonald, jr., came in after I went in. I staid a short time and started to go home; he followed me, said he was going home; we came to the corner of the grist mill; he said if I wanted money of any kind he could let me have it; he said the money was not exactly the right silver; but he could furnish me with money that would pass; I told him that I did not know that I wanted any; he said he could make it or get it; he said he had the moulds—three sets or they were over to his fathers; he said I think, they had three set, am sure two; one set he said was copper and one zinc; he did not say any thing about paper; he came over to my house one evening after; his father and I had had some difficulty about buckwheat; he went over home; I had been away; was at supper; he came in and wanted to see me and speak to me out doors, to have a word with me; told him I would go; went outside the door; he wanted I should sue his father; he said he had a box over there with some moulds in it, and he wanted to get it, and his father would not let him have it; he said he had a fight and his father struck him with a chair; said he drew a knife and cut him; I saw a cut in his pantaloons; should think I saw that box at the time of the arrest; should think I had seen it over the river at McDonald, Sen.; he did not inform me what kind of moulds were in it when he said he had a box with moulds in it; never showed me any bills but those two; he said they were good bills: "would go at the bank, they could not detect them;" don't recollect any other conversation with him.

Cross-examined—Had been acquainted with him some time on friendly terms; been intimate enough; I lived on the summit some three miles from him; he pulled out the one and two dollar bills; said I need not be afraid, he had the money, had plenty of it; said it was good money; would go at the bank; they could'nt detect it; did not use the expression twice; he said the bogus would go at the bank; I bought a span of horses of McDonald; I bought one, traded a yoke of cattle with him for another; should not think I owed him any thing; there was another note; he sold it to Crandall; Crandall said he bought it; nothing was said at the time about the notes; I did not refuse because I was afraid that he would keep it or the note; we never had any difficulty; the one dollar, should think was on a Boston Bank; the two was scratched through the center, with a pen I should think; I can read and write; McDonald had been at Lanesboro frequently before he moved; should think his wife was not there; I live at Lanesboro' now.

Direct resumed—I was present the next morning after the arrest; should think this conversation was some two or three weeks previous.

S. A. Lyons, sworn—Shown a bill on the Marine Bank of Buffalo; should think I had seen it before; I put a mark of that kind on a bill of that kind and denomination; there are two marks I put on it, or my partner, Mr. Badger; I saw it put on; I received it from Aylesworth; the bill is $10; it was about a year ago in January or February; could not state which; I afterwards returned it to Aylesworth; I next saw it at Susquehanna, some three months afterwards; a man by the name of Gibson had it; he and Badger were looking at it; when I returned to Aylesworth with it I told him it was an altered bill; he said he was'nt aware of it, and was perfectly willing to take it back; it came into my hands after this; I gave it to Mr. Dimock; we were in the custom of marking bills when we received them from certain persons and when the bills were doubtful.

Cross-examined—I did not put S. A. Lyons on it; the red mark was put on several bills; he gave me other money; I got it of Mr. Gibson; I bought it of him; he claimed that he received it in a package of money that was paid him for stoves; did not admit it, or take it back on that ground; I bought it of him; I know nothing how this bill came in circulation again; the red mark is made by stamping it with a filled watch-key dipped in some ink that we had for stamping; we did not mark a great many bills; it might have been 10 or 50; I never marked but few; I gave $10 for it; after I bought it I asked him to tell me where he got it; he said he took money of Badger and two others and he must have taken it of the others; did not know which; the mark is dim; the mark which Dimock made was made in my presence; did not put the black mark on in two places; the red mark is on in two places; we generally put it on but once; perhaps another bill might be marked like this; I knew the red mark faded, was the reason why I put the black one on; the mark was put on the first time I received it; another man bought the stoves and left the money for him with Badger; the mark on the corner of the bill was put on by Dimock in my presence; the district attorney requested me to purchase the bill; I paid good money for it.

Bill offered in evidence. Bowne objected. The deft. is indicted for passage of this bill. Cannot see how it would be possible to get the evidence before the jury, if the principles contended for by the defence are admitted. Objection overruled.

Commonwealth offered to show the plates to the jury. Objected to, that it is substituting the opinion of the jury in the place of evidence. Overruled.

[Several witnesses were called but not examined, as the evidence related to matters before the time fixed in the indictment.]

S. P. Scott, sworn—(Shown a bill on the bank of Owego.) I saw Mr. Gates have this note at Lanesboro'; the first I saw it was last May or June; the last I heard of him he was in Deposit; his son resides in the town of Tompkins, Broome co; the second time I saw it, it went into Dimock's hands; I took it from Gates and handed it to Dimock; Gates then went into the bar-room and wrote his name on the back of the note; I heard of his being near Deposit depot; I took a $3 bill of Aylesworth a year ago last July; he was owing me, I went to him and he paid me $11, among it was a $3 counterfeit upon the City Bank of New Haven; I carried it till the spring following; I spoke to him soon after I learnt it was a bad bill; I spoke to him perhaps a month after; might not have been as long, perhaps longer; did not show it until I had shown it to the officers of the Unadilla Bank; he said that he hadn't the money at that time to redeem it.

Cross-ex.—I live at Lanesboro'; keep a public house a few doors from Aylesworth.

The bill of the bank of Owego passed upon Gates offered in evidence to the jury.

A. J. Seymour, sworn—This bill was passed upon me a year ago last Dec. It is a bill on the Franklin bank of Chatauque co. It purports to be of the denomination of $10; was passed to me for that; the man who passed it to me was a stranger by name; his countenance was familiar; I found afterwards his name to be James McDonald Sr.; I marked the bill on the face of it with the letters X and V; it continued in my possession with the exception of a short time; I delivered it into the hands of Mr. Dimock last June; I lived in Susquehanna in Harmony township, about a mile from Lanesboro'; a man called on me and bought a pair of boots; it was M'Donald; I objected to the bill at the time as it looked somewhat suspicious; the day was dark, I did not discover what the objections were; something like a month afterwards I saw other bills like it, of the same alterations; it was not as well done; I immediately examined it and discovered that it was an altered bill, altered from a 1 to a 10; it had got to be the fore part of March before I got my eye upon the person that passed it; I opened the subject to McDonald, let him know he had passed a bill upon me that was bad, an altered bill; he seemed somewhat surprised; he acknowledged having bought the boots of me but could not tell what bill he paid me; he promised to call and redeem the bill within a week; did not see him again in about a month; I told him that bill must be redeemed in a short time; he promised the second time that he would redeem it in a few days; he apologised for not doing it, and said it should be attended to in a short time; don't recollect the precise time but think about a month after he was arrested.

Cross-examined—I did not take or send that bill to New York. I put that first mark upon, soon after I took it—the "X" and "V." Within a month, think perhaps earlier. I put the mark upon it. I mentioned at the time I took it, that the "ten dollars" looked blurred, but the general plate looked good. I did not enquire his name; he remarked that he lived close by; he did not tell me where he lived; I understood he lived in Lanesboro'; it was in the afternoon; I put it in my wallet; I had other money in it; I am engaged in the mercantile business at Susquehanna; was constantly receiving and paying out money in those days; from that time to the time I saw the other bill which excited my suspicions, the money I received the next week and after was put in another place; my brother came in partnership the next week; this was the only ten dollar bill I had in my wallet; up to the time my brother came in there was no other ten in my wallet; in the month of January W. P. McKune came in with a draft and wanted me to cash it; I had occasion to take some from the wallet; I found this identical bill, knew it, remembered the man who passed it; he said it looked like the bad money; I told him to take it and examine it, and see what was the matter of it; he returned it in a day or two; I put a mark on it and took a memorandum; as soon as I found what filled it I made inquiries for it; when he passed it here, he was not a judge of money.

(Concluded next week.)

The Susquehanna Register.

JOHN C. MILLER, EDITOR.

MONTROSE, PENN'A.

Thursday Morning, Feb. 5, 1852.

FOR PRESIDENT,

GEN. WINFIELD SCOTT,

OF NEW JERSEY.

[Subject to the ratification of the People.]

☞ The lengthy evidence in the conspiracy trial published in the Register of this week, crowds out the usual summary of news; in fact there is little stirring worthy of record. In Congress nothing of much interest has been attempted, the most of the time being occupied by the Committees, and the Union saviors in the Senate.——The State House at Columbus, Ohio, was burned on the 1st inst. Nothing but the Clerk's desk was saved. The fire is supposed to be the work of an incendiary.——The Foreign news up to this date is not of much moment. There seems to be no doubt but that the Usurper President Napoléon will find it politic to engage his armies in some kind of a quarrel. The chances are in favor of England getting this attention. But it is, as yet, a matter of surmise and inference. The best blood of France is wasting away under the new *regime*. The brave Changarnier has received orders to leave the Republic. Thiers has been commanded to do likewise. So have Bedeau, Gerardine, Victor Hugo, and Lamarciere. The National Guards have been disbanded.

The Whig Almanac for 1852—We are under obligations to the publishers for a copy of this valuable work. It contains the full election returns in all the States, and a variety of other useful and interesting matter. It is altogether the most valuable work of its size that has been published.

For sale by F. B. Chandler, Montrose.

Godey's Lady's Book.—The February number comes to us ornamented with an imitation of the French Colored Crayon Drawing, a model cottage and two steel plates. Its literary contents are good. Godey seems to be determined to publish an American Magazine, that shall be superior to all others.

The Waverly Magazine, published in Boston, is we think, the largest paper in the country; and in mechanical neatness, is not surpassed. It is a weekly paper, of sixteen pages, ten by fifteen inches, and each number contains a new piece of fashionable music. A new volume commences in January, when it will appear in an improved dress, and during the volume the likeness of many of its able contributors will be given, commencing in No. 1, with that of the editor himself.

There will also be a story commenced in that number of twenty or more chapters, each chapter written by a different author. The new volume will appear on extrafine paper. Terms $2 a year or $1 for six months. A volume of 400 pages is concluded every six months. Address Moses A. Dow, No. 1, Water street, Boston.—*Carpet Bag.*

The Legislature.

The business transacted at Harrisburg is as yet of little importance. The committees are supposed to be preparing something that will require speeches from the talking men, and votes and wire working from the working men of our Legislature. In the mean time some matters of considerable more moment have been introduced. Mr. Muhlenburg introduced a resolution which calls upon the proper Departments to furnish distinct statements of the expenses and profits if any, on our State improvements, arranged according to the several divisions for the three years embraced between 1847 and the present time.

It is plain enough from the developements that a change of administration and a few family party quarrels have made, that outrageous abuses are perpetrated and permitted upon our public works. We apprehend that the Freeport Aqueduct Swindle, the Free tickets, to Locofoco delegates and politicians, the sales of motive power on the Columbia Railroad, and the Riprapping in Lycoming county, will be found to be but specimens of what Locofocos can do, and have done. The whole ought to be investigated. A bill was introduced in the House to incorporate the Catawissa Towanda and State Line Railroad.

GEN. JAMES of Warren, handed the chair a presentment of the Grand Jury of Warren county, of the law prohibiting the circulation of small notes as a nuisance. The paper was read and on a motion to lay it on the table a long and animated discussion ensued. The motion was lost Yeas 48, Nays 49. Rectnows, the member who represents this