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THE PAST AND FUTURE OF THE WEST.

THE EFFECT OF THIS WAR ON THE MISSISSIPPI—THE WEST AS THE CENTER OF MANUFACTURES.

THE census returns for 1860, compared with those of 1850 and 1840, furnish most interesting evidence respecting the actual and relative growth of the different sections of our country. In contemplating, however, this progress for the last ten years, the observer is especially struck with the fact that the West, wonderfully gifted by nature, has been receiving contributions to her wealth from all sections of the Union, and even from the whole world, until now she is returning the gift a thousand-fold. A flood of emigrants from the Eastern States, and from Europe, accompanied by a stream of capital for the construction of railroads and other internal improvements, have been poured on to its rich lands, making almost all portions accessible, and furnishing cheap transportation to market. Thus the vast material wealth of the whole region, mining and agricultural, has been, as it were, tapped by a hundred avenues, and flowed eastward in multiplying streams to feed the nation's commerce and add to the nation's wealth. The present seems to have confirmed what the sagacious had before discovered—that the West contained within its teeming bosom all the elements of future opulence and power, far in excess of that of any other known country. Food, climate, minerals, metals, water carriage—all are within reach, and we may therefore confidently expect that another census will tell the story of one more progressive step taken, and the West will have become not only the granary of the world, but the seat of manufactures for this continent at least.

Let us look a moment at the past. The growth of California has always been considered by many as unprecedented, and yet with all her

gold and silver her attractions have not proved more seductive to enterprising settlers than the wealth of the West. Thus, in 1850, the fame of the latter State had attracted to it 92,597 persons, and Wisconsin then numbered 305,000. In 1860 California had gained 292,173, and Wisconsin 463,485. By the following table will be seen at a glance the relative increase in the *free* population of the different sections of the United States since 1790:\*

	South.	North.	West.	Immigration in 10 years.
1790.....	1,271,692	1,902,475	.....	.....
1800.....	1,702,980	2,551,585	49,470	.....
1810.....	2,208,785	3,383,259	268,870	.....
1820.....	2,842,340	4,225,692	783,679	150,000
1830.....	3,660,758	5,407,170	1,454,127	128,502
1840.....	4,632,640	6,616,761	2,738,317	538,381
1850.....	6,221,868	8,476,709	4,854,517	1,427,337
1860.....	8,625,182	10,580,840	8,567,249	2,444,624

These figures show the curious fact that the population of the West has nearly doubled every ten years, and in the last ten years the white population of the South increased more than that of the North; doubtless owing to the fact that the West derived a large portion of its 3,700,000 of increase from the Northern and Eastern States. The census of 1860 has not given the nativities of the population. That of 1850 gave the Western population as follows:

Persons in the Western States born there.....	2,501,633
“ “ “ born South.....	660,142
“ “ “ born East.....	1,090,814
“ “ “ born foreign.....	601,928
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Total population.....	4,854,519

There were also 57,296 born West living at the South, and 19,696 born West living at the East. Of the population of the Northeastern States at the same time, 1,292,241 persons were born abroad, and 1,090,814 natives of the Eastern States migrated to the West, and 337,765 to the South; making 1,428,579 emigrants South and West, whose places in the East were supplied by 1,292,241 of the “pauper labor” of Europe. In the ten years which have elapsed since that census the West has gained 3,700,000 persons. The immigration into the Union during the same period was 2,444,624, which, with its natural increase deducted from the whole number, leaves 24,928,271 as the population of the United States by natural increase alone from 1850, being at the rate of 25 per cent in ten years, or  $2\frac{1}{2}$  per cent per annum. The Northern population in the same time increased 25 per cent, the Southern 38 per cent,

\* The Southern section includes fourteen States, Maryland, Delaware, District of Columbia, Virginia, North and South Carolina, Georgia, Alabama, Louisiana, Texas, Missouri, Mississippi, Kentucky, Arkansas, Tennessee, Florida. The North embraces the New England States, New York, Pennsylvania, New Jersey. The West, Ohio, Indiana, Michigan, Illinois, Wisconsin, Iowa, Kansas, Utah, Nebraska, California, Oregon, Washington, New Mexico, Minnesota, Colorado, Dakota, Nevada.

and the Western 77 per cent. Thus, the Northern population held its own, while that of the South increased 13 per cent by immigration, and the West 52 per cent by immigration. In other words, the West gained in the last ten years, besides her natural increase, 2,500,000 persons, who moved upon her soil with their wealth. If the wealth thus obtained were estimated at \$1,000 per family of five, the amount would be \$500,000,000 of capital which has been carried thither by individuals to employ in developing the immense natural resources of that portion of our country. In the same period there have been built at the West 3,656 miles of railroad, at a cost of \$254,720,364, mostly by Eastern or imported capital. The Illinois Central Railroad alone sent into Illinois \$30,000,000, and employed for some years 10,000 hands in building a road which enabled the Federal Government to sell \$11,000,000 worth of land, and the company to sell \$20,000,000 more to actual settlers, making over \$61,000,000 concentrated in that State by the operations of one company. Other undertakings produced like results, but the chief effect has been, by combining the newly acquired labor with the prolific soil, to produce the wonderful supply of wealth which the following figures indicate. If we compare two States, Illinois and Wisconsin, the results are as follows:

	—Miles of railroad.—		Grain receipts at Chicago.
	Illinois.	Wisconsin.	
1852.....	148	20	5,873,141
1853.....	193	50	6,412,181
1854.....	1,200	200	12,932,320
1855.....	1,884	240	16,333,700
1856.....	2,241	285	21,583,221
1857.....	2,571	559	18,032,678
1858.....	2,678	193	20,035,166
1859.....	2,774	838	21,736,147
1860.....	2,811	951	36,504,000
1861.....	2,910	962	47,696,409
Total bushels ten years.....			158,544,554

This grain at an average price of 66 cents per bushel, the average value for 1860 at Chicago, would be worth \$126,000,000, thus exceeding by \$31,000,000 the cost of the railroads, through the agency of which the grain was made available. The entire value of the imports into Chicago for 1860 was \$97,067,616. In 1861 the quantity of grain increased to 47,696,409 bushels, the Southern route being closed, and in 1862 the amount was 60,150,390 bushels. These figures but indicate the extent of that prosperity which has developed so rapidly during the last ten years in the northern sections of the West. So, too, the lines of railroad that tend South have poured streams of produce into the bosoms of the river cities, such as St. Louis and Cincinnati, and made them what they now are.

But the great natural outlets of the West are its magnificent rivers, which spread their broad arms East and West traversing hundreds of miles, and carrying their accumulated burdens to the Mississippi to find an outlet in the Gulf of Mexico. These are the great arteries of trade which confer wealth upon the Western producer, by cheapening the cost of transportation, and thus enabling his products to compete with others in the markets of the world. Ever since the purchase of Louisiana, and

the opening of the Mississippi River to Western produce, a constantly widening sphere has been given to the industrial enterprise which has sought the Western States. After the creation of the Western territories from the lands ceded to the Federal Government by the State of Virginia the population west of the mountains did not increase rapidly. In 1800 the number had reached but 49,470 persons. The only outlet for produce at that time was to follow the downward course of the streams to New Orleans. But both banks of the Mississippi as high as the Yazoo River being held by Spain, Americans were prohibited the use of this outlet. In 1795, however, Spain, by treaty, granted the free navigation of the Mississippi, with right of deposit at New Orleans for three years, reserving to herself the right at the end of the three years to continue this privilege, or name some other place of deposit on the banks of the river. In 1800, by the treaty of St. Ildefonso, Spain retroceded to France her old colony of Louisiana. That colony had been settled by France, and remained in her possession until 1762, when it was transferred to Spain, but in 1800, as stated above, was restored to France. Spain, however, continued in possession, and in October, 1802, withdrew from the United States the right of deposit at New Orleans without assigning any other depot. The mode of travel then among the settlers, who were all located on the banks of the great streams, was to construct immense flat boats designed only to go down stream, there to be broken up and sold for lumber. These boats freighted with produce required a place of deposit, without which the voyage was of no avail. When, therefore, the lower Mississippi was closed, thus destroying the whole trade of the West, an intense excitement followed. Expeditions were formed to open the river by force, and war was imminent. In this state of affairs the purchase of the country became imperative, and in January, 1803, Congress voted \$2,000,000 to set on foot a negotiation; at that moment, General VICTOR, by order of the 1st Consul, with a large French force was about to sail from Holland to take possession. But he was blockaded by the British, and BONAPARTE seeing the impossibility of the expedition, received favorably Messrs. MUNROE and LIVINGSTON on their arrival, and April 30th sold them the province of Louisiana for \$15,000,000. The difficulties that grew out of the cession, in relation to boundaries with Spain, were protracted many years, and it was not until 1812 that the people of the territory were admitted into the Union in accordance with the terms of the treaty of cession. This transaction gave rise to the greatest excitement, as all are aware—Massachusetts even threatening to secede if the annexation was carried out, and Mr. JEFFERSON being decidedly of the opinion that the State could not be admitted without an amendment to the Constitution. The vote on the admission however was 79 to 23, the opposition being entirely on constitutional grounds.

Soon after Louisiana was thus obtained, the great want of the West made its appearance in the shape of steam. The flat boats were indeed improved upon by keel boats, for the purpose of ascending the streams. The boatman was compelled to stand on the gunwale, at the extreme bow, and thrusting a long pole into the mud, placed his shoulder against the top, walked aft, thus impelling the boat forward. It required four months to travel, in this manner, 1,500 miles from New Orleans to St. Louis. In 1811 FULLON built a steamboat at Pittsburg. The era of improvement was thus opened. In 1815, St. Louis was reached from New Orleans in twenty-five days, and the subsequent progress was as follows:

1810, New Orleans to St. Louis, by flat boat....	120 days.
1815, Steamer Enterprise.....	25 "
1823, " time.....	12 "
1826, " Gen. Brown.....	9 " 12 hours.
1828, " ".....	9 " 4 "
1860, " running time.....	3 "

These figures show not only diminished time of passage, but they speak of immense additional resource-capital that was formerly locked up four months in a flat boat being now turned over forty times in the same period.

Now the Western waters are, or we should say at the breaking out of this war were, alive with steam tonnage, which carried forth the produce of the West, and returned with sugar, coffee, cotton, rice, tobacco, and merchandise of every description. The steam tonnage at the leading cities is as follows:

	Tons.		Tons.
New Orleans.....	84,300	Nashville.....	4,595
St. Louis.....	58,305	Wheeling.....	17,006
Cincinnati.....	33,900	Memphis.....	7,768
Louisville.....	34,551	Galena.....	6,251
Pittsburg.....	45,794		
Total.....			292,470

This increased tonnage does not express the growth of business, since, as we intimated above, by increase of speed the efficacy of a given amount of tonnage is forty times greater than formerly. In fact, it would require 12,000,000 tons to do the present amount of business at the old time, and the capital required for mere transportation would be \$600,000,000 instead of \$15,000,000, as it is now. The effect of the shortened time is also seen in the lower freights. In 1815, cotton cloth was 30 cents per yard, at which price four hundred pounds of cloth was worth \$120. The freight from New Orleans to St. Louis was, at the same time, five dollars per one hundred pounds weight. In 1860 the same quantity of cloth was worth \$44, and the transportation 40 cents, or 10 per cent of the cost. Thus it will be seen that the Western farmer for a bushel of wheat gets eight yards of cloth, instead of two as at the former period. The market for the manufacturer is thus greatly extended. So, too, the sugar of Louisiana goes up the river at \$4 per hhd., instead of \$60, as formerly, and the farmer has the benefit of the difference.

We thus see what the past has done for the West, and what great promises the future holds out. We see, too, how important all these great avenues of trade are for her rapid development. She cannot afford to lose her railroad connections with the East, nor yet can she consent that the free navigation of the Mississippi should be interrupted. The two years of war we have passed through have given good proof of the necessity that exists for both of these connections with the markets, and the damage she must suffer were either to be closed. Much discussion has arisen, therefore, as to the course the Western States would take were the South to be successful in this war, and the lower Mississippi pass out of the control of the United States. We deem this question, however one of very easy solution. With God's help we propose to keep the Mississippi. But even if we fail in that, there can be no reason why the

West should go with the South, for it is just as much benefit to the South as to the West that the navigation of the river be free, and on making a peace that point would of necessity be agreed upon, and the right be secured by treaty to both parties.

Nor can it be said that a treaty would not long be respected by the South; that she would, in spite of it, interrupt our trade and shut up the river, if at any time she should imagine it to be for her interest to do so. We might reply that we could *make* her respect her treaties. But, waiving that question, it is still evident that a treaty would leave the right just as secure as it would be if the river belonged to this government alone. We could not guard against all contingencies in any case. For instance, although our government extends now, and did before the war, over all the States bordering on the river, yet that fact did not prevent the Southern States seceding and blocking up the river. And were the South allowed to go to-day, and the West with it, what would prevent Louisiana seceding to-morrow from the Southern Confederacy, interrupting the navigation of the river, and enacting over the same folly of which we are at present reaping the bitter fruits?

But there is no necessity for arguing this question, as it is evident there is no reason why one should conclude that the free navigation of the Mississippi would be interrupted, simply because the river passed through different nationalities. All rivers thus situated are free in all nations to the dwellers on the banks. The Rhine, which descends from the Alps, has on its banks France, Switzerland, many German States, and Belgium, and it debouches in Holland. The Tagus and the Duro traverse Spain and find the sea in Portugal. The Elbe, in the Bohemian Mountains, traverses Saxony, Prussia, Mecklenburg, Hanover, Denmark, and reaches the ocean in the territory of Hamburg. The Weser traverses Saxony, Hanover, and Oldenburg to the ocean. The Danube traverses Wurtemberg, Bavaria, Austria, Hungary, Slavonia, and finds its outlet in the territory of the "sick man"—Turkey. The Vistula passes from Poland into Prussia. The Po passes through many countries of Italy to lose itself in Venitia. The St. Lawrence skirts the State of New York to find the sea in British territory. In short, there is no large river of the world which finds the sea in the same nation in which it rises. *Yet, of all the grounds of hostility which have arisen, interruption to river navigation has never been one.* It is no doubt true that, as in the case of the Mississippi, interruption has resulted from war; but on the return of peace free navigation has ever been the rule. Whatever, therefore, may be the issue of the contest we are now waging, this great avenue of trade which we have so long enjoyed will not, after the war is ended, be interfered with.

From the statements made above it is evident that the West, rich in mineral and material wealth of every kind and with free and extensive means of communication with the markets of the world, has a future in store for it of unexampled prosperity. Its rich lands are even now feeding the world; but we think a greater source of wealth will be its manufactures—the working up of its own abundant materials. The condition of the West now is not unlike that of New England on the occurrence of the war of 1812. Up to that time the leading interests of that section were fishing, exporting and freighting, while "free trade" was the cardinal political doctrine of the people. Great wealth had been ac-

cumulated in the carrying trade during the wars of NAPOLEON, and the farmers of the valleys of the Hudson and Connecticut had become rich by the export of breadstuffs. The embargo and the war ending suddenly, stopped the whole current of that trade, and there was a reflux of capital from those employments, which accumulated at the financial centers, and finally took a new direction—running into manufactures. This new enterprise was pushed with New England's characteristic energy, changing, however, (as we think, unfortunately,) the political sentiments of the people from "free trade" to "protection."

In the past ten years the West has, as we have shown, exceeded all other sections in prosperity. Population and capital have flowed in upon her, developing productions which have found a ready sale at good profits, while by means of the railroads the whole Western country has participated in the general prosperity. Now the population has grown somewhat in excess of the number which can readily be supported from agriculture, even if possessed of a large foreign market, and, as formerly in the East so at present in the West, manufactures are growing up and are succeeding, even in spite of the advantages of capital and long experience of the East. The census gives us the following figures in relation to the progress of the West in that direction:

	No. of		Value		Value	
	Population.	factories.	Capital.	raw material.	No. hands.	produced.
Eastern States.....	10,580,840	71,878	\$721,679,206	\$685,787,343	1,025,067	\$1,298,207,058
Western States.....	8,567,249	34,301	196,829,475	224,257,494	222,325	390,411,942

Thus it appears that the value per head of manufactures at the West is \$46, and at the East \$122, and that the West produces nearly one-third as much as the Eastern and Middle States. But the productions are of a coarser description, as is evident from the fact that at the West the raw materials are 60 per cent of the value produced, while at the East they are but 50 per cent. These manufactures at the West, it must be remembered, have grown up without any protection from the vast competition of New England capital, although that competition has been far more direct and effective than was that of foreign goods against New England at the close of the war in 1812. The principal kinds of manufactures produced, East and West, have been as follows, according to the same authority:

	EAST.		Value.	
	Capital. 1860.		1850.	1860.
Boots and shoes.....	\$20,019,039		\$46,723,572	\$77,355,368
Woolens.....	31,513,258		40,232,869	62,609,568
Cottons.....	89,464,544		58,566,922	106,573,646
Clothing.....	17,471,504		37,837,591	51,618,292
Sewing machines.....	1,344,050		.....	5,426,560
Furniture.....	3,372,162		12,270,416	16,026,465
Pig iron.....	.....		.....	3,170,101
Steam engines.....	.....		23,529,733	32,937,361
Agricultural implements.....	.....		4,134,232	8,249,281
Iron foundries.....	.....		14,683,600	20,871,310
Lumber.....	.....		32,748,645	38,524,900
Flour.....	.....		74,753,665	90,261,856
Soap and candles.....	3,816,958		7,940,632	10,458,542

	WEST.		
	Capital. 1860.	Value.—	
		1860.	1860.
Boots and shoes.....	\$3,141,920	\$5,141,520	\$9,465,205
Woolens.....	2,519,289	3,930,084	3,718,092
Cottons.....	783,000	1,269,403	1,391,987
Clothing.....	3,021,221	2,765,232	8,610,329
Sewing machines.....	46,200	.....	178,785
Furniture.....	3,971,910	3,960,993	6,674,839
Pig iron.....	.....	.....	16,311,000
Steam engines.....	.....	3,625,317	8,233,876
Agricultural implements.....	.....	1,923,927	7,955,545
Iron foundries.....	.....	3,839,887	5,170,984
Lumber.....	.....	14,577,250	33,274,793
Flour.....	.....	42,673,992	96,038,794
Soap and candles.....	1,783,127	1,836,802	5,607,187

These figures indicate the nature of the struggle that has been going on. Thus, articles like shoes and clothing have not as yet flourished at the West under the severe competition of the East, although the West has the advantage in respect to raw materials. But in the heavier articles, like iron, furniture, agricultural implements, steam engines, etc., which are protected at the West by the cost of transportation of the materials, the increase there has far outstripped the progress of the same branches at the East. These figures also indicate that all branches of manufactures are organized and ready for expansion. At such a moment war supervenes and closes the door to much of the usual trade of that region, by cutting off the Southern outlets. The employments of Western capital come to an end, and enterprise is turned in the direction of manufactures at the very moment when cotton, the raw material for \$106,000,000 of Eastern manufactures, is no longer available, and the flax and wool of the West are becoming the materials for clothing.

Thus the golden period for the West has arrived; the East having no longer the advantage over her, and the usual employment for capital being cut off to a great extent, we shall soon find her expanding in this new direction and furnishing not only food but clothing for the world. Her fertile soil, aided by machinery, can, with the same amount of manual labor, furnish a larger surplus of food than any other region; while her raw materials, her minerals, her water-courses, and her railroads all combine with cheap food to make the West the region for the cheapest possible production of manufactures. The fruits of her rich soil will then find a market, not only directly but also in the shape of goods. England now imports food and material from the West, and, combining them with English labor, furnishes goods for the supply of the world. The Eastern States have also in the same way gained great wealth. But now the West is about to do that business for herself—combining her own labor, material, and food, and thereby becoming the center of manufactures.

## HUNGARY—ITS CHIEF PRODUCTIONS.

BY LADISLAS KORIZMICS, OF PEST,

VICE-PRESIDENT OF THE HUNGARIAN EXHIBITION-COMMITTEE FOR THE INTERNATIONAL EXHIBITION OF 1862.

ACCORDING to official accounts Hungary produces each year of—

Wheat.....	14,655,000	Vienna Metzen.*
Rye.....	15,321,000	“ “
Maize.....	14,506,000	“ “
Barley.....	15,950,000	“ “
Oats.....	24,909,000	“ “
Other kinds of cereals....	1,425,000	“ “
Peas, beans, lentils.....	1,860,000	“ “

The agricultural products, which are especially fit for exportation, are, wheat and flour, rape and rape oil, tobacco, wine, wool, timber, hemp.

### WHEAT AND FLOUR.

Although the whole quantity of the wheat grown in Hungary (nearly 15,000,000 V. M.) is of good quality, still the wheat grown in the Banat, in the counties of Bács and Fehér, and in the plains adjacent to the river Theiss, is considered the best.

The staple places for the corn trade are Pest, Mosony (Wieselburg,) Győr (Raab,) Törökbecse, Szeged, Nagy Kanizsa.

Of these places, Pest being the most important market, the prices there may be regarded as the general average.

These prices were in the year 1824.....	1 florin 21 kreuzers.†
“ “ “ 1836-1845.....	1 “ 82 “
“ “ “ 1851.....	2 “ 86 “
“ “ “ 1854-1861.....	4 “ 37 “
“ “ “ 1862 (August)..	4 “ 70 “

To Pest comes the corn by railways, and on the Danube; from thence it is conveyed to Vienna by the railway on the left bank of the Danube, or more generally by steam and common boats.

From Pest also, and from that part of Hungary situated on the right side of the river, corn is sent to Trieste by railway. On this line the freightage for a hundred weight of wheat is now, from Buda to Trieste, 80 kreuzers.

Of the Hungarian wheat a superior flour and grit is made, and from the barley a very good quality of groat is produced in large steam mills, of which the most important are at Pest and Buda, though some very

\* 1 Metzen = 1.691 bushel.

† 1 florin = 100 kreuzers, about 2 English shillings.

considerable establishments are also to be met with throughout the country.

The following exhibited at the International Exhibition, will serve as a sample of the kinds of flour made, and the cost of each kind:

THE CYLINDER MILL ASSOCIATION AT PEST.

A. Table grit, coarse.....	15 florins	20 kreuzers	the cwt.*
B. " fine.....	15 "	20 "	"
No. 0. King's flour .....	14 "	20 "	"
1. Chandler extract.....	13 "	20 "	"
2. Baker extract.....	12 "	.. "	"
3. Flour for rolls, best.....	10 "	30 "	"
4. Flour for rolls.....	8 "	60 "	"
5. Bread flour, best .....	7 "	60 "	"
6. Bread flour .....	6 "	30 "	"

The above sorts are sold in sacks of 150 pounds. Each sack costs one florin Austrian currency.

The flour is carried by the Southern Railway to Trieste, for 1 florin 20 kreuzers per cwt., or for 1 florin 3 kreuzers if for export, which must be made known to the railway directors.

RAPE.

The rape or colza is chiefly cultivated on the extensive plains in the counties of Bács, Torontál, Crongrád, Békés, Csanád, Arad, Pest-Solt, Heves-Szolnok, and on the right bank of the Danube in the counties of Fehér, Tolna, and Baranya.

The annual crops depend in a great degree on meteorological conditions, and therefore vary. In the year 1861 the total produce amounted to about 1,000,000 Vienna metzens, while in 1862 it was scarcely one-quarter of that quantity.

The price of the metzen was, 1861,  $7\frac{1}{2}$  florins; in 1862,  $8\frac{1}{2}$  florins. Six florins can be taken as the average.

The central trading staple for rape is Pest.

The greater part of the rape grown in Hungary is exported as rapeseed; though there are some establishments where it is pressed for obtaining oil. One of most important mills is close to Pest, at Rákos-Palota, belonging to the firm S. W. SCHLOSSBERGER & SONS. About 160,000 Vienna metzens are worked up there annually, which yield about 40,000 Vienna cwt. of oil, and 80,000 cwt. of rapeseed cakes (oil cakes) which are exported in great quantities to England.

The price of these articles are, for 1862:

a. Double refined oil, the Vienna cwt., cask included, 36 florins. In other years about 27 florins.

b. Raw rape oil (Rohes rüböl,) 35 florins. In other years, 25 to 26 florins.

c. Machine oil (Maschinen Schmieröl) extensively used instead of the olive oil for oiling machines, 38 florins.

\* 1 English ton = 18 14-100 Vienna cwt.; 1 Vienna cwt. = 123 English pounds, 7 ounces, and 5 drachms.

*d.* Rapeseed cakes, the common food having failed this year,  $2\frac{1}{2}$  florins; but in other years about  $1\frac{1}{2}$  florins the Austrian cwt.

Linseed cakes are also produced, and considerable quantities exported. The cwt. 4 florins.

#### TOBACCO.

The tobacco plant is cultivated quite extensively in Hungary. Although the manufacture and trade of snuff, tobacco, and cigars is a State monopoly, permission to grow tobacco can be obtained of the authorities, as well as license for its export, hence this favorite occupation of the Magyar is continually on the increase.

For the State purposes a license is given annually for the cultivation of an area of about 75 to 100,000 yokes, (one Hungarian yoke, 1.06 acre,) in addition to which a certain area for growing tobacco for export is allowed to be cultivated. In the present year the area of tobacco planting for export amounted to about 8,000 yokes. The chief district for tobacco is situated on the left bank of the Theiss.

The quantity raised on the area reserved for the State manufactories amounts annually to about 750,000 cwt., and on that for export about 80,000 Vienna cwt.; were an impetus given by a greater demand, the production could be doubled or trebled.

We give the following as specimens of the prices fixed by the State factories for the tobacco needed for their own purposes during the years 1862, 1863, and 1864; other prices are fixed for the tobacco from other places:

#### A. COMMON LEAVES.

From Debreczen, Szamosbát, Szullok, Nagy-Károly, Szeged, Theiss, moscatel and common garden-grown tobacco, the Austria cwt. without the stalk (Storren.)

Selected leaves.....	11 florins.	
First quality.....	8 “	50 kreuzers.
Second quality.....	6 “	50 “
Third quality.....	4 “	“

#### B. GARDEN LEAVES.

From Csetnek.

First quality.....	20 florins.
Second quality.....	15 “
Third quality.....	8 “

It is to be remarked that the tobacco enumerated under A. is used for cigars and snuff, while those under B. for pipe smoking.

By private merchants it is purchased also at different prices according to the places; but 16 florins per Austrian cwt., best quality; 10-12 florins, second quality; and 6-8 florins, the last quality, may be taken as the average prices.\*

Among the wholesale merchants engaged actually in the export trade may be mentioned:

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\* According to the latest news, the price is increasing.

a. S. W. SCHOSSBERGER, in Pest, who has taken about 2,000 yokes from the area allotted for the production of tobacco for export.

b. LEDERER BROTHERS, in Pest, with 1,500 yokes.

c. KOHN JZIDOR, in Pest, with 1,000 yokes.

d. KOHEN BROTHERS, in Pest, with 500 yokes.

It is only lately that the restrictions on the production have ceased, but since that time the tobacco-planting and trade have very much augmented, and besides the above-mentioned firms there are also others engaged in it.

#### WINE.

As regards the production of wine, Hungary is one of the most important provinces in Europe. Its annual produce is exceeded only by that of France, while for quality of material it stands unrivalled.

The wines were not till recently sufficiently known, since, owing to various causes, only a very small quantity went abroad, and for the same reason also wines perfectly prepared are not now easily found in considerable quantities. But still a larger supply is kept in store than hitherto demanded for exportation. The right sources must be applied to, and excellent qualities will be found in sufficient quantities. There are some growers in whose cellars thousands of eimers are stored waiting for purchasers; but there are also some other merchants who could supply on demand 15,000 to 20,000 eimers of good wine.

To give an approximate idea of the scale upon which the production of wine is carried out, it will suffice to mention, that in Hungary, (without Transylvania, Croatia, Esclavonia, and the respective military frontier,) to the culture of the wine 591,356 yokes (or per 800 square klafter, 1,182,712 quarters) are allotted; the yearly produce (on a quarter about 20 eimers\*) amounts nearly to 24,000,000 eimers; of this, at the present time, about 3,000,000 eimers is of such a quality that, by proper management, it can become an article of exportation.

Superior wines are produced in the following districts :

The yearly production.	Eimers.
Tokai-Hegyallya, in about 19 places .....	268,000
"    the vicinity of it, 25 places .....	130,000
Ménés-Magyarát, about 14 places.....	241,000
Ruszt and the county of Sopron (Oedenburg.) about 19 places	59,000
Somló and the county of Veszprém in about 7 places.....	25,000
Badacson and the environs of the Lake of Balaton, in about 10 places .....	90,000
Neszmély and its environs, in about 7 places.....	80,000
Érmellék in the county of Bihar, in about 20 places.....	240,000
Eger-Visonta, in about 19 places .....	240,000
Szegzárd in the county of Tolna, in about 13 places.....	150,000
Villány and its environs, in about 11 places .....	80,000
County of Baranya, in about 11 places.....	400,000
Buda and the environs, in about 6 places.....	400,000

\* 1 Eimer = 11.8 gallons.

The yearly production.	Eimers.
Pest-Kőbány (Steinbruch,) in about 7 places.....	50,000
Szerednye, in about 8 places.....	60,000
County of Nográd, in about 14 places.....	150,000
County of Hont, in about 14 places.....	40,000
County of Posony (Pressburg,) in about 11 places.....	100,000
Vágh-Ujhely, in one place.....	6,000
County of Fehér (Stuhlweissenburg,) in about 8 places....	60,000
County of Somogy, in about 10 places.....	40,000
County of Vas, in about 19 places.....	60,000
Together, 272 places; yearly,.....	2,969,000

The enumerated localities are already known in the country, but there are besides them many others where a superior quality of wine is produced, but which is not sent to the market.

First-rate "*Ausbruch*" and *dessert wines* are produced in Tokai-Hegyallya and its environs, Ménés-Magyarát Ruszt, Sopron (Oedenburg.) Badacson, and the environs of the lake of Balaton.

Excellent *red table wines*, which can be compared to the best French wines, come from Eger (Erlan,) Visonta, Szegzárd, Villány, the county of Baranya, Buda and its environs, Vágh-Ujhely, etc.

The best places for *white table wines* are Magyarát, Somló, the county of Veszprém, Badacson, the environs of the lake of Balaton, Neszmély, Ermellék, Pest-Kőbánya (Steinbruch.) Szerednye, the counties of Nograd, Hont, Posony (Pressburg.) Fehér, Somogy, and Vas (Eisenburg.)

The first qualities of the Somló wines, if properly treated, is not inferior to the *best southern*. Notwithstanding the excellence of their quality Hungarian wines are very cheap; the reason of this is, because they are not exported, and therefore may be said to be unknown. The present International Exhibition affords the first occasion for the public to judge of their worth.

The best table wines can now be had in Hungary in great quantities—10, 15, 20 florins the eimer; common good wines for 6, 8, 10 florins.

If English or American capitalists would join us, and thus a market be secured for our wines, the trade in Hungarian wine would soon be one of the most important and lucrative.

The freightage per cwt. wine (which is about the weight of one eimer in cask) on the railway, including also the channel, as far as London, is at present about 6—7 florins; *via* Trieste it is of course cheaper, especially if English vessels could carry it as return cargo.

Besides the great quantity and large variety of *dessert and table wines*, there is a great amount of material fit for distillation, and with a little capital cognac-factories could be established for this article, as such, or as a mean of adjusting the respective wines, to correspond with port or sherry.

#### WOOL.

Hungary produces every year about 230,000 cwts.\* of wool, of which 118,000 cwts. are fine, and 112,000 cwts. common quality.

\* 1 Austrian cwt. = 100 Austrian pounds = 123 English pounds, 7 ounces, and 5 drachms.

The wool production is represented at the International Exhibition by the following growers:

	Cwts.
Baron Simon Sina.....yearly production	3,085
Count Lewis Károlyi .....	1,031
Prince Philip Batthyányi .....	1,000
Counts George Camillo and Aladár Zichy .....	1,000
Count George Festetics.....	700
Count Stephen Károlyi.....	700
The estates of the Primate of Hungary.....	500
Count Edmund Zichy.....	500
Count Maurice Sándor.....	450
Count Dyonis and Emeric Széchenyi.....	320
Count Paul Pálffy.....	280
Prince Saxon-Coburg Gotha.....	260
Count John Waldstein .....	100
The Abbey of Osorna .....	100
Paul Kis de Nemeskér.....	80
Count Julius Jankovich.....	80
Count George Andrassy .....	70
Count Felix Zichy-Ferraris.....	70
The Crown-Estate of Old Buda.....	30
Baron Nicolas Vay.....	30
Robert Czilchert (Juror).....	30
Constantine Gyioókó.....	28
Edward Egan.....	10

The staple place for the wool is Pest, where it is during the fairs (held quarterly) bought by foreign merchants, either directly or through the medium of the home merchants.

The greatest part of the fine wool is grown on the estates of the great land owners. B. S. SINA produces now the greatest quantity. Thousand or more cwts. are produced yearly by several land proprietors, as Count ZICHY DE LANGH in the county of Fehér (Stuhlweissenburg,) C. LEWIS KAROLYI, C. GEORGE KAROLYI, Prince PHILIP BATHYANYI, and many others.

Less than 1,000, but above 500 cwts., is produced by a great number, and from 100 to 500 by very many land owners.

#### FOREST PRODUCTS.

The area covered by forests is nearly one-fourth of the whole land; but it is not equally distributed, and therefore in parts destitute of wood the price is sometimes exceedingly high, while in the forest-districts it scarcely can be sold.

The greater forests are to be found in the counties of Arva, Túrocz, Lipto, Máramaros, Trencsén; the upper part of the counties of Zemplén, Ungh, and Beregh; and in the counties Krassó, South-Bihar, and Arad, the parts contiguous to Transylvania. The counties Baranya, Somogy, and Veszprém abound also in wood; but as regards the export trade none of the enumerated tracts of land are superior to Esclavonia—being the nearest to the Adriatic.

In the forests are to be found pines, common and turkey oaks, and beeches; in less quantity, maple, alder, ash, and the lime tree.

The pine is chiefly to be found in the counties of Máramaros, Arva, Túrocz, and Liptó; but in less quantity it is spread over a great area, commencing from Pressburg on the summit of the Carpathian range, as far as the southern end of Hungary in the Banat, and besides that it occurs also in the counties of Baranya and Vas.

On the more temperate mountain chains the beech and oak abound, especially the counties of Krassó and Somogy are famous for their beech forests. As timber used in husbandry, it is said that none is superior to the beech.

The plains produce chiefly the turkey and the common oak.

The trade in wood is carried on by means of the rivers, and most extensively practised on the Theiss, with the wood derived from the forests in Máramaros, Beregh, and Ugoesa. Besides that, a considerable trade is carried on on the Szamos, Körös, Berettyó, and more on the Maros. The staple places are along the river Theiss, Tisza-Ujlak, Tisza-Füred, and especially Szolnok and Szeged; on the river Maros, Lippa, Arad, and Mako.

Towards the valley of the Danube the greatest part of the wood is transported on the river Vág, from the counties of Arva, Túrocz, Liptó, and Trencsén; the staple places being Hradek, Rozsahegy (Rosemberg,) Zsolna, Vágh-Ujhegy, Szered and chiefly Komárom, which place supplies with wood for building purposes the whole country down the Danube as far as the Turkish boundaries.

On the rivers Garan and Jpoly also much wood is conveyed; but none of the rivers is superior in this respect to the Dráva (Drau,) for the wood derived from the mountains of Styria and Croatia. A considerable quantity of wood is transported on the Danube, also from Austria and Bavaria to Pest, where a most extensive trade is carried on.

The price of the wood has of late years greatly increased; the chief causes of this are the great enterprises in buildings and railroads, where it is used very often even as fuel. It may be stated, that the price of the timber is about the quadruple of what it was 15 or 20 years ago. But still many forests can be found, where wood has nearly no price for want of means of conveyance.

As an average the price of 1 florin and 1 florin 20 kreuzers may be taken for one cubic foot of timber of the first quality for building purposes and of timber for agricultural and domestic utensils. Extraordinary sizes from 1 florin 20 kreuzers to 2 florins. That is for hard wood, the soft wood is about one-third less in price.

The price of the staves per eimer varies according to size, from 60 to 80 kreuzers.

#### FLAX AND HEMP.

The flax and hemp could also become an article for exportation.

The northern districts are excellently qualified for the growth of flax; especially the counties of Szepes (Zips,) Sáros, Arva, Túrocz, Liptó, Trencsén, Zolyom, and even Máramaros and Vas.

In the southern parts of Hungary the culture of flax gives place to that of hemp. As places producing this material in a superfine quality, may

be named, the county Bács, and the southern part of the county Pest-Solt. The production of this place is an article of trade under the name "Apathin-hemp,"\* and may annually amount to about 150,000 cwt. (Austrian weight.) As to the fineness of quality it may be inferior to the hemp of other countries, but as to the strength of the fiber it yields to none.

The production could be much more extended, the predilection of the people and a good soil concurring, if there was a demand for exportation.

The price of the hemp is variable, according to the quality.

The prices at the market of Pest are as follows:

Rough hemp.....	16½	—	17 florins	the Vienna cwt.
Hemp for ropes.....	23½		"	"
Mixed hemp for spinning.....	29		"	"
Fine tow.....	10		"	"
Rough tow.....	7	—	8½	"

#### THE EUROPEAN LOAN OF THE CONFEDERATE STATES.

Much has been said respecting the European loan of the Southern States. As it is now certain that the amount asked for will be raised, the terms on which it is negotiated become a matter of interest.

The loan is for a moderate amount only, viz., £3,000,000 sterling. It is to bear interest at 7 per cent, but as it is issued at 90, and a certain discount is allowed, it may virtually be regarded as an 8 per cent transaction. The principal is to be paid off at par in 20 years. But in the meantime any bondholder may, if he prefer it, receive at any time, on giving 60 days' notice, the value of his bond in *cotton* at 6d. per pound for "middling Orleans." If he asks for his cotton while the war continues, it will be delivered to him in the interior of America, within 10 miles of a railway or navigable river. If not demanded till after the "re-establishment of peace," (when six months will be allowed for the option,) it will be delivered to him free of all charges at one of the principal cotton ports of the South.

To lead one to invest in such a loan as this necessarily requires great faith. But just at the present moment the word "cotton" has much the same effect on the European brain as the word "contraband" has on the American. In this operation London thinks she sees cotton, and therefore forgets that the war is not at an end; forgets that the most of the Southern States have in former times repudiated their debts; in fact, forgets everything except that the South has heretofore grown the raw material. When pay day comes around it would not be wonderful if the Confederate States were to forget that the money had ever been borrowed.

\* The name of a village in the county of Bacs, on the Danube, being also a steam-boat station.

## FRANCIS W. EDMONDS.

[We give this month a Phototype (an excellent likeness,) of the late F. W. EDMONDS.]

FRANCIS WILLIAM EDMONDS was born in the city of Hudson, in the State of New York, on the 22d November, 1806. His father, General SAMUEL EDMONDS, was born in the city of New York, and after serving through the whole Revolutionary War, and on the dissolution of WASHINGTON'S army at Newburgh, he settled on the banks of the Hudson River, at the landing which afterwards became the city of Hudson, and died there in 1826. His mother was of the family of WORTH'S, who originally emigrated from Devonshire, in England, settled on the islands of Nantucket and Martha's Vineyard, and two of them—the brothers THOMAS and HUBBARD—were of the party who erected the city of Hudson.

In early childhood F. W. EDMONDS was of a grave and rather sedate temperament, with an under-current of quiet humor. When quite young he evinced a striking tendency for Art. His first attempts with slate and pencil were made almost as soon as he had learned to use a pencil, and he used to pick up broken type from the refuse of a printing-office, cast them into flat plates, and with his pen-knife engrave figures and letters on them. So marked was this tendency in him that his father took some steps towards binding him as an apprentice to some of the distinguished engravers then flourishing in Philadelphia. But before the arrangement was completed he was offered by his uncle, the late G. A. WORTH, afterwards president of the City Bank, a clerkship in the Tradersmen's Bank, which was accepted, and Edmonds, at the age of sixteen, came to the city of New York, which thenceforth, except a short interval of two years, became his home. He remained in various subordinate positions in that bank until 1830, when, at the early age of twenty-four, he was appointed cashier of the Hudson River Bank in his native place. While cashier at Hudson, he married a lady of that place, by whom he had two children—a son and a daughter. The latter survives him; but his son, who displayed as strong, if not a stronger, penchant for the Arts than even his father did, died at the early age of eighteen.

Mr. EDMONDS continued in Hudson only until June 26th, 1832, when he was appointed cashier of the Leather Manufacturers' Bank in this city. He continued his connection with that institution until March 8th, 1839, when he was appointed cashier of the Mechanics' Bank, which place he resigned on July 26th, 1855, and retired from the "money market" of New York. He was twice appointed to the office of chamberlain of this city, and resigned that place when he left the Mechanics' Bank.

After withdrawing from the bank, he became connected with the American Bank Note Engraving Company, and was its secretary and one of its directors when he died. While in that position he sketched many of the pictures which that company have used for their bank and treasury notes. "The Barn Yard," "The Sewing Girl," "The Mechanic," and "Grinding the Scythe," are among the many which attracted attention for their vigor and fidelity to the reality.

His early education was no more than that of a tolerably good village school; but during his clerkship in New York he studied hard to make up the deficiency. The books he bought at that time, and most frequently perused, besides works that related to the Arts, were the works of JOHNSON, ADDISON, SHAKSPEARE, and the British dramatists, and he thus became a polished and vigorous writer and a very good extemporaneous speaker—distinguished in all he wrote or spoke for conciseness and directness. He became at one time a frequent contributor to the periodical press on politics, finance, literature, and the arts, and yet so unpretending with it all that only his most intimate friends were aware how much of his leisure time he thus occupied.

But it was only after dark that his time was thus occupied with his pen and general literature. All his leisure hours during the day time were devoted to painting and to improving himself in that branch of art. His performances in that direction soon attracted notice, as remarkable for one so entirely self-taught as he was. But he loved the Art with his whole soul, and while he never permitted the pursuit of it to interfere with his business, he gave himself up to it to the exclusion of all those enjoyments which ordinarily are so powerfully attractive in this city to lads fresh from the country and thrown at large among the wonders and temptations of the commercial metropolis.

After a while he was induced to bring out one of his pictures at the annual exhibition of the National Academy. That first exhibited work of his was "Hudibras Capturing the Fiddler," now in the possession of his brother, the Judge, and was entered on the catalogue as painted by "F. William," and under that *nom de plume* his pictures appeared in the gallery for several succeeding years, until he was finally detected, and elected an associate in the Academy, and ever afterwards was received among the artists of the country as one of their "Fellows." Several of his pictures have been engraved, and a few have been sold, but many yet remain at his late residence in Westchester. They are mainly delineations of homely domestic scenes, and remind one of WILKIE'S line of art. The only opportunity he ever had of studying the art, beyond the leisure which his business as a banker afforded him, was a short visit he made to Italy, on one occasion, when his health had become impaired by the labor he undertook of examining the Manhattan Bank, in addition to his ordinary duties with his own. When abroad he spent his whole time in Italy, and his associations were almost exclusively with artists. The works he painted after his return showed a marked improvement in the coloring, and were in consequence received with more favor.

As a banker, it was his singular fortune never to have had the easy post of a cashier in an institution already organized and in prosperous condition. The Hudson River and the Leather Manufacturers' Bank he had the task of starting *ab ovo*. He was their first cashier. And the Mechanics' had been much crippled by the misfortunes which preceded his connection with it. When he left it, it was in a most flourishing condition.

He ranked high among the bankers of our commercial emporium, and his opinions were very much respected. The readiness with which he mastered the most complicated details of finance, the soundness of his judgment, and the far-sightedness of his views on all subjects connected

with the monetary affairs of the country were known and appreciated by all who knew him or knew of him.

In 1840, shortly after he became cashier of the Mechanics' Bank, he was appointed secretary of a board of commissioners, composed of Messrs. JAMES G. KING, ROBERT H. MORRIS, and JAMES BOORMAN, to investigate the condition of the Manhattan Company. That examination was entrusted to Mr. EDMONDS, and the report of it, written by him, attracted much attention as a very able, clear, and exhaustive document. From that time his ability as a bank officer was established and ever afterwards recognized. To a very remarkable degree he enjoyed the confidence and esteem of all classes of bank officers, among whom he attained to high rank as a careful and conservative banker, for whose judgment great respect was entertained.

In 1853, when the competition in banking and the increase of business had rendered it necessary to change the method of transacting the complicated business of the banks with their associates—there being at that time fifty-seven banks engaged in business in the city of New York—he was one of the first of the bank officers to advocate the establishment of a clearing-house, and was recognized as a leader in the movement to that end. The reputation which he enjoyed enabled him to do more perhaps than any other banker to harmonize differences of opinion and to adjust satisfactorily the delicate details of that organization. It was largely owing to the influence which he exercised that fifty-two of the fifty-seven banks were induced to unite in the Clearing-house Association. He was appointed chairman of the first clearing-house committee, associated with Messrs. PUNNETT, SILLIMAN, EVERETT, and BERRY, and was annually re-elected, with them, to that position until his retirement from the Mechanics' Bank.

He was of a warm and affectionate nature, but not demonstrative of his feelings. He was very sensitive, and very shy of showing that he was so; always generous and liberal, yet sternly and strictly just. His integrity was so inflexible that he was hardly indulgent enough to the failings of others in this respect. He was intimately known but to few, but their regard for him was very great, and his sudden and unexpected death took from many of our best men a highly valued friend. The National Academy, the American Bank Note Company, a railroad company of which he was a director, the Society of Neighbors, and the Church of which he was a vestryman, all bore public testimony to his worth, and he has left a void with us the more marked because of the singular union in him of superior excellence, both as a banker and an artist, and because of the example he was setting us of what may be done by devoting leisure hours to mental and moral culture, rather than to indolent ease or selfish indulgence.

His life was a steady progression in knowledge, in love, and in purity, and alas! that it should have been withdrawn from among us.

## COMMERCIAL LAW IN GENERAL.

BY THEOPHILUS PARSONS, LL. D.\*

PROFESSOR OF LAW IN THE UNIVERSITY AT CAMBRIDGE.

ALL law is divided into what is called, in law-books, common law and statute law. We have legislatures, and our fathers had them; and a very large proportion of the laws now binding upon us were made by those legislatures in a formal and regular way. All these are Statutes; and taken altogether, they compose the Statute Law. Beside this, however, there is another very large portion of our law which was not enacted by our legislatures; and it is called the Common Law. In fewer words, all law was regularly enacted, or it was not. If it was, it is statute law; if it was not so enacted, it is common law.

The common law of this country consists, in the first place, of all the law of England—whether statute or common there—which was in force in this country at the time of our independence, and recognized by our courts, and which has not since been repealed or disused. And next, of all those universal usages, and all those inferences from, or applications of, established law, which courts in this country have recognized as having among us the force of law. For this common law there is no authority excepting the decisions of the courts; and we have no certain means of knowing what is or is not a part of the common law, excepting by looking for it in those decisions. Hence the value and importance of the reported decisions, which are published by official reporters in most of our States.

The courts are *judicial* bodies, and not *legislative*; that is, they are bound to declare and define and apply the law, but have no power to make it. And some have called the common law “judge-made law,” as if the courts had exceeded their powers, and violated their duties, in thus “making” common law. But the objection is not a wise one; for the very necessity of a court springs from the constant need of a tribunal competent to determine what the law is; and if the determination of this tribunal has not the force of law, it would be of no use. The legislature can always, by a statute, amend, annul, or adopt any rule of common law.

It is very important, however, that our common law should be as fixed and as definite as possible; and that is the reason, not only why nearly all decided cases are now reported and printed, but why a case once decided

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\* Probably our readers (at least the legal portion of them,) are well acquainted with the writings of Prof. PARSONS. His treatises on the “Law of Contracts,” “Laws of Business for Business Men,” “Elements of Mercantile Law,” “Law of Bills and Notes,” and the “Law and Practice of Admiralty,” are standard works, alike noted for their clearness, precision, and accuracy. Prof. PARSONS seems also to be able to state the principles and rules of law in such a manner as to make what he says interesting and intelligible to every one. No legal education is required to understand what he writes for merchants and other business men. We therefore doubt not that our readers will find great pleasure, as well as benefit, in not only reading, but studying every thing from his pen that we may be able to publish.—Ed. *Merchants' Magazine*.

becomes a precedent and almost a law for all of like kind that follow. We say *almost* a law, for a court may make a mistake, and other courts should not be bound by it, but have the power of substituting the true doctrine. And the changes in society and in the course of business make some changes in the law necessary. Hence, however desirable stability may be, some fluctuation is inevitable. And hence the law under which we live changes from time to time, merely by the action of the courts, without the same public and authentic notice as when a new law is passed.

For example, we have in Massachusetts, as in most of the States, a statute copied substantially from an English statute, prohibiting unnecessary work or labor on Sunday. In 1813 the Supreme Court of Massachusetts held, that if a man signed a note or deed on Sunday, without sufficient cause, he was liable to punishment for this violation of law, but the instrument was valid. So the law remained until 1847. In that year the court decided that no instrument could be valid which was made in violation of law, and therefore that such a note or deed would be void. This is now the law in Massachusetts, as it is the prevailing rule elsewhere.

We have from this cause not only changes of the law, but uncertainties. In part, because questions occur in practice about which lawyers differ, and must differ, until the courts settle them; but also because different courts at the same time, or the same courts at different times, decide them in different ways.

There are still some uncertainties of this kind in the laws of business. A person not a lawyer is sometimes surprised to be told that no certain answer can be given to the question he asks; and it is generally so much safer for the lawyer to say anything else but this—for the uncertainty will often be attributed to his ignorance—that he is sometime induced to give as law what is only his opinion. In what I have written or published I have endeavored never to do this, and never to avoid the danger of seeming ignorant, by concealing such uncertainties. Wherever they came in my way, and seemed necessary to a full exposition of the law on any given topic, I have stated them distinctly; and wherever I thought I had sufficient grounds for a decided opinion, I have expressed it, but only as my opinion.

A very important part of the common law, especially to all men in business, is what is called, by an ancient phrase, the Law-Merchant. By this is meant the law of merchants; or, more accurately, the law of mercantile transactions; and by this again is meant all that branch of the law, and all those principles and rules, which govern mercantile transactions of any kind. This great department of the law derives its force in part from statutory enactments, but in far greater part from the well established usages of merchants, which have been adopted, sanctioned, and confirmed by the courts. For example, a large proportion of the law of factors and brokers, most of that of shipping and of insurance, and nearly all the peculiar rules applicable to negotiable paper (or promissory notes and bills of exchange payable to order,) belong distinctly to the Law-Merchant.

The courts of this country have always acknowledged that a custom of merchants, if it were proved to be so nearly universal and so long established that it must be considered that all merchants know it and make their bargains with reference to it, constitutes a part of the law-merchant. And the law-merchant is itself a part of the common law, and therefore has the whole obligatory force of law. This would not be true, if the custom was one which violated statute law, or the obvious principles of public policy or

common honesty. But we may suppose that no custom of this kind would ever be so generally adopted and established as to come before the courts with any claim for recognition as law.

There is another distinction which should also be understood. It is that between Courts of Law and Courts of Equity. In England this distinction is very great; it is less in this country, and appears to be growing still less. In most of our States the same courts sit at one time as courts of law, and at others as courts of equity. But different arrangements on this point prevail in different parts of the country.

It would require a volume, and a large one too, to state with any clearness all the differences between these courts. Here we would say only, first, that actions may be brought in equity courts, mainly, in the four cases of fraud, accident, mistake, and trust; and secondly, that while courts of law can only give compensation in money for damages, courts of equity compel the delinquent party to perform specifically the very thing he ought to do. Thus, if a policy of insurance was made, either by fraud or accident or mistake, different from what the parties agreed that it should be, the law could do nothing, unless an injured party could prove damages of a certain kind, and these he might recover. But a court of equity would rectify the error, and order the policy made as it should be made. So if the owner of land agreed in writing to sell it upon certain terms, and afterwards refused to sell it, law could only give damages, but equity could and would compel the owner to make a proper deed of the land.

The difference between the powers and remedies of courts of law and those of courts of equity is sometimes important in reference to mere business transactions, or to the laws of business. Sometimes we speak of courts of law and courts of equity; and sometimes, using the shorter and usual phrase of law-books, say only that law will do this, and equity do that; but by law is meant law as administered by courts, and by equity the equity administered by courts. And all courts of equity have now rules of jurisdiction and of practice about as exact and rigorous as those of courts of law; although differing almost wholly from them.

A great deal of the language of every art or science or profession is technical, (indeed, *technical* means belonging to some *art*.) and is peculiar to it, and may not be understood by those who do not pursue the business to which it belongs. This is as true of law as of everything else. I shall, however, avoid as far as possible mere law-words; and when I use them shall explain them at the time. There are some, however, which cannot be dropped; they express exactly what is meant, and we cannot express it without them, unless by long and awkward sentences. A good instance of this is in those words which end in *er* (or *or*) and in *ee*. As for example, promisor or promisee, vendor and vendee, indorser and indorsee. These terminations are derived from the Norman-French, which was, for a long time, the language of the courts and of the law in England. And it might seem that we had just as good terminations in English, in *er* and *ed*, which mean the same thing. But it is not so. Originally they meant the same thing, but they do not now; for both *er* and *ee* are applied in law to persons, and *ed* to things; so that we want all three terminations. For example, indorser means the man who indorses; indorsee means the man to whom the indorsement is made; but the note itself we say is indorsed. So vendor means the man who sells, vendee means the man to whom something is sold, and the thing sold is vended. And the promiser makes the

promise, the promisee receives it, and the thing to be done is promised.

The phrase "presumption of law" will be sometimes met with. This means, that in certain cases, and upon certain facts, the law *presumes* without proof that the parties did so and so, or intended so and so. There are a great many presumptions of law; indeed, something of this kind occurs in every case. Thus, if anybody is charged with crime or wrong, the presumption of law is that he is innocent. If one makes a promissory note without any time expressed for payment, the presumption of law is that the money is payable on demand. If there be a sale, and no delay agreed on as to delivery of the thing sold, or the payment for it, the presumption of law is that the thing sold is to be delivered at once, and that payment is to be made at once. Of these presumptions a few are *absolute*, that is, the law will not receive any evidence to the contrary; but most of them—especially in mercantile transactions—are open to evidence, and may be removed by sufficient proof.

It will be noticed, also, that some questions are spoken of as "questions of fact," and others as "questions of law." This distinction is occasionally important in cases which arise in business. The rule is, that a court must not undertake to decide a question of fact, because this is within the exclusive province of the jury. But the court alone must decide all questions of law, and the jury are bound to take and apply the law as it is given them by the court. Thus, if goods are sold to an infant, (by which the law means a minor,) and he refuses to pay for them, the question comes up whether they were necessaries; for if they were, the infant is bound to pay for them. This question resolves itself into two. One is the question of law, what kind of things the law means by "necessaries" when it says the infant must pay for them; and this the court alone decides, and instruct the jury accordingly. The other is, are the things sold such as the court say the law considers necessaries? and this the jury alone decides. These questions sometimes run together; and juries often undertake to settle the law as well as the fact; but they have no right to do so. Judges are selected from the most learned of the profession, and paid by the people *to be their lawyers*; that is, to secure for the people the intelligent construction and application of the laws which the people have made by their representatives to protect themselves. And the question whether the jury or the judge shall determine the law, is only the question whether the people wish to have their own laws construed and applied by those who are most able to do this properly, or by those who are less able.

Another phrase often met with is "the burden of proof." The law means by this the duty or necessity of proving what one asserts; and it is often very important to ascertain on whom this duty or burden rests. Thus, if A sues B for the price of goods sold, and A says he sold them to B, and B says he never bought them of A, B has nothing to do until A proves the sale; for the burden of proof is on him. The general rule is, that whoever *asserts an affirmative* must prove it, and he who only *denies* need not prove it. One reason for this is obvious. It must be far easier for a man to prove that he did a certain thing, (for any one who saw it is a sufficient witness,) than for another man to prove that he did not do a certain thing; for if ten thousand people did not see him, this does not *prove* it, for perhaps somebody else did see him.

The burden of proof sometimes shifts back and forth in a case. If A sues B on a note, B does nothing until A discharges the burden of proof

by showing that B signed it. Then the burden of proof is on B, if he says he paid it; and if B proves that on a certain day he gave A certain money or goods in payment, he discharges his burden of proof, and it then shifts on A, and, if he still denies the payment, he must prove that the money was counterfeit, or the goods worthless, or some other similar fact, which shows that there was no payment in fact.

Another word is in frequent use in the law-merchant. It is "lien." This is a Norman-French word, and literally means a tie, a bond, or connection. It is used in law to signify the right which a party has over a thing in his possession, to keep it until his charge upon it, or arising out of it, is paid. Thus, if a wharfinger or warehouseman stores goods, or a common carrier carries them, he is not bound to deliver them up until the storage or carriage is paid for, because he has a *lien* on the goods for these charges, and by virtue of the *lien* may keep them until these charges are paid.

There is still another word which occurs so often that it may be well to explain it. It is "assets;" thus lawyers and law-books speak of the *assets* of an heir, or an executor, administrator, trustee, or assignee. This word means all the property, and valuable interests of every kind, which belong to any fund, and are available for the charges to which that fund is appropriated. Thus, to say that such a thing is "assets" in the hands of the assignee of a bankrupt, is to say that he is entitled to it as a part of his fund, and must realize or collect or reduce it to money as well as he can, and divide it among the creditors.

#### THE DEBT OF THE UNITED STATES APRIL 1, 1863.

[From the Washington Chronicle.]

The statement given below of the amount and character of the public debt is authentic. More than a year ago some patriotic alarmists startled the country by the announcement that our public debt had already amounted to a thousand millions, and that it was increasing at a rate that would in another year render us completely bankrupt. Now, just two years after the breaking out of the rebellion, we find that our debt is only nine hundred and twenty-three millions, less than one-half what the croakers predicted. It is less than one-half the debt of France, less than one-fourth the debt of England, less by nearly five hundred millions than the debt of Russia, less by a quarter of a million than the debt of poor, poverty-stricken Austria. This does not look very much like bankruptcy, nor like abandoning the war for the want of resources. On the contrary, the facts all go to prove that we are the richest and most powerful people on the face of the earth:

#### STATEMENT OF THE PUBLIC DEBT UP TO APRIL 1.

	Interest per annum.	Amount.
7-30 convertibles, interest 6 per cent, due in 1881 .....	6.10-100	\$139,996,950 00
6 per cent debt.....	6.10	92,625,905 91
5 per cent debt .....	5.00	30,483,000 00
Certificates .....	5.60	273,880,176 20
United States notes.....	....	345,553,500 00
Requisitions .....	....	46,646,615 61
Aggregate.....		\$929,186,147 72

## THE NEW CHAMBER OF COMMERCE ROOMS IN MILWAUKEE.

## ADDRESS OF THOS. WHITNEY, ESQ., AT THE OPENING.

WE have frequently referred to the many advantages to be derived from well organized Boards of Trade in all our cities, by cultivating identity of interest and establishing unanimity of action in all great and important movements or enterprises effecting the trade and commerce of the country. Any new movement, therefore, indicating energy and life in an old organization we are glad to see. About four years ago a Board of Trade was established at Milwaukee, in a basement room, with about fifty members. There was doubt whether it had sufficient vitality to drag through its first year's existence. Two other unsuccessful attempts had been made on previous occasions to organize a similar institution, and it was therefore with fear and trembling that this new fledgeling was put upon its legs. But this time the undertaking seemed animated with a new life. Probably old failures taught wisdom, and very likely, too, the leaders in this third movement indoctrinated it with a larger proportion of Western energy and perseverance than blessed the former efforts. At all events, it proved a success and advanced one step after another until now it boasts two hundred and seventy live members, with new and elegant rooms for their meetings. On the occasion of opening these new rooms, (February 3, 1863,) THOMAS WHITNEY, Esq., delivered an address, which is full of interesting facts, well put together. We are persuaded that the wealth and power of the West is not appreciated by the mass of people East. An able article will be found in this number of the *Merchants' Magazine*, showing a few of its resources and giving some idea of its future. We now add quite extensive extracts from Mr. WHITNEY'S address, furnishing, as it does, an excellent resumé of the State's past history. In speaking of the trade of the State, he says:

Its origin and growth are not only within the *recollection* of many of our citizens, but within the *experience* of quite a number. It is only a few short years since the entire domain, stretching west from the shore of Lake Michigan, was one vast uncultivated tract, with scarcely a furrow upon the surface of this great area to break the quiescent state in which nature had left it. Since the only pursuits followed by the inhabitants of this section of the country were those of hunting and fishing, and the only commerce of our State was that with the red man of the forest.

Surprising as it may seem, no longer ago than 1836, only twenty-seven years since, this entire State, which has an area of soil greater than that of Maryland, New Hampshire, Vermont, New Jersey, Massachusetts, Con-

necticut, and Delaware combined—greater than that of New York, Connecticut, and Delaware, and equal to the combined area of Ohio, Massachusetts, Connecticut, and Rhode Island, which now numbers its 800,000 souls, only contained a population, all told, of 11,686 persons.

Six years previous, in 1830, thirty-three years ago, there were but 3,245 persons within the length and breadth of what was then the Territory of Wisconsin.

From 1840 to 1850 the growth of our State in population was unprecedented in the history of this nation. Never since the foundation of this government was there increase equal to it. Our sister States of Illinois and Iowa did nobly during the decade referred to, but it was left to Wisconsin alone to outstrip all of those States which had gone before her.

The ratio of increase in Illinois from 1840 to 1850 was 79 per cent; of Iowa, 346 per cent; that of Wisconsin, 887 per cent—from 31,000 in 1840 to 305,000 in 1850. Only in two instances since 1800 had 50 per cent of this increase ever been reached by any State or Territory in or of the Union. Indiana increased from 1810 to 1820, 500 per cent, and Michigan, from 1830 to 1840 571 per cent. With these two exceptions, no State had ever before grown with half the rapidity of our own from 1840 to 1850.

Since that time, however, our extraordinary growth, which I have just described to you, has been entirely eclipsed and obscured by our sister State of Minnesota, whose ratio of increase, from 1850 to 1860, was 2,761 per cent.

The ratio of increase in the whole United States from 1850 to 1860, was but  $35\frac{1}{2}$  per cent. In the Northwest, 68 per cent; in Wisconsin, 150 per cent, and in Minnesota, as I have just stated, 2,761 per cent, leaving Wisconsin the second State in the Union distinguished for rapidity of growth.

Massachusetts has 158 inhabitants to the square mile; we have as yet only  $14\frac{4}{10}$ . Massachusetts has a little over 4 acres to each inhabitant; we have  $44\frac{1}{2}$ .

The entire product of our agricultural, mineral, and manufacturing interests in 1840, which is as early as we have any data respecting the condition and growth of our State, was but \$4,149,946; in 1860, it was \$75,658,640—a gain in the product of our State, in twenty years, of \$71,508,694. The value of our agricultural products alone has increased from \$2,689,959 in 1840, to \$47,149,730 in 1860—a gain in our *agricultural* products in twenty years of \$44,459,771.

In 1850 (we have no report of our farms in 1840,) we had 2,976,658 acres in farms; in 1860, 7,889,170 acres—a gain in the area of our farms, in ten years, of 4,922,512 acres. The area of our farms exceeds that of the area of the entire State of Massachusetts.

The value of our farming lands in 1850 was \$28,500,000; in 1860 \$131,000,000—a gain in the value of our farms, in ten years, since 1850 of \$102,500,000.

Our agricultural implements used in tilling the soil have increased in value \$4,117,279 in ten years; from \$1,641,568 in 1850, to \$5,758,847 in 1860.

In 1850 we had 1,016,000 acres of land under cultivation; in 1860, 3,746,036 acres—an increase in ten years, since 1850, of 2,700,036 acres of cultivated land in our State. Our cultivated land equals that of the entire area of the States of Connecticut and Rhode Island combined.

In 1840 we had 40,682 acres of land devoted to cereals; in 1850, 490,735 acres; and in 1860, 1,966,500—1,925,818 acres more in 1860 than in 1840, and 1,475,765 more than in 1850.

The tillage of wheat—our chief agricultural staple and article of export—was, in 1840, 815,151 acres; in 1850, 306,152 acres; and in 1861, according to our Secretary's report, 1,112,600 acres—an increase of 1,097,449 acres of wheat since 1840, and of 806,448 acres since 1850.

Michigan, which had a larger population in 1830 than we had in 1840, and Iowa, which was in 1840 double our size, each now have about the same population, and yet the wheat product of neither equals that of Wisconsin at the present time, within about 50 per cent.

Our cereal crop has grown from 1,020,000 bushels in 1840 to 56,051,000 in 1861—a gain of 55,031,000 bushels since 1840, and of 45,991,000 bushels since 1850, when our cereal crop amounted to but 10,060,000 bushels.

Our cereal crop of 1861 was 31,414,000 bushels greater than the cereal crop of all the New England States in 1860.

Our wheat crop in 1840 yielded 212,000 bushels; in 1850, 4,286,000; in 1860, 15,812,000; and in 1861, according to our State report, 27,316,000.

Wisconsin is now the second wheat producing State in the Union. Illinois alone grows more wheat than we do. Our wheat crop for 1861 was 3,000,000 bushels greater than that of Ohio, New York, and all the New England States combined for 1860; greater than the entire wheat crop of Canada of the same year.

The increase of our wheat crop from 1850 to 1861—over 23,000,000 bushels—was equal to one-third of the increase in all the States and Territories of the Union from 1850 to 1860. The increase of the whole United States, including the Territories, from 1850 to 1860, was but about 70,000,000 bushels, or about 70 per cent—from 100,000,000 to 170,000,000 of bushels—while the wheat crop of Ohio showed no increase from 1850 to 1860; and while that of New York showed a decrease of 40 per cent during this period, that of Wisconsin showed an increase of 275 per cent.

The average of our wheat crop in 1850 was fourteen bushels to the acre, while in 1861, according to our State returns, it was twenty-four and a-half bushels to the acre. The largest known yield of Ohio was about seventeen bushels; of Michigan, nineteen; of Massachusetts, sixteen.

The average of the wheat crop of France is thirteen bushels; England twenty-one; Flanders, twenty-three; Scotland, thirty. So we see that with a mere nominal comparative cost of production, the average crop of Wisconsin, for 1861, exceeded that of either France, England, or Flanders, where wheat culture is carried to a very high state of perfection, and was *only* exceeded by that of Scotland.

But it must be borne in mind, in looking over these figures, that our crop of 1861 was a very prolific one, and one such as is seldom harvested in any of our wheat growing States.

Our corn crop increased from 379,359 bushels in 1840, to 7,565,290 bushels in 1860. The increase from 1850 to 1860 was 5,576,000 bushels. Although not a corn State, yet in but four States—Kansas, Minnesota, Oregon, and California—has the ratio of the increase of this crop been greater since 1850, than in our own.

Our oat crop was 406,514 bushels in 1840; 11,059,270 in 1860. The increase from 1850 to 1860 was 7,644,598 bushels; from 1840 to 1860 10,652,756. The ratio of increase in this crop has been exceeded since 1850 in but five States—Minnesota, Kansas, Oregon, California, and Texas.

Wisconsin is the fifth oat producing State in the Union.

Our rye crop increased from 1,963, bushels in 1840 to 888,534 in 1860. But six States grow more rye than we do. Barley from 11,062 bushels in 1840 to 678,992 bushels in 1860. But five States grow more barley than ours. We grew but 419,608 bushels potatoes in 1840; 3,848,505 bushels in 1860.

Our hay crop, which was but 30,938 tons in 1840, was 853,799 tons in 1860. There are but six States in the Union whose hay crop exceeds that of Wisconsin.

The value of our live stock in 1840 was \$2,019,000; in 1850, \$4,807,385, and in 1860, \$17,807,366—a gain in our live stock, since 1850, of \$12,909,981; and since 1840, of \$15,788,366.

We grew but 6,777 pounds of wool in 1840; in 1860 we grew 1,011,915 pounds—an increase of over 1,000,000 pounds in twenty years. We had but 3,462 sheep in 1840; 332,454 in 1860. Our sheep growth has increased 207,558 head since 1850, and our wool crop 757,952 pounds.

We made 13,651,053 pounds of butter in 1860—an increase of 10,017,303 pounds since 1850, and over 13,000,000 pounds since 1840. Our butter product is greater than that of the great State of Virginia; 50 per cent greater than that of Massachusetts; and more than double that of New Hampshire.

The entire product of our industrial pursuits in 1840, from our mines, fisheries, and manufacturers, (aside from our agricultural interests,) including the cost of constructing our houses, was, according to the census report of that year, but \$1,409,987; in 1860, according to the same authority, it was \$28,500,000—a gain of over \$27,000,000 in twenty years; an increase by no means discreditable, when we consider that ours is a new State of comparatively limited means, and whose people are mainly devoted to the culture of the soil.

I will speak of the growth of but a few of the interests included under this head, and then pass on.

In 1840 we had but four flouring mills, turning out 900 barrels of flour annually, besides 29 wind and water grist mills, yielding an annual income of but a few thousand dollars only.

In 1860 we had 371 establishments, turning out 2,250,954 barrels of flour, and yielding an annual income of \$11,073,586—a gain in the product of this interest, over that of 1850, of \$7,537,293, and since 1840 of over \$11,000,000.

In 1840 we had but one tannery, with a capital of \$2,000, employing three men and turning out 300 sides of leather annually, valued at less than \$1,000; in 1850, the product of our tanneries was \$181,010; and in 1860 \$498,268—a gain since 1850, of \$317,258, and since 1840 of \$497,268.

The coming season, the product of two alone of the tanneries of our State, owned and carried on by enterprising merchants of this city, fellow members of this Board, will fall very little, if any, short of \$600,000, so

that by the close of 1863, the product of this interest will reach very nearly, or quite to, \$1,000,000.

In 1840 we had six distilleries and breweries, producing 8,300 gallons whisky and 14,200 gallons beer, valued at \$12,000; in 1860 we had 136 distilleries and breweries, producing 4,000,000 gallons beer and 531,000 gallons whisky, (the first instance on record where whisky ever got laid out,) valued at \$804,158—an increase in the yield of this interest, since 1840, of over 4,500,000 gallons and of \$792,000.

The value of the product of our lumber establishments in 1840 was but \$351,000; in 1850, \$1,218,516; in 1860, \$4,836,159; showing a growth in this very important branch of our industry of \$3,617,643 in ten years, and of \$4,485,159 in twenty years.

We had but one furnace in the State in 1840, turning out three tons of castings, valued at less than \$500. The product of our furnaces in 1850 was \$115,214; and in 1860, \$377,301—an increase of \$263,087 since 1850, and over \$375,000 since 1840.

We had no woolen factories as early as 1840; in 1860, we had 16, whose product was \$167,600.

Our manufacture of agricultural implements, in 1850, was \$187,335; in 1860, \$563,855—a gain in our manufacture of agricultural implements, in 10 years, of \$376,520.

The manufacture of boots and shoes in our State is not a *bootless* one by any means. The product of this branch of manufacture, in 1860, was \$902,000—a gain over that of 1850 of \$612,000, and over that of 1840 of almost \$900,000.

The first manufacturing enterprise of note instituted in *this* section of the country, was in the shape of a saw mill, erected within, what is now, the city limits, in the year 1835, by a Mr. DARLING, better known in the community at that time by the not very euphonious, though perhaps more appropriate, name of “Old Fixings.” This mill was located on the Milwaukee River, a short distance above the present dam, and is reported to have done a very flourishing and successful business for the times. To-day, we have no less than nine large flour manufacturing establishments in this city alone, with a capacity for turning out not less than 1,200 barrels of flour daily, valued at over \$6,000.

These figures give a very good idea of the growth of the resources of Wisconsin during the past twenty years.

## PHOTOTYPES—SOMETHING NEW.

THE style of the engraving which we give of Mr. EDMONDS is a recent discovery, the work being done by the phototypic process. Although it may be true that there is really nothing new under the sun, yet by means of the sun we are continually working out new and wonderful results. Thus we are indebted to its rays for this new style of engraving. A matrix, the reverse of the desired plate, is made, and then copper is deposited upon that matrix in a galvanic battery. The process by which this is done is the invention of LEOPOLD EDLITZ, the celebrated architect and designer; and there is now on the corner of Bleecker and Mercer Streets an establishment called the American Phototype Company, where engravings of this kind are made. It takes three or four days to furnish an ordinary plate. The company have a room from which the light of day is carefully excluded, and in which a single small jet of gas is burning. Upon a table in this room is a photographic printing frame, a stout wooden frame, with a thick glass in front, and a moveable cover back of it. When the matrix is to be made, the glass is placed towards the table, the negative immediately upon that, next comes the matrix plate, and the cover fastened down tight with a brass spring. The frame is now removed from the dark room into the light of the sun, and there left for about ten minutes. It is then returned to the dark room, when the frame is opened, the matrix plate taken out, and the desired picture is found upon it, but otherwise it will be perfectly smooth, and hard to the touch. The next step in the process is to lay this plate in a flat dish containing a colorless fluid for about half an hour. When again examined it is found to be a bas relief. A fluid solution of gold is now poured over it, so as to cover the entire plate. After the lapse of a minute or two this is poured off, and the plate placed in a dark box where it remains for nearly an hour. When taken out, it is covered with a film of bright metal, looking in fact as if it were made of solid gold, which, however, on examination will be found to be illusion, and what was gold before being converted into a thin blue bas relief. The matrix is then hung in a galvanic battery. The next day the plate is taken out of the battery, the glass removed, and the copper shell backed up with type metal, and then it is ready for the printer.

In the way above described plates are made from engravings, or where they are desired to be made from original designs, negatives are taken from pen and ink sketches. Sometimes the artist sketches his design upon glass plates prepared for the purpose, (as was done in the case of the engraving of Mr. EDMONDS,) the plates being like white porcelain, and can be worked on with a steel point with great facility.

The beauty and excellence of many of the pictures made by this process, which we have seen, is really wonderful. Some of them we should pronounce superior (on account of the soft photographic tint they possess) to the fine steel engravings of which they are copies. The phototype company have, in connection with and as a part of their establishment, an apartment hung all around with these pictures of their own production. They have there heads of every size, from the imperial down to the *cartes de visite*, all exquisite, the half and middle tints as well preserved as the bolder lights and shadows. There also one sees some fine copies of the choicest engravings, all rendered with the utmost fidelity to the originals.

## COMMERCIAL CHRONICLE AND REVIEW.

GOLD MOVEMENT—SPECULATION—COUNTER SPECULATION—RESTRICTIONS ON TRANSACTIONS—NEW YORK BILL—CHANGE IN DEALING—INSECURITY OF PROPERTY—VIEWS OF THE SECRETARY—GENERAL REVIEW—CURRENCY—FREE USE OF PROPERTY—EVILS OF THE FLUCTUATION—EVASIONS OF THE LAW—BORROWING ON STOCK—GOLD MOVEMENT—DECLINE IN BANK—CLAIMS OF CREDITORS—ARREARS OF THE TREASURY—DEMAND NOTES—DUTIES ON GOLD—GOVERNMENT SECURITIES—DEPOSITS—INTEREST INCREASED—EXCHANGE—RUINOUS EFFECT ON IMPORTS—CHECK TO EXPORTS—GREAT FLUCTUATIONS—IMPORTS AT NEW YORK—EXPORTS.

The general markets have been greatly influenced during the month by the decline in the value of gold, and the uncertainty which attends the movements of the Secretary of the Treasury. The rapid rise in gold, or what is the same thing, the rapid depreciation of the government paper, elicited counter speculation. Thus in California, where gold continued to be the currency, the paper sold at a discount greater or less, according to the supply. The quotation was 64 cents per dollar. In New York, the paper being the currency, gold fluctuated, and when it reached 172, paper was, in fact, 58 cents to the dollar. This would give a profit of 6 per cent to one who should buy the notes here and send them to San Francisco. But a larger sphere of operations was sought and found by speculators. Large buyers of paper appeared, some it was stated held \$1,000,000, anticipating a rise in its value. A great combination of this kind, having the assurance that the departments\* would put out no more paper within a given time, could within that time draw a large amount out of the market. They therefore did so. A charge of disloyalty, too, against gold speculators, accompanied by restrictive laws of Congress and our Legislature, (which we notice below,) with prompt sales of considerable amounts of gold for cash, at any price, would break the market. This plan was therefore carried out, and the holders of \$15,000,000 "greenbacks" were able to realize a profit of \$1,000,000 in a fall from 72 to 52 in gold, or, in other words, a rise of paper from 58 cents to 65 cents per dollar. For instance, at the former rate, 72 per cent, the value of the \$15,000,000 would be \$8,700,000

\* The idea that the fall in the price of gold was brought about by government influence, receives confirmation in the following from the *Tribune's* money article of March 27th:

"It is currently reported that the object of Mr. CHASE's visit to this city had more connection with the decline in gold than in raising money for the war. *He is reported to have borrowed ten millions of specie of certain of our banks, repayable from the customs, with which he has broken the back of the gold speculation, and will continue to hammer it until he has forced the premium back to a legitimate point.* We give this report as we hear it. Several circumstances of the last ten days are explained by it, if true. We know that such a scheme was proposed to him more than a month ago, through a member of the Committee of Ways and Means, by one of the shrewdest operators in Wall-street."

Upon this the *World* comments thus:

"We do not know how this is, but we do know that gentlemen in Wall-street, reported to be Mr. CHASE's friends, have had other than *patriotic motives for wishing a heavy decline in gold. They were large short sellers of that metal. Can it be that it was for them Mr. CHASE has become the great gold bear?*"

in gold, but with gold forced down to 52, would give as the value of the paper would reach \$9,850,000. By this combination the profit would be \$1,150,000 in gold, or \$1,740,000 in paper. Of course the reissuing of the paper bought up for the rise, the resumed payments of the government, and the renewed course of the market, would make the rise in gold higher than ever. But then that foreseen event only affords an opportunity for a profitable operation in the opposite direction.

This decline in gold was also assisted by the large sales that were made early in March, accompanied, as we have stated, by the operation of the bill which passed Congress restricting the banks and others from loaning on gold, and taxing such transactions, and a bill introduced into the New York Legislature to the following effect:

"Any and all banks, insurance companies, trust companies, savings institutions, and other moneyed corporations shall be and are hereby prohibited from making or continuing any loan or loans in money or otherwise upon gold coin or bullion, or any paper representations of these or either of them, or upon any foreign bill or bills of exchange whatsoever, under the penalty of a forfeiture of their charter or articles of association, as the case may be; and any such loan or loans so made or continued to be made, shall be absolutely void, and no action for the recovery thereof shall lie in or be entertained by any court of justice of this State." Section 2 provides that this act shall take effect immediately.

The act of Congress above referred to, changed the mode of doing business in gold, and caused a decline while this change in the mode of dealing was going on. It is seldom that the aid of law has been invoked so directly to aid speculation. But the most mischievous effect of this and similar laws, is to chill public confidence in the security of property and the rights of proprietors. The effects of paper money cannot be legislated away, and are by no means new or untried. The banks, the merchants, and the public comprehend the inevitable results. Indeed, Mr. CHASE himself, in his annual report, 1861, stated them as follows: (Page 18.)

"The plan (paper money) is not without its hazards; the risks of a depreciated, depreciating, and finally worthless paper money; the immeasurable evils of dishonest public faith and national bankruptcy. These possible disasters so far outweigh the probable benefits of the plan, that he feels himself constrained to forbear recommending its adoption."

There was no doubt in the mind of any thinking man but that paper would depreciate, and that that depreciation would show itself in the rise of gold as compared with currency, should the paper be adopted as the currency. In California it was not adopted, but gold continues to be used, and paper is quoted at a discount greater or smaller as the supply comes upon the market from the Treasury. But Congress and our Legislature have refused to accept the lessons taught by experience, and are enacting the same laws that failed in the last century, when applied to the same state of affairs. The act above quoted, in its attempts to do an impossibility, takes away the right of the free use of property, and deranges the usual course of business. Thus the soundest and safest business for bankers at all times is to discount bills of exchange, on the facility of converting which depends the whole export business of the country—in fact, the market for every kind of farming produce depends upon the value of the exchange it creates. The above bill, however, seeks to make that paper unavailable. The Federal Government has passed a law which allows the Treasury to take gold on deposit, and issue certificates for it. The above act makes

those certificates unavailable at bank, and deranges business in many ways, without in any respect touching the business in gold. Thus, if a person wishes to hold gold to an extent beyond his cash means, he can borrow on stocks of any kind, buy the gold, lodge it with the Federal Treasury, and get 5 per cent interest on it, or he may ship the gold out of the country and lend it at 5 per cent interest in London, holding the bill against it. This plan has been in a measure adopted, and the gold movement as affected by the legislative interference has been as follows :

SPECIE AND PRICE OF GOLD.

	1862.		1863.		Gold in bank.	Prem. on gold.
	Received.	Exported.	Received.	Exported.		
January 3.	.....	442,147	.....	681,448	35,954,550	34½ a 34¾
" 10.	885,928	1,085,025	1,277,788	726,746	36,770,746	34 a 39
" 17.	.....	547,703	.....	1,380,247	37,581,465	40 a 49
" 24.	627,767	322,918	678,841	780,816	38,549,794	47 a 50¾
" 31.	.....	310,484	.....	1,331,027	38,894,840	48½ a 60½
February 7.	854,000	976,235	301,860	1,277,000	38,243,839	57½ a 57¾
" 14.	614,146	1,156,154	359,978	1,152,846	38,426,460	53½ a 53¾
" 21.	759,247	934,512	.....	520,017	37,981,310	54 a 64
" 28.	741,109	510,774	285,394	1,377,016	39,512,256	71 a 72
March 7.	679,074	585,236	1,243,551	733,643	39,705,089	52½ a 53
" 14.	677,058	477,335	.....	3,540,550	36,110,085	54½ a 54¾
" 21.	.....	540,968	249,514	1,201,907	33,955,122	53 a 54½
Total....	5,818,325	6,639,471	5,396,925	14,703,263	.....	.....

The receipts from California, March 7, included \$1,000,000 for the United States Treasury, transferred from the mint at San Francisco to New York. Including the shipments from Boston, the export of specie in five weeks was \$7,400,000, making over \$15,000,000 since January 1st. There was a good deal of gold held here by banking houses for foreign account, with orders to sell it when a favorable opportunity occurred. On the appearance of the restrictions the risk of holding it could no longer be incurred, and the gold was shipped. The depression in the price of gold was aided also by the heavy indebtedness of the Department. Early in January it was stated that the troops and other creditors were so heavily in arrears that Congress, by joint resolution, hurried through the premium to issue \$100,000,000 of legal tender to pay them. More than sixty days have since elapsed, and the indebtedness is quite as large as ever—a circumstance which checks the progress of depreciation.

The demand notes receivable for duties have been very nearly absorbed, and gold has begun to flow into the Treasury to meet the duties. Some \$2,024,000 were so received in three weeks, making a demand in the market for \$125,000 per day in addition to the export demand.

The government securities were better during the month.

PRICES UNITED STATES PAPER.

	6's, 1881.		5's, 1874.	7 3-10, 6 p. c. certif.		Gold.	August demand notes.
	Reg.	Coup.		3 years.	1 year.		
January 3....	96½	98	88½	102½	96½	34½ a 34¾	29
" 10....	97½	98	90	103	97	37½ a 38	35
" 17....	91½	91½	88½	101	95	49 a 46¾	43
" 24....	95	96	90	102	96	47 a 48½	44½
" 31....	92½	94	86	101½	94	55 a 60½	53

	—6's, 1861.—		5's, 1874.	7 3-10, 3 years.	6 p. c. certif. 1 year.	Gold.	August demand notes.
	Reg.	Coup.					
February 7,....	92	93 $\frac{3}{4}$	85 $\frac{1}{2}$	102	94	57 $\frac{1}{8}$ a 57 $\frac{1}{2}$	55
" 14,....	94	96	87 $\frac{1}{2}$	102 $\frac{1}{2}$	95	53 $\frac{1}{2}$ a 53 $\frac{1}{2}$	51
" 21,....	96 $\frac{1}{2}$	97 $\frac{3}{4}$	91 $\frac{1}{2}$	103 $\frac{1}{2}$	95	53 $\frac{1}{2}$ a 64	62
" 28,....	100 $\frac{1}{2}$	102 $\frac{1}{2}$	97	105 $\frac{1}{2}$	98 $\frac{3}{4}$	71 a 71 $\frac{1}{2}$	71
March 7,....	99 $\frac{3}{4}$	100 $\frac{1}{2}$	94 $\frac{3}{4}$	105	98 $\frac{1}{2}$	52 $\frac{1}{2}$ a 53	53
" 14,....	104 $\frac{1}{2}$	104 $\frac{1}{2}$	98	106 $\frac{1}{2}$	100	54 $\frac{1}{2}$ a 54 $\frac{1}{2}$	53
" 21,....	103 $\frac{3}{4}$	104 $\frac{1}{2}$	96	107	100	54 $\frac{1}{2}$ a 54 $\frac{1}{2}$	..

Under the new loan there were issued 1-year certificates, bearing interest payable in paper instead of gold. These sold 3 @ 4 per cent less than those which bear the gold interest. The deposits receivable at the Sub-treasury also cease to have the interest paid in gold. The limit on the amount by law is \$100,000,000, to fill which about \$30,000,000 was required, and the Secretary offered 5 per cent interest, payable in paper.

The sudden fall and fluctuation in the price of gold affected exchange to a considerable extent; but few, however, were disposed to sell at the lower rates, which were as follows:

## RATES OF EXCHANGE.

	London.	Paris.	Amsterdam.	Frankfort.	Hamburg.	Berlin.
Jan. 3, 146	a 147 $\frac{1}{2}$	3.85 a 3.80	56 a 56 $\frac{1}{2}$	56 a 56 $\frac{1}{2}$	49 $\frac{1}{2}$ a 49 $\frac{1}{2}$	93 a 98 $\frac{1}{2}$
" 10, 149	a 152	3.72 $\frac{1}{2}$ a 3.67 $\frac{1}{2}$	56 a 58	57 $\frac{1}{2}$ a 58 $\frac{1}{2}$	50 $\frac{1}{2}$ a 51 $\frac{1}{2}$	99 a 100
" 17, 160	a 162	3.52 $\frac{1}{2}$ a 3.45	60 $\frac{1}{2}$ a 61 $\frac{1}{2}$	61 a 62 $\frac{1}{2}$	54 a 55 $\frac{1}{2}$	108 a 110
" 24, 162 $\frac{1}{2}$	a 163	3.50 a 3.45	61 a 61 $\frac{1}{2}$	61 $\frac{1}{2}$ a 62	54 a 54 $\frac{1}{2}$	107 a 108 $\frac{1}{2}$
" 31, 171	a 177	3.32 a 3.15	65 $\frac{1}{2}$ a 66 $\frac{1}{2}$	65 a 67	57 a 58 $\frac{3}{4}$	114 a 117
Feb. 7, 169	a 173	3.30 a 3.25	65 a 65 $\frac{1}{2}$	65 a 65 $\frac{1}{2}$	57 a 57 $\frac{3}{4}$	114 a 116
" 14, 170	a 171	3.32 a 3.27	65 a 65 $\frac{1}{2}$	65 a 65 $\frac{1}{2}$	56 $\frac{3}{4}$ a 57 $\frac{1}{2}$	113 $\frac{1}{2}$ a 114 $\frac{1}{2}$
" 21, 171	a 179 $\frac{1}{2}$	2.20 a 3.12	67 a 68 $\frac{1}{2}$	65 a 68 $\frac{1}{2}$	59 a 60 $\frac{1}{2}$	118 $\frac{1}{2}$ a 119 $\frac{1}{2}$
" 28, 185	a 188	3.10 a 3.00	67 $\frac{1}{2}$ a 71	70 a 71	61 $\frac{3}{4}$ a 62 $\frac{1}{2}$	123 a 124
Mar. 7, 167	a 169	3.37 $\frac{1}{2}$ a 3.30	64 a 64	65 a 66	55 a 55 $\frac{1}{2}$	111 a 113
" 14, 168	a 171	3.35 a 3.30	64 a 64	64 $\frac{1}{2}$ a 65 $\frac{1}{2}$	55 $\frac{1}{2}$ a 56 $\frac{1}{2}$	112 a 114
" 21, 169 $\frac{1}{2}$	a 171 $\frac{1}{2}$	3.37 $\frac{1}{2}$ a 3.27 $\frac{1}{2}$	63 $\frac{1}{2}$ a 63 $\frac{1}{2}$	63 $\frac{1}{2}$ a 64 $\frac{1}{2}$	56 a 57	113 a 114

The market was filled with various rumors of fabulous amounts of gold offered the government abroad, and of fifty to \$100,000,000 of exchange for government stocks, and that agents were sent abroad to negotiate loans. All these and other self-contradictory rumors had the effect of making buyers of exchange cautious, and thus diminish sales. A sudden fall of nearly 20 per cent was a serious matter to shippers of produce and general dealers, checking business to a marked extent. Ohio flour fell 60 cents per barrel, and the transactions were light. One of the greatest costs of paper money are those violent fluctuations which involve all dealers in great hazards, and inflict ruinous losses upon the most circumspect. The gradual rise in exchange imposed a continually increasing burden upon the importers, who ultimately collect the amount from the consumer. A sudden fall of 20 per cent in exchange is a bonus of some 25 @ 30 to those who by chance have goods to pay for at that moment. The imports for February were as follows:

## IMPORTS, PORT OF NEW YORK.

	Specie.	Free goods.	Entered for		Total.
			Consumption.	Warehouse.	
January.....	\$101,906	\$2,413,649	\$8,741,227	\$4,482,794	\$15,739,676
February. . . . .	213,971	783,561	7,372,539	3,657,775	12,037,846
Total.....	\$315,877	\$3,197,210	\$16,113,766	\$8,140,569	\$27,767,422
" 1862..	225,665	6,933,523	13,821,570	6,512,112	26,402,969

The average cost of importations for that month was much higher than for January, and much higher than for March. Inasmuch, however, as the prices did give way in March, a considerable interruption to business took place. Distant buyers, under the hope that the price of gold could not be maintained, refrained from buying goods, unless a reduction which the importers could not grant. The importers not being able to make sales, had less to remit abroad. The consumers of goods in the country find themselves in the position of getting less for produce and paying more for goods.

The exports from the port have been large, being more than 50 per cent in excess of last year for the two first months of the year. The amount is of course nominal, for the merchandise is stated at its value in the depreciated paper. This, for February, was 40 per cent, hence the effective exports of produce were barely \$11,000,000. The exports of gold were also considerable for the month :

## EXPORTS, PORT OF NEW YORK.

	Specie.	Foreign.		Domestic.	Total.
		Free.	Dutiable.		
January.....	\$4,624,574	\$73,111	\$668,275	\$14,829,398	\$19,695,351
February.....	3,965,664	43,889	610,009	17,780,586	22,400,148
Total.....	\$8,590,238	\$117,000	\$1,278,284	\$32,109,984	\$42,095,566
" 1862...	6,435,193	76,259	358,250	22,131,578	29,001,280

The aggregate, allowing the discount on the paper value of merchandise during the month, is a little less than for the same month last year, while the imports are larger. The receipts of produce from the interior have, however, been very large, and the railroads and canals have all done an immense business. The operations of the Erie Railroad, under its new organization, give indications of this improved traffic. The freight transported for the past two years having been as follows :

	Pounds.	Value.
1861.....	2,676,748,150	\$5,011,661
1862.....	3,350,468,490	7,065,363
Increase.....	673,720,340	\$2,653,702

The activity on the seaboard has drawn large quantities of freight East. Of the increase, \$1,300,000 is freight coming East, of which the tonnage has prodigiously increased under the very favorable arrangements that have been made under the new organization of the road. The freight per ton has been \$4 32, against \$3 74, or a rise of 48 cents per ton, or 13 per cent, while the cost of moving it has increased but 14 cents per ton. This has resulted in large net earnings, enabling the company to pay \$426,785 in dividends, and \$1,182,944 in discharge of old drains arising out of the new organization. These features of the Erie indicate the great progress made in internal traffic.

## JOURNAL OF BANKING, CURRENCY, AND FINANCE.

### NEW YORK BANKS.

It will be noted that there is a loss of about \$5,000,000 in specie the past month, and that the loans and deposits have decreased with the fall in the price of gold. This is of course as might be expected. We continue our returns to the 4th of April:

### CITY WEEKLY BANK RETURNS.

NEW YORK BANKS. (*Capital, Jan., 1863, \$69,494,577; Jan., 1862, \$69,493,577.*)

Date.	Loans.	Specie.	Circulation.	Net Deposits.	Clearings.
January 3,....	\$172,810,009	\$35,954,550	\$9,754,355	\$159,163,246	\$186,861,762
" 10,....	175,816,010	36,770,746	9,551,563	162,878,249	249,796,489
" 17,....	176,606,558	37,581,465	9,241,670	164,666,003	314,471,457
" 24,....	179,288,266	38,549,794	9,083,419	168,269,228	298,861,866
February 7,....	179,892,161	38,243,839	8,780,154	166,342,777	302,352,571
" 14,....	173,103,592	38,426,460	8,756,217	167,720,880	265,139,104
" 21,....	178,335,880	37,981,310	8,752,536	170,103,758	291,242,929
" 28,....	179,958,842	39,512,256	8,739,969	173,912,695	340,574,444
March 7,....	181,098,322	39,705,089	8,693,175	174,689,212	344,484,442
" 14,....	177,875,949	36,110,085	8,657,016	172,944,034	307,370,817
" 21,....	173,829,479	33,955,122	8,609,723	167,004,166	277,831,351
" 28,....	172,448,526	34,317,691	8,560,602	163,363,846	281,326,258
April 4,....	173,038,019	34,257,121	8,348,094	160,216,418	287,347,704

### BOSTON BANKS.

Below will be found our usual table of the returns of the Boston banks brought down to April 6:

BOSTON BANKS. (*Capital, Jan., 1863, \$—————; Jan., 1862, \$38,231,700.*)

Date.	Loans.	Specie.	Circulation.	Deposits.	Due to banks.	Due from banks.
Jan. 5,...	\$77,339,046	\$7,672,028	\$8,190,496	\$33,372,648	.....	.....
" 12,...	77,427,000	7,751,000	8,373,000	33,063,800	17,006,000	13,520,000
" 19,...	76,624,700	7,710,600	8,199,600	33,352,000	16,547,800	13,727,700
" 26,...	76,354,000	7,710,700	8,008,500	33,847,000	16,811,700	13,958,000
Feb. 2,...	76,496,800	7,685,000	8,865,000	34,076,800	16,889,000	14,490,000
" 9,...	78,421,000	7,707,000	8,074,000	35,178,600	16,932,000	14,183,000
" 16,...	78,431,000	7,794,000	8,001,000	34,903,000	17,070,700	14,095,500
" 23,...	78,782,600	7,624,000	8,002,000	34,965,500	17,331,000	14,583,800
Mar. 2,...	79,127,500	7,553,000	8,001,980	35,245,500	17,523,500	15,004,000
" 9,...	79,274,700	7,582,000	8,225,000	35,215,000	17,340,400	14,446,500
" 16,...	79,636,134	7,609,238	7,780,063	32,955,149	17,230,300	13,434,500
" 30,...	77,935,000	7,572,600	7,593,800	31,604,500	17,074,400	11,601,300
April 6,...	76,323,600	7,703,800	7,963,500	32,687,060	15,444,000	12,280,600

### PHILADELPHIA BANKS.

The returns of the Philadelphia Banks brought down to April 6th, are as follows:

PHILADELPHIA BANKS. (*Capital, Jan., 1863, \$11,740,080; 1862; \$11,970,130.*)

Date.	Loans.	Specie.	Circulation.	Deposits.	Due to banks.	Due from banks.
Jan. 5,...	\$37,679,675	\$4,510,750	\$4,504,115	\$28,429,189	\$6,948,785	\$1,994,928
" 12,...	37,533,757	4,544,786	4,450,676	28,018,792	6,890,963	1,848,932
" 19,...	37,416,694	4,549,369	4,382,520	27,877,069	7,050,847	2,275,905
" 26,...	37,479,712	4,572,419	4,284,947	28,773,517	6,755,980	2,638,985
Feb 2,...	37,268,894	4,562,580	4,181,503	29,231,753	6,698,210	2,909,857
" 9,...	37,336,367	4,319,706	4,039,918	28,062,164	6,953,215	2,518,036
" 16,...	37,710,851	4,272,347	3,888,185	28,759,049	7,452,563	2,432,073
" 23,...	37,720,460	4,276,761	3,772,781	29,342,596	7,413,249	2,703,196
Mar. 2,...	37,901,080	4,267,626	3,696,097	30,178,518	7,185,670	2,758,852
" 9,...	38,603,871	4,249,035	3,608,870	30,679,259	7,100,258	2,499,129
" 16,...	39,260,028	4,247,817	3,534,880	30,549,587	7,476,603	1,939,449
" 23,...	39,458,384	4,247,688	3,295,862	30,106,135	7,418,482	1,935,014
" 30,...	38,937,612	4,311,704	3,369,194	29,171,283	6,504,758	2,158,007
Apr. 6,...	37,516,520	4,339,252	3,374,417	29,531,559	5,768,558	2,770,129

## BANK OF ENGLAND.

## REDUCTION IN THE BANK RATE OF DISCOUNT.

On the 28th of January the bank rate of discount was raised to 5 per cent, and on the 18th of February it was reduced to 4 per cent again. The reason for the rise we stated in our last, and the following figures will show the effect of that step.

The fluctuations in the items of the bank account, most critically important for the present purpose, from December 31st up the 28th of January, when the advance from 4 to 5 per cent was made, were as follows :

	Reserve of notes and coin.	Coin and bullion.
December 31, 1862.....	£9,735,171	£14,956,421
January 7, 1863.....	9,057,145	14,635,555
January 14, 1863.....	8,465,364	14,102,169
January 21, 1863.....	8,333,839	13,855,849
January 28, 1863.....	8,160,653	13,611,823

Showing a reduction of more than £1,500,000 in the reserve of notes and coin, and of £1,300,000 in the bullion during the period, and this in an uninterrupted drain week by week. In fact, from the 30th of July, 1862, each successive return showed a constant reduction in the coin and bullion until January 28th, when the decrease amounted to about £5,000,000.

Now, take the period after the 28th of January, when the rate was raised to 5 per cent. The figures are :

	Reserve of notes and coin.	Coin and bullion.
February 4th.....	£8,271,591	£13,692,136
February 11th.....	8,889,601	14,070,651
February 18th.....	9,928,502	14,589,222

Showing an increase beginning from the very moment of the augmentation of the rate, continuing with rapidity, and in three weeks bringing the coin and bullion to the same point at which it stood on the 7th of January, and the reserve of notes and coin to a higher sum than any at which it has stood during this year.

Since the reduction in the rate of discount the following has been the bullion movement:

	Increase of bullion.	Decrease of bullion.
February 25th.....	£24,874	.....
March 4th.....	.....	£109,579
March 11th.....	.....	176,339
	£24,874	£285,918

These figures would indicate that the drain had commenced again, but for the present we do not think it will continue. On the 12th of March the Bank of France reduced the rate of discount from 5 to 4½ per cent, and the bank returns of the same date gives a considerable increase in the cash, as well as a falling off in the discounts.

The following comparative table of the Bank of England returns will be found of interest, affording as it does, a view of the bank returns, the bank rate of discount, and the price of wheat in London during a period of three years corresponding with the date of our last returns March 11:

At corresponding dates with the week ending	1861.	1862.	1863.
March 11, 1863.			
Circulation, including bank post bills...	£19,604,536	£20,662,816	£19,801,665
Public deposits.....	6,638,884	7,527,911	8,673,899
Other deposits.....	11,691,684	13,763,718	13,282,605
Government securities.....	9,479,729	11,209,241	11,193,588
Other securities.....	20,021,017	18,280,554	19,805,739
Reserve of notes and coin.....	7,768,812	10,663,426	9,749,973
Coin and bullion. . . . .	12,329,142	16,027,111	14,328,178
Bank rate of discount.....	8 per cent.	2½ p. cent.	4 per cent.
Average price of wheat... . . . .	54s. 2d.	59s. 2d.	46s. 2d.

Subjoined is our usual table with the returns brought down to March 11th, 1863:

## WEEKLY STATEMENT.

Date.	Circulation.	Public Deposits.	Private Deposits.	Securities.	Coin and Bullion.	Rate of Discount.
Dec. 17....	£19,932,360	£3,507,144	£14,033,994	£30,539,363	£15,031,658	3 pr. ct.
" 24....	20,150,398	8,654,499	14,306,497	31,346,731	14,870,795	3 "
" 31....	20,516,435	8,338,717	15,469,254	32,488,020	14,956,421	3 "
Jan. 7....	20,927,993	8,782,808	14,393,308	32,620,233	14,635,555	3 "
" 14....	21,018,849	4,280,730	16,772,782	31,165,075	14,102,169	4 "
" 21....	20,893,931	4,965,798	14,993,225	30,227,086	13,855,849	4 "
" 28....	20,771,236	5,416,863	14,414,763	30,238,865	13,611,823	5 "
Feb. 4....	20,709,154	6,351,617	13,352,287	29,997,233	13,692,136	5 "
" 11....	20,444,454	6,952,808	13,596,356	30,288,406	14,070,651	5 "
" 18....	19,916,496	7,413,275	13,769,276	29,890,503	14,589,222	4 "
" 25....	19,715,828	7,901,658	13,367,153	29,709,079	14,614,096	4 "
Mar. 4....	20,322,055	8,036,003	13,368,086	30,880,805	14,504,517	4 "
" 11....	19,801,665	8,673,899	13,282,605	31,096,327	14,328,178	4 "

## PROVISIONS OF THE RECENT INTERNAL REVENUE ACT AFFECTING BANKS.

We are indebted to GEORGE D. LYMAN, Esq., manager of the New York Clearing-house, for the following extracts from the recent act of Congress amendatory of "The Act to Provide Internal Revenue, etc.," selected by him as the only portions of the act affecting the business of banks and bankers. Some of these amendments are very important, and the business community are greatly indebted to Mr. LYMAN for the efforts he has made

to secure their passage. We refer particularly to the changes made by Section 6 :

SECTION 4. *And be it further enacted*, That all contracts for the purchase or sale of gold or silver coin or bullion, and all contracts for the loan of money or currency secured by pledge or deposit, or other disposition of gold or silver coin of the United States, if to be performed after a period exceeding three days, shall be in writing or printed, and signed by the parties, or their agents or attorneys, and shall have one or more adhesive stamps, as provided in the act to which this is an amendment, equal in amount to one-half of one per centum, and interest at the rate of six per centum per annum on the amount so loaned, pledged, or deposited. And if any such loan, pledge, or deposit, made for a period not exceeding three days shall be renewed or in any way extended for any time whatever, said loan, pledge, or deposit, shall be subject to the duty imposed on loans exceeding three days. And no loan of currency or money on the security of gold or silver coin of the United States, as aforesaid, or on any certificate, or other evidence of deposit, payable in gold or silver coin, shall be made exceeding in amount the par value of the coin pledged or deposited as security; and any such loan so made, or attempted to be made, shall be utterly void.

*Provided however*, That if gold or silver coin be loaned at its par value it shall be subject only to the duty imposed on other loans, and that nothing herein contained shall apply to any transaction by or with the government of the United States.

SEC. 5. *And be it further enacted*, That all contracts, loans, or sales of gold and silver coin and bullion not made in accordance with this act, shall be wholly and absolutely void; and in addition to the penalties provided in the act to which this is an amendment, any party to said contract may, at any time within one year from the date of the contract, bring suit before any court of competent jurisdiction to recover back, for his own use and benefit, the money paid on any contract not made in accordance with this act.

SEC. 6. *And be it further enacted*, That section one hundred and ten be, and hereby is, amended as follows: Any memorandum, check, receipt, or other written or printed evidence of an amount of money to be paid on demand, or at a time designated, shall be considered as a promissory note within the meaning of that section, and shall be stamped accordingly; and that schedule B following said section, be, and is hereby amended, so that any inland bill of exchange, draft, or order for the payment of any sum of money exceeding twenty dollars otherwise than at sight or on demand, and any promissory note shall (in lieu of the duties prescribed in schedule B) have a stamp or stamps affixed thereon denoting a duty, upon every sum of two hundred dollars, or any fractional part thereof, if payable on demand, or at any time not exceeding thirty-three days, including the grace, from the date or sight, of one cent, (01.)

If payable at any time not less than thirty-three days, as aforesaid, and not exceeding sixty-three days, including the grace, from date or sight, of two cents, (02.)

If payable at any time not less than sixty-three days, as aforesaid, and not exceeding ninety-three days, including the grace, from date or sight, of three cents, (03.)

If payable at any time not less than ninety-three days, as aforesaid, and

not exceeding four months from date or sight, including the grace, of four cents, (04)

If payable at any time not less than four months, as aforesaid, and not exceeding six months from date or sight, including the grace, of six cents, (06.)

If payable at any time exceeding six months from date or sight, of ten cents, (10.)

And that schedule B, following section one hundred and ten, be, and is hereby, further amended, so that the stamp duty on certificates of any other description than those specified in said schedule, in lieu of ten cents as therein prescribed, shall be five cents, (05.)

SEC. 14. *And be it further enacted*, That every incorporated bank, or other bank legally authorized to issue notes as circulation, which shall neglect or omit to make dividends or additions to its surplus or contingent funds as often as once in six months, shall, in lieu thereof, make returns, under oath, to the Commissioner of Internal Revenue, on the first day of January and July in each year, or within thirty days thereafter, of the amount of profits which have accrued or been earned and received by said bank, during the six months next preceding said first days of January and July; and, at the time of making such returns, shall pay to the Commissioner of Internal Revenue a duty of three per cent on such profits, and shall be subject to the provisions of the eighty-second section of the act to which this is an addition. *Provided*, That the return for the first of January, 1863, shall be made within thirty days after the passage of this act.

PROVISO OF SEC. 16. *Provided*, That no instrument, document, or paper made, signed, or issued prior to the first day of June, Anno Domini, 1863, without being duly stamped, or having thereon an adhesive stamp to denote the duty imposed thereon, shall for that cause, be deemed invalid and of no effect; *And provided*, That no instrument, document, writing, or paper required by law to be stamped, signed, or issued, without being duly stamped prior to the day aforesaid, or any copy thereof, shall be admitted or used as evidence in any court until a legal stamp, or stamps, denoting the amount of duty charged thereon, shall have been affixed thereto or used thereon, and the initials of the persons using or affixing the same, together with the date when the same is so used or affixed, shall have been placed thereon by such person. And the person desiring to use any such instrument, document, writing, or paper, as evidence, or his agent or attorney, is authorized in the presence of the court to stamp the same as heretofore provided by law.

SEC. 37. *And be it further enacted*, That this act, except where otherwise indicated, shall take effect from and after its passage, and all acts, and part of acts, repugnant to the provisions of this act, be, and the same are hereby repealed. *Provided*, That the existing laws shall extend to and be in force, as modified, for the collection of the duties imposed by this act, for the prosecution and punishment of all offences, and for the recovery, collection, distribution, and remission of all fines, penalties, and forfeitures, as fully and effectually as if every regulation, penalty, forfeiture, provision, clause, matter, and thing to that effect, in the existing laws contained, had been inserted in and re-enacted by this act.

The following table has also been prepared by Mr. LYMAN, showing the

stamp duties under the foregoing provisions of the revenue act upon promissory notes, etc.

STAMP DUTY UPON PROMISSORY NOTES, INLAND BILLS OF EXCHANGE, DRAFTS,  
OTHERWISE THAN AT SIGHT OR ON DEMAND.

Stamp Tax on Notes or Drafts.	33 Days and on Demand.	63 Days.	93 Days.	4 Months.	6 Months.	6 Mos. or Sight.
Over \$20 to \$200	01	02	03	04	06	10
" 200 " 400	02	04	06	08	12	20
" 400 " 600	03	06	09	12	18	30
" 600 " 800	04	08	12	16	24	40
" 800 " 1,000	05	10	15	20	30	50
" 1,000 " 1,200	06	12	18	24	36	60
" 1,200 " 1,400	07	14	21	28	42	70
" 1,400 " 1,600	08	16	24	32	48	80
" 1,600 " 1,800	09	18	27	36	54	90
" 1,800 " 2,000	10	20	30	40	60	1 00
" 2,000 " 2,200	11	22	33	44	66	1 10
" 2,200 " 2,400	12	24	36	48	72	1 20
" 2,400 " 2,600	13	26	39	52	78	1 30
" 2,600 " 2,800	14	28	42	56	84	1 40
" 2,800 " 3,000	15	30	45	60	90	1 50
" 3,000 " 3,200	16	32	48	64	96	1 60
" 3,200 " 3,400	17	34	51	68	1 02	1 70
" 3,400 " 3,600	18	36	54	72	1 08	1 80
" 3,600 " 3,800	19	38	57	76	1 14	1 90
" 3,800 " 4,000	20	40	60	80	1 20	2 00
" 4,000 " 4,200	21	42	63	84	1 26	2 10
" 4,200 " 4,400	22	44	66	88	1 32	2 20
" 4,400 " 4,600	23	46	69	92	1 38	2 30
" 4,600 " 4,800	24	48	72	96	1 44	2 40
" 4,800 " 5,000	25	50	75	1 00	1 50	2 50
5,000.....	25	50	75	1 00	1 50	2 50
10,000.....	50	1 00	1 50	2 00	3 00	5 00
15,000.....	75	1 50	2 25	3 00	4 50	7 50
20,000.....	1 00	2 00	3 00	4 00	6 00	10 00
25,000.....	1 25	2 50	3 75	5 00	7 50	12 50
30,000.....	1 50	3 00	4 50	6 00	9 00	15 00
35,000.....	1 75	3 50	5 25	7 00	10 50	17 50
40,000.....	2 00	4 00	6 00	8 00	12 00	20 00
45,000.....	2 25	4 50	6 75	9 00	13 50	22 50
50,000.....	2 50	5 00	7 50	10 00	15 00	25 00
60,000.....	3 00	6 00	9 00	12 00	18 00	30 00
70,000.....	3 50	7 00	10 50	14 00	21 00	35 00
80,000.....	4 00	8 00	12 00	16 00	24 00	40 00
90,000.....	4 50	9 00	13 50	18 00	27 00	45 00
100,000.....	5 00	10 00	15 00	20 00	30 00	50 00

## THE NEW UNITED STATES BANKING BILL.\*

*An act to provide a national currency, secured by a pledge of United States stocks, and to provide for the circulation and redemption thereof.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be established in the Treasury Department a separate bureau, which shall be charged with the execution of this and all other laws that may be passed by Congress respecting the issue and regulation of a national currency secured by United States bonds. The chief officer of the said bureau shall be denominated the Controller of the Currency, and shall be under the general direction of the Secretary of the Treasury. He shall be appointed by the President, on the nomination of the Secretary of the Treasury, by and with the advice and consent of the Senate, and shall hold his office for the term of five years unless sooner removed by the President, by and with the advice and consent of the Senate; he shall receive an annual salary of five thousand dollars; he shall have a competent deputy, appointed by the Secretary, whose salary shall be two thousand five hundred dollars, and who shall possess the power and perform the duties attached by law to the office of Controller during a vacancy in such office and during his absence or inability; he shall employ, from time to time, the necessary clerks to discharge such duties as he shall direct, which clerks shall be appointed and classified by the Secretary of the Treasury in the manner now provided by law. Within fifteen days from the time of notice of his appointment the Controller shall take and subscribe the oath of office prescribed by the Constitution and laws of the United States; and he shall give to the United States a bond in the penalty of one hundred thousand dollars, with not less than two responsible freeholders as sureties, to be approved by the Secretary of the Treasury, conditioned for the faithful discharge of the duties of his office. The Deputy Controller so appointed shall also take the oath of office prescribed by the Constitution and laws of the United States, and shall give a like bond in the penalty of fifty thousand dollars. The Controller and Deputy Controller shall not, either directly or indirectly, be interested in any association issuing national currency under the provisions of this act.

SEC. 2. *And be it further enacted,* That the Controller of the Currency, with the approval of the Secretary of the Treasury, shall devise a seal with suitable inscriptions for his office, a description of which, with a certificate of approval by the Secretary of the Treasury, shall be filed in the office of the Secretary of the State with an impression thereof, which shall thereupon become the seal of office of the Controller of the Currency, and the same may be renewed when necessary. Every certificate, assignment, and conveyance executed by the Controller, in pursuance of any authority conferred on him by law, and sealed with his seal of office,

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\* This is an official copy, and may be relied upon as being correct in every particular.

shall be received in evidence in all places and courts whatsoever; and all copies of papers in the office of the Controller, certified by him and authenticated by the said seal, shall in all cases be evidence equally and in like manner as the original. An impression of such seal directly on the paper shall be as valid as if made on wax or wafer.

SEC. 3. *And be it further enacted*, That there shall be assigned to the Controller of the Currency by the Secretary of the Treasury suitable rooms in the Treasury building for conducting the business of the currency bureau, in which shall be safe and secure fire-proof vaults, in which it shall be the duty of the Controller to deposit and safely keep all the plates and other valuable things belonging to his department; and the Controller shall from time to time furnish the necessary furniture, stationery, fuel, lights, and other proper conveniences for the transaction of the said business.

SEC. 4. *And be it further enacted*, That the term "United States bonds," as used in this act, shall be construed to mean all coupon and registered bonds now issued, or that may hereafter be issued, on the faith of the United States by the Secretary of the Treasury in pursuance of law.

SEC. 5. *And be it further enacted*, That associations for carrying on the business of banking may be formed by any number of persons, not less in any case than five.

SEC. 6. *And be it further enacted*, That persons uniting to form such an association shall, under their hands and seals, make a certificate which shall specify—

First. The name assumed by such association.

Second. The place where its operations of discount and deposit are to be carried on, designating the State, territory, or district, and also the particular city, town, or village.

Third. The amount of its capital stock, and the number of shares into which the same shall be divided; which capital stock shall not be less than fifty thousand dollars; and in cities whose population is over ten thousand persons the capital stock shall not be less than one hundred thousand dollars.

Fourth. The names and places of residence of the shareholders, and the number of shares held by each of them.

Fifth. The time when such association shall commence.

Sixth. A declaration that said certificate is made to enable such persons to avail themselves of the advantages of this act.

The said certificate shall be acknowledged before a judge of some court of record or a notary public, and the acknowledgment thereof, certified under the seal of such court or notary, and shall be transmitted, together with a copy of the articles of association which shall have been adopted, to the Controller of the Currency, who shall record and carefully preserve the same in his office. Copies of such certificate, duly certified by the Controller, and authenticated by his seal of office, shall be legal and sufficient evidence in all courts and places within the United States, or the jurisdiction of the government thereof, of the existence of such association, and of every other matter or thing which could be proved by the production of the original certificate.

SEC. 7. *And be it further enacted*, That at least thirty per centum of the capital stock of such association shall be paid in at the time of the commencement of its banking business, and the remainder of the capital stock of such association shall be paid in instalments of at least ten per centum on the whole amount to which the association shall be limited, as frequently as one instalment at the end of each succeeding two months from the time of the commencement of its banking operations, until the whole of the capital stock shall be paid in.

SEC. 8. *And be it further enacted*, That if any shareholder, or his assignee, shall fail to pay any instalment on the stock when the same is required by the foregoing section to be paid, the directors of such association may sell the stock held by such delinquent shareholder, at public auction, having given three weeks' previous notice thereof in a newspaper published and of general circulation in the city where the association is located, if the same be located in a city, and if not so located, then in a newspaper printed, or of general circulation, in the county where the same is located, to any person who will pay the highest price therefor, and not less than the amount then due thereon, with the expenses of advertisement and sale; and the excess, if any, shall be paid to the delinquent shareholder. If no bidder can be found who will pay for such stock the amount due thereon to the association, and the costs of advertisement and sale, the amount previously paid shall be forfeited to the association, and such stock may subsequently be sold as the directors may order.

SEC. 9. *And be it further enacted*, That whenever a certificate shall have been transmitted to the Controller of the Currency, as provided in this act, and the association transmitting the same shall notify the Controller that at least thirty per centum of its capital stock has been paid as aforesaid, and that such association has complied with all the provisions of this act required to be complied with before such association shall be authorized to commence the business of banking, and that such association is desirous of commencing such business, the Controller shall immediately proceed, in such manner as he shall by general rules prescribe, to examine the condition of such association; to ascertain especially the amount of money paid in on account of its capital stock; the name and place of residence of each of the directors of such association, and the amount of the capital stock of which each is the *bona fide* owner, and generally whether such association has complied with all the requirements of this act to entitle it to engage in the business of banking; and shall cause to be made, and attested by the oaths of a majority of the directors and by the president or cashier of such association, a statement of all the facts necessary to enable the Controller to determine whether such association is lawfully entitled to commence the business of banking under this act.

SEC. 10. *And be it further enacted*, That if, upon a careful examination of the facts so reported, and of any other facts which may come to the knowledge of the Controller, whether by means of a special commission appointed by him for the purpose of inquiring into the condition of such association, or otherwise, it shall appear that such association is lawfully entitled to commence the business of banking, the Controller shall give to such association a certificate under his hand and official seal, showing that such association has complied with all the provisions of this act required to be complied with before being entitled to commence the busi-

ness of banking under it, and that such association is authorized to commence said business accordingly; and it shall be the duty of such association to cause said certificate to be published in some newspaper, published in the city or county where such association is located, for at least sixty days next after the issuing thereof: *Provided*, That if no newspaper is published in such city or county, such certificate shall be published as the Controller of the Currency shall direct.

SEC. 11. *And be it further enacted*, That every association formed pursuant to the provisions of this act may make and use a common seal, and shall have succession by the name designated in its articles of association and for the period limited therein, not, however, exceeding twenty years from the passage of this act; by such name may make contracts, sue and be sued, complain and defend in any court of law or equity as fully as natural persons, and may make by-laws, approved by the Controller of the Currency, not inconsistent with the laws of the United States or the provisions of this act, for the election of directors, the management of its property, the regulation of its affairs, and for the transfer of its stock; and shall have power to carry on the business of banking by obtaining and issuing circulating notes in accordance with the provisions of this act; by discounting bills, notes, and other evidences of debt; by receiving deposits; by buying and selling gold and silver bullion, foreign coins, and bills of exchange; by loaning money on real and personal security in the manner specified in their articles of association for the purposes authorized by this act, and by exercising such incidental powers as shall be necessary to carry on such business; to choose one of their number as president of such association, and to appoint a cashier and such other officers and agents as their business may require; and to remove such president, cashier, officers, and agents at pleasure, and appoint others in their place; and their usual business shall be transacted in banking offices located at the places specified respectively in its certificate of association, and not elsewhere.

SEC. 12. *And be it further enacted*, That the shares of associations formed under this act shall be deemed personal property, and shall be transferable on the books of the association in such manner as may be prescribed in the by-laws or articles of association; and every person becoming a shareholder by such transfer shall, in proportion to his shares, succeed to all the rights and liabilities of the prior holder of such shares; and no change shall be made in the articles of association by which the rights, remedies, or security of the existing creditors of the association shall be impaired. For all debts contracted by such association for circulation, deposit, or otherwise, each shareholder shall be liable to the amount at their par value of the shares held by him in addition to the amount invested in such shares.

SEC. 13. *And be it further enacted*, That it shall be lawful for any association formed under this act, by its articles of association, to provide for an increase of its capital from time to time as may be deemed expedient, subject to the limitations of this act; but no such increase shall be valid until the increased capital shall be paid in and notice thereof shall have been transmitted to the Controller of the Currency and his certificate obtained specifying the amount of such increase of capital stock, and that the same has been duly paid to such association.

SEC. 14. *And be it further enacted*, That it shall be lawful for any such association to purchase, hold, and convey real estate as follows :

First. Such as shall be necessary for its immediate accommodation in the transaction of its business.

Second. Such as shall be mortgaged to it in good faith by way of security for loans made by such association, or for moneys due thereto.

Third. Such as shall be conveyed to it in satisfaction of debts previously contracted in the course of its dealings.

Fourth. Such as it shall purchase at sales under judgments, decrees, or mortgages held by such association.

Such association shall not purchase or hold real estate in any other case or for any other purpose than as specified in this section.

SEC. 15. *And be it further enacted*, That every association, after having complied with the provisions of this act preliminary to the commencement of banking business under its provisions, shall transfer and deliver to the Treasurer of the United States any United States bonds bearing interest, to an amount not less than one-third of the capital stock paid in, which bonds shall be deposited with the Treasurer of the United States, and by him safely kept in his office until the same shall be otherwise disposed of, in pursuance of the provisions of this act.

SEC. 16. *And be it further enacted*, That upon the making of any such transfer and delivery, the association making the same shall be entitled to receive from the Controller of the Currency circulating notes of different denominations, in blank, registered and countersigned as hereinafter provided, equal in amount to ninety per centum of the current market value of the United States bonds so transferred and delivered, but not exceeding the par value thereof, if bearing interest at the rate of six per centum, or of equivalent United States bonds bearing a less rate of interest ; and at no time shall the total amount of such notes, issued to any such association, exceed the amount at such time actually paid in of its capital stock.

SEC. 17. *And be it further enacted*, That the entire amount of circulating notes to be issued under this act shall not exceed three hundred millions of dollars. One hundred and fifty millions of which sum shall be apportioned to associations in the States, in the District of Columbia, and in the Territories, according to representative population, and the remainder shall be apportioned by the Secretary of the Treasury among associations formed in the several States, in the District of Columbia, and in the Territories, having due regard to the existing banking capital, resources, and business of such States, District and Territories.

SEC. 18. *And be it further enacted*, That, in order to furnish suitable notes for circulation, the Controller of the Currency is hereby authorized and required, under the direction of the Secretary of the Treasury, to cause plates to be engraved, in the best manner to guard against counterfeiting and fraudulent alterations, and to have printed therefrom and numbered, such quantity of circulating notes, in blank, of the denominations of five dollars, ten dollars, twenty dollars, fifty dollars, one hundred dollars, five hundred dollars, and one thousand dollars, as may be required to supply, under this act, the associations entitled to receive the same ; which notes shall express upon their face that they are secured by United States bonds,

deposited with the Treasurer of the United States and issued under the provisions of this act, which statement shall be attested by the written or engraved signatures of the Treasurer and Register, and by the imprint of the seal of the treasury; and shall also express upon their face the promise of the association receiving the same, to pay on demand, attested by the signatures of the president or vice-president and cashier; and the said notes shall bear such devices and such other statements, and shall be in such form as the Secretary of the Treasury shall, by regulation direct.

SEC. 19. *And be it further enacted,* That the plates and special dies to be procured by the Controller of the Currency for the printing of such circulating notes shall remain under his control and direction, and the expenses necessarily incurred in executing the provisions of this act, respecting the procuring of such notes, shall be audited and paid as contingent expenses of the Treasury Department; and for the purpose of reimbursing the same, and all other expenses incurred under this act, and in lieu of all taxes upon the circulation authorized by this act,\* or upon the bonds deposited for security of the same, such association organized under this act shall semi-annually, on the first days of January and July, after its organization, pay to the Controller of the Currency, in lawful money of the United States, one per centum on the amount of circulating notes received by such association, and in default thereof the Treasurer of the United States is hereby authorized to reserve and retain one per centum on the amount of said bonds so deposited, at each semi-annual payment of interest thereon; and all sums so reserved and retained shall be paid into the treasury under the direction of the Secretary, and every bank, banking association, or corporation not organized under the provisions of this act, issuing notes calculated or intended to circulate as money, shall, on the first day of July next, and regularly on the first days of January and July thereafter, make and deliver to the Controller of the Currency a true and accurate return of the gross amount of notes issued by it, whether in circulation, or in its vaults, or on deposit elsewhere; and in default of any such return, the bank, banking association, or corporation so failing to make return, shall pay to the United States a penalty of two\* per centum upon its entire capital stock, to be recovered, for the use of the United States, in any court of competent jurisdiction.

SEC. 20. *And be it further enacted,* That after any such association shall have caused its promise to pay such notes on demand to be signed by the president or vice-president and cashier thereof, in such manner as to make them obligatory promissory notes, payable on demand, at its places of business, such association is hereby authorized to issue and circulate the same as money; and the same shall be received at par in all parts of the United States in payment of taxes, excises, public lands, and all other dues to the United States, except for duties on imports, and also for all salaries and other debts and demands owing by the United States to individuals, corporations, and associations within the United States, except interest on public debt; and no such association shall issue post notes or any other note to circulate as money than such as are authorized by the foregoing provisions of this act.

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\* Modified by section 8 of the "Act to provide ways and means for the support of the government," approved March —, 1863, which section is printed for convenience of reference at the end of this act.

SEC. 21. *And be it further enacted,* That all transfers of United States bonds which shall be made by any association as security for circulating notes under the provisions of this act, shall be made to the Treasurer of the United States, with a memorandum written or printed on the certificate of such bonds, and signed by the cashier or some other officer of the association making the deposit, stating that it is held in trust for the association on whose behalf such transfer is made, as security for the redemption and payment of the circulating notes delivered to such association; and no transfer of any such bonds by the Treasurer shall be deemed valid or of binding force and effect, unless sanctioned by the order or request of the Controller of the Currency upon the Treasurer. It shall be the duty of the Controller of the Currency to keep in his office a book in which shall be entered the name of every association from whose accounts such transfer is made by the Treasurer, and the name of the party to whom such transfer is made, unless such transfer is made in blank, in which case the fact shall be stated in said book, and in either case the par value of the bonds so transferred shall be entered therein; and it shall be the duty of the Controller, immediately upon countersigning and entering the same, to advise by mail the association from whose account such transfer was made, the kind of bonds, and the amount thereof so transferred.

SEC. 22. *And be it further enacted,* That it shall be the duty of the Controller of the Currency to countersign and enter in the book, in the manner aforesaid, every transfer or assignment of any bonds held by the Treasurer presented for his signature; and the Controller shall have at all times during office hours access to the books of the Treasurer, for the purpose of ascertaining the correctness of the transfer or assignment presented to him to countersign; and the Treasurer shall have the like access to the book above mentioned, kept by the Controller, during office hours, to ascertain the correctness of the entries in the same.

SEC. 23. *And be it further enacted,* That it shall be the duty of either the president or cashier of every banking association having stocks deposited in the office of the Treasurer of the United States, once or more in each fiscal year, and at such time or times during the ordinary business hours as said officer or officers may select, to examine and compare the bonds so pledged with the books of said department, and, if found correct, to execute to the said Treasurer a certificate setting forth the different kinds and amounts thereof, and that the same are in the possession and custody of the Treasurer at the date of such certificate. Such examination may be made by an agent of such association duly appointed in writing for that purpose, whose certificate before mentioned shall be of like force and validity as if executed by such president or cashier.

SEC. 24. *And be it further enacted,* That every association issuing circulating notes under the provisions of this act shall make a quarterly report to the Controller of the Currency, commencing on the first day of the quarter of the year next succeeding the organization of such association, and continuing on the first days of each succeeding quarter in every year thereafter, which report shall be verified by the oath or affirmation of the president and cashier, and all wilful false swearing in respect to such report shall be perjury, and subject to the punishment prescribed by law for such offence. The report hereby required shall be in the form prescribed by the controller, and shall contain a true statement of the condition of the association mak-

ing such report, before the transaction of any business on the morning of the day specified next preceding the date of such report, in respect of the following items and particulars, to wit: Loans and discounts, overdrafts due from banks, amount due from the directors of the association, real estate, specie, cash items, stocks, bonds, and promissory notes, bills of solvent banks, bills of suspended banks, loss and expense account, capital, circulation, profits, amount due to banks, amount due to individuals and corporations other than banks, amount due the Treasurer of the United States, amount due to depositors on demand, amount due not included under either of the above heads. And it shall be the duty of the controller to publish full abstracts of such reports together in two newspapers, to be designated by him for that purpose—one in the city of Washington and the other in the city of New York—exhibiting the items of capital, circulation, and deposits, specie and cash items, public securities and private securities; and the separate report of each association shall be published in a newspaper published in the place where such association is established, or, if there be no newspaper at such place, then in a newspaper published at the capital of the State, at the expense of the association making such report. In addition to the quarterly reports required by this section, every association located and doing business in the cities of Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati, Chicago, St. Louis, and New Orleans shall publish, or cause to be published, on the morning of the first Tuesday in each month, in a newspaper printed in the city in which the association making such report is located, to be designated by the Controller of the Currency, a statement, under the oath of the president or cashier, showing the condition of the association making such statement, on the morning of the day next preceding the date of such statement, in respect to the following items and particulars, to wit: average amount of loans and discounts, specie, deposits, and circulation.

SEC. 25. *And be it further enacted*, That if any such association shall at any time fail to redeem, in the lawful money of the United States, any of its circulating notes, when payment thereof shall be lawfully demanded, during the usual hours of business, at the office of such association, the holder may cause the same to be protested, in one package, by a notary public, unless the president or cashier of the association shall offer to waive demand and notice of the protest, and shall, in pursuance of such offer, make, sign, and deliver to the party making such demand an admission in writing, stating the time of the demand, the amount demanded, and the fact of the non-payment thereof; and such notary public, on making such protest, or upon receiving such admission, shall forthwith forward such admission or notice of protest to the Controller of the Currency; and after such default it shall not be lawful for the association suffering the same to pay out any of its notes, discount any notes or bills, or otherwise prosecute the business of banking, except to receive and safely keep money belonging to it, and to deliver special deposits: *Provided, however*, That if satisfactory proof be produced to such notary public that the payment of any such notes is restrained by order of any court of competent jurisdiction, such notary public shall not protest the same; and when the holder of such notes shall cause more than one note or package to be protested on the same day, he shall not receive pay for more than one protest.

SEC. 26. *And be it further enacted*, That on receiving notice that any such association has failed to redeem any of its circulating notes, as speci-

fied in the next preceding section, the Controller of the Currency, with the concurrence of the Secretary of the Treasury, may appoint a special agent, (of whose appointment immediate notice shall be given to such association,) who shall immediately proceed to ascertain whether such association has refused to pay its circulating notes, in the lawful money of the United States, when demanded as aforesaid, and report to the controller the facts so ascertained; and if, from such protest or the report so made, the controller shall be satisfied that such association has refused to pay its circulating notes as aforesaid, and is in default, he shall, within thirty days after he shall have received notice of such failure, declare the United States bonds and securities pledged by such association forfeited to the United States, and the same shall thereupon be forfeited accordingly, and thereupon the controller shall immediately give notice in such manner as the Secretary of the Treasury shall, by general rules or otherwise, direct, to the holders of the circulating notes of such association to present them for payment at the treasury of the United States, and the same shall be paid as presented; whereupon said controller may, in his discretion, cancel an equal amount of bonds pledged by such association, equal at current market rates, not exceeding par, to the notes paid; and it shall be lawful for the Secretary of the Treasury, from time to time, to make such regulations respecting the disposition to be made of such circulating notes after presentation thereof for payment as aforesaid, and respecting the perpetuation of the evidence of the payment thereof, as may seem to him proper; but all such notes, on being paid, shall be cancelled; and for any deficiency in the proceeds of the bonds pledged by such association, when disposed of as hereinafter specified, to reimburse to the United States the amount so expended in paying the circulating notes of such association, the United States shall have a first and paramount lien upon all the assets of such association, and such deficiency shall be made good out of such assets in preference to any and all other claims whatsoever, except the necessary costs and expenses of administering the same.

SEC. 27. *And be it further enacted*, That whenever the controller shall become satisfied, as in the last preceding section specified, that any such association has refused to pay its circulating notes as therein mentioned, he may, instead of cancelling the United States bonds pledged by such association, as provided in the next preceding section, cause so much of them as may be necessary to redeem the outstanding circulating notes of such association to be sold at public auction in the city of New York, after giving thirty days' notice of such sale to such association.

SEC. 28. *And be it further enacted*, That the Controller of the Currency may, if he shall be of opinion that the interests of the United States will be best promoted thereby, sell at private sale any of the stock so transferred to him by such association, and receive therefor either money or the circulating notes of such failing association: *Provided*, That no such bonds shall be sold by private sale for less than par, nor less than the market value thereof at the time of sale: *And provided, further*, That no sales of any such stock, either public or private, shall be complete until the transfer thereof shall have been made with the formalities prescribed in this act.

SEC. 29. *And be it further enacted*, That on becoming satisfied, as specified in this act, that any such association has refused to pay its circulating notes as therein mentioned, and is in default, the Controller of the Currency may forthwith appoint a receiver, and require of him such bond and secu-

ity as he shall deem proper, who, under the direction of the controller, shall take possession of the books, records, and assets of every description of such association, collect all debts, dues, and claims belonging to such association, and, upon the order of a court of record of competent jurisdiction, may sell or compound all bad or doubtful debts, and, on a like order, sell all the real and personal property of such association, on such terms as the court shall direct; and such receiver shall pay over all moneys so made to the Treasurer of the the United States, and also make report to the Controller of the Currency of all his acts and proceedings. The controller shall thereupon cause notice to be given, by advertisement in such newspapers as he may direct, for three consecutive months, calling on all persons who may have claims against such association to present the same, and to make legal proof thereof. And from time to time the controller, after full provision shall have been first made for refunding to the United States any such deficiency in redeeming the notes of such association as is mentioned in this act, shall make a ratable dividend of the moneys so paid over to him by such receiver on all such claims as may have been so proved or adjudicated in a court of competent jurisdiction; and from time to time, as the proceeds of the assets of such association shall be paid over to him, he shall make further dividends, as aforesaid, on all claims previously proved or adjudicated; and the remainder of such proceeds, if any, shall be paid over to the shareholders of such association, or their legal representatives, in proportion to the stock by them respectively held: *Provided, however,* That if any such association against which proceedings have been so instituted on account of any alleged refusal to redeem its circulating notes as aforesaid, shall deny having failed to do so, such association may, at any time within ten days after such association shall have been notified of the appointment of an agent, as provided in this act, apply to the nearest circuit, or district, or territorial court of the United States, to enjoin further proceedings in the premises; and such court, after citing the Controller of the Currency to show cause why further proceedings should not be enjoined, and after the decision of the court or finding of a jury that such association has not refused to redeem its circulating notes, when legally presented, in the lawful money of the United States, shall make an order enjoining the controller, and any receiver acting under his direction, from all further proceedings on account of such alleged refusal.

Sec. 30. *And be it further enacted,* That the bonds transferred to the Treasurer of the United States, as hereinbefore provided, by any banking association for the security of its circulating notes, shall be held exclusively for that purpose, until such notes shall be redeemed, except as provided in this act; but the Controller of the Currency may give to any such banking association powers of attorney to receive and appropriate to its own use the interest on the bonds which shall have been so transferred to the Treasurer by it; but such powers shall become inoperative whenever such banking association shall fail to redeem its circulating notes as aforesaid. And said Controller may direct the return of any of said bonds to the banking association which transferred the same, upon the surrender to him and the cancellation of a proportionate amount of such circulating notes: *Provided,* That ninety per centum of the current market value of the remaining bonds which shall have been transferred by the banking association offering to surrender such circulating notes shall be equal to the amount of all the circulating notes retained by such banking association: *And provided, fur-*

*ther*, That there shall have been no failure by such association to redeem its circulating notes, and that there shall have been no other violation by such association of any of the provisions of this act for the security of the creditors of such association; nor shall the Treasurer be required to surrender such bonds in fractional sums of less than one thousand dollars. And if, at any time after said bonds shall be deposited with the Treasurer of the United States, as aforesaid, the market or cash value shall be reduced, the Controller of the Currency is hereby authorized to demand and receive the amount of such appreciation in other United States bonds at cash value, or in money, from the association receiving said bills, to be deposited with the Treasurer of the United States, as long as such depreciation continues.

SEC. 31. *And be it further enacted*, That whenever the price of any of the bonds pledged, as aforesaid, for the redemption of the circulating notes of any such banking association shall be at the stock exchange in the city of New York for four consecutive weeks, at a rate less than that at which they shall have been estimated when so pledged, and such depreciation shall not have been made good by a deposit of other bonds or money, it shall be the duty of the Controller of the Currency to notify the Treasurer of the United States of such fact, and the payment of interest upon such depreciated bonds shall be suspended; and such interest shall be retained by said Treasurer until the same, when added to the current market value of the bonds so pledged, to be ascertained as before provided, shall be equal to the amount for which such bonds were pledged: *Provided*, That it shall be the duty of the Controller of the Currency, at the expiration of every period of three months, to cause the whole of the sums so retained, and then remaining in the treasury of the United States, to be invested in United States bonds, in the name of the Controller of the Currency, in trust for the respective associations by which the bonds on which such interest shall have accrued shall have been pledged. And whenever the price of such depreciated bonds at the stock exchange in New York shall rise to the price at which they were pledged, and so remained for four consecutive weeks, such investment shall be assigned to such association, and all accruing interest on such pledged bonds shall thereafter be paid to such association, on demand thereof.

SEC. 32. *And be it further enacted*, That it shall be the duty of the Controller of the Currency to receive worn-out or mutilated circulating notes issued by any such banking association, and to deliver in place thereof to such association other blank circulating notes to an equal amount. And such worn out or mutilated notes, after a memorandum shall have been entered in the proper books, in accordance with such regulations as may be established by the Controller, as well as all circulating notes which shall have been paid or surrendered to be cancelled, shall be burned to ashes in presence of three persons, one to be appointed by the Secretary of the Treasury, one by the Controller of the Currency, and one by the Treasurer of the United States, under such regulations as the Secretary of the Treasury may prescribe; and in case such notes shall have been delivered to the Controller by an officer or agent of such association, then in the presence, also, of such officer or agent. And a certificate of such burning, signed by the parties so appointed, shall be made in the books of the Controller, and a duplicate thereof given to such officer or agent.

SEC. 33. *And be it further enacted*, That it shall be unlawful for any officer acting under the provisions of this act to countersign or deliver to

any such association, or to any other company or person, any circulating notes contemplated by this act, except as hereinbefore provided, and in accordance with the true intent and meaning of this act. And any officer who shall violate the provisions of this section shall be deemed guilty of a high misdemeanor, and on conviction thereof shall be punished by fine not exceeding double the amount so countersigned and delivered, and imprisonment not exceeding fifteen years, at the discretion of the court in which he shall be tried.

SEC. 34. *And be it further enacted*, That all fees for protesting the notes issued by any such banking association shall be paid by the person procuring the protest to be made, and such banking association shall be liable therefor; but no part of the stock pledged by such banking association as aforesaid, shall be applied to the payment of such fees. And all expenses of any preliminary or other examinations into the condition of any association shall be paid by such association; and all expenses of any receivership shall be paid out of the assets of such association before distribution of the proceeds thereof.

SEC. 35. *And be it further enacted*, That the stockholders, collectively, of any such association shall at no time be liable to such association, either as principal debtors or sureties, or both, to an amount greater than three-fifths of the capital stock actually paid in and remaining undiminished by losses or otherwise; nor shall the directors be so liable, except to such amount and in such manner as shall be prescribed by the by-laws of such association, adopted by its stockholders to regulate such liabilities.

SEC. 36. *And be it further enacted*, That the capital stock of any association formed under this act shall be divided into shares of one hundred dollars each, and shall be assignable on the books of the association in such manner as its by-laws shall prescribe; but no shareholder in any association under this act shall have power to sell or transfer any share held in his own right so long as he shall be liable, either as principal, debtor, surety, or otherwise, to the association for any debt which shall have become due and remain unpaid, nor in any case shall such shareholder be entitled to receive any dividend, interest, or profit on such shares so long as such liabilities shall continue; but all such dividends, interests, and profits shall be retained by the association, and applied to the discharge of such liabilities. And no stock shall be transferred without the consent of a majority of the directors while the holder thereof is thus indebted to the association.

SEC. 37. *And be it further enacted*, That no banking association shall take, as security for any loan or discount, a lien upon any part of its capital stock; but the same security, both in kind and amount, shall be required of shareholders as of other persons. And no such banking association shall be the purchaser or holder of any portion of its capital stock, or of the capital stock of any other incorporated company, unless such purchase shall be necessary to prevent loss upon a debt previously contracted in good faith, on security which, at the time, was deemed adequate to insure the payment of such debt, independent of any lien upon such stock, or in case of forfeiture of stock for the non-payment of instalments due thereon; and stock so purchased or acquired shall in no case be held by such association so purchasing for a longer period of time than six months, if the same can, within that time, be sold for what the stock cost.

SEC. 38. *And be it further enacted*, That in all elections of directors, and in deciding all questions at meetings of shareholders, each shareholder shall

be entitled to one vote on each share of stock held by him. Shareholders may vote by proxies duly authorized in writing; but no officer, clerk, teller, or bookkeeper of such association shall act as proxy; and no stockholder whose liability is past due and unpaid shall be allowed to vote.

SEC. 39. *And be it further enacted*, That the affairs of every such association shall be managed by not less than five nor more than nine directors, one of whom shall be president of the association. Every director shall, during his whole term of service, be a citizen of the United States and a resident of the State in which such association is located. At least three-fourths of the directors shall have resided in the State in which such association is located one year next preceding their election as directors; and each director shall own, in his own right, at least one per centum of the capital stock of such association, not exceeding two hundred thousand dollars, and the half of one per centum of its capital if over two hundred thousand dollars. Each director shall take an oath that he will, so far as the duty devolves on him, diligently and honestly administer the affairs of such association, and will not knowingly violate, or willingly permit to be violated, any of the provisions of this act, and that he is the bona fide owner, in his own right, of the shares of stock standing in his name on the books of the association, and that the same is not hypothecated, or in any way pledged, as security for any loan obtained or debt owing to the association of which he is a director, which oath, subscribed by himself, and certified by the officer before whom it is taken, shall be immediately transmitted to the Controller of the Currency, and by him filed and preserved in his office.

SEC. 40. *And be it further enacted*, That the directors of any such association first elected shall hold their places until their successors shall be elected and qualified. All subsequent elections shall be held annually, on such day in the month of January as the stockholders of said association may prescribe; and the directors so elected shall hold their places for one year, and until their successors are elected and qualified. But any director removing from the State, or ceasing to be the owner of the requisite amount of stock, shall thereby vacate his place. Any vacancy in the board shall be filled by appointment by the remaining directors. The director so appointed shall hold his place until the next annual election; and if, from any cause, an election of directors shall not be made at the time appointed, the association shall not for that cause be dissolved, but an election may be held on any subsequent day, thirty days' notice thereof having been given in a newspaper printed, or of general circulation, in the city, town, or county in which the association is located; and if no newspaper is published in such city, town, or county, such notice shall be published in a newspaper in the county adjoining.

SEC. 41. *And be it further enacted*, That every such association shall at all times have on hand, in lawful money of the United States, an amount equal to at least twenty-five per centum of the aggregate amount of its outstanding notes of circulation and its deposits; and whenever the amount of its outstanding notes of circulation and its deposits shall exceed the above-named proportion for the space of twelve days, or whenever such lawful money of the United States shall at any time fall below the amount of twenty-five per centum of its circulation and deposits, such association shall not increase its liabilities by making any new loans or discounts otherwise than by discounting or purchasing bills of exchange, payable at sight, nor make any dividend of its profits, until the required proportion between the

aggregate amount of its outstanding notes of circulation and its deposits and lawful money of the United States shall be restored: *Provided, however,* That clearing-house certificates, representing specie or lawful money specially deposited for the purpose of any clearing-house association, shall be deemed to be lawful money in the possession of any association belonging to such clearing-house holding and owning such certificates, and considered to be a part of the lawful money which such association is required to have, under the foregoing provisions of this section: *Provided, further,* That any balance due to any association organized under this act in other places from any association in the cities of Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati, Chicago, St. Louis, or New Orleans, in good credit, subject to be drawn for at sight and available to redeem their circulating notes and deposits, may be deemed to be a part of the lawful money which such association, in other places than the cities of Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati, Chicago, St. Louis, and New Orleans, is required to have by the foregoing provisions of this section to the extent of three-fifths of the said amount of twenty-five per centum required. And it shall be competent for the Controller of the Currency to notify any such association whose lawful money reserve, as aforesaid, shall fall below said proportion of twenty-five per centum, to make good such reserve, and if such association shall fail for thirty days thereafter so to make good its reserve of lawful money of the United States, the Controller may, with the concurrence of the Secretary of the Treasury, appoint a receiver to wind up the business of such association, as provided in this act.

Sec. 42. *And be it further enacted,* That no association shall at any time be indebted, or in any way liable, to an amount exceeding the amount of its capital stock at such time actually paid in, and remaining undiminished by losses or otherwise, except on the following accounts, that is to say:

First. On account of its notes of circulation.

Second. On account of moneys deposited with, or collected by, such association.

Third. On account of bills of exchange or drafts drawn against money actually on deposit to the credit of such association, or due thereto.

Fourth. On account of liabilities to its stockholders, for money paid in on capital stock, and dividends thereon, and reserved profits.

Sec. 43. *And be it further enacted,* That no association shall, either directly or indirectly, pledge or hypothecate any of its notes of circulation, for the purpose of procuring money, to be paid in on its capital stock, or to be used in its banking operations, or otherwise.

Sec. 44. *And be it further enacted,* That no association, or any member thereof, shall, during the time it shall continue its banking operations, withdraw, or permit to be withdrawn, either in form of dividends, loans to stockholders for a longer time than six months, or in any other manner, any portion of its capital. And if losses shall at any time have been sustained by any such association equal to or exceeding its undivided profits then on hand, no dividend shall be made; and no dividend shall ever be made by any association, while it shall continue its banking operations, to an amount greater than its net profits then on hand, deducting therefrom its losses and bad debts. And all debts due to any association, on which interest is past due and unpaid for a period of six months, unless the same shall be well

secured, and shall be in process of collection, shall be considered bad debts within the meaning of this act.

SEC. 45. *And be it further enacted*, That the directors of every association shall, semi-annually, in the months of May and November, declare a dividend of so much of the profits of such association as they shall judge expedient; and on each dividend day the cashier shall make, and verify by his oath, a full, clear, and accurate statement of the condition of the association, as it shall be on that day after declaring the dividend; which statement shall contain—

First. The amount of the capital stock actually paid in and then remaining as the capital stock of such bank or association.

Secondly. The amount of the circulating notes of such association then in circulation.

Thirdly. The greatest amount in circulation at any time since the making of the last previous statement, as shall have been exhibited by the weekly statements of the cashier, specifying the times when the same occurred.

Fourthly. The amount of balances and debts of every kind due to other banks and banking associations.

Fifthly. The amount due to depositors.

Sixthly. The total amount of debts and liabilities of every description, and the greatest amount since the making of the last previous statement, specifying the time when the same accrued.

Seventhly. The total amount of dividend declared on the day of making the statement.

Eighthly. The amount of lawful money of the United States belonging to the association and in its possession at the time of making the statement.

Ninthly. The amount subject to be drawn at sight, in lawful money of the United States, then remaining on deposit with any associations, banks, or bankers; specifying the amounts so on deposit in the cities of Boston, Providence, New York, Philadelphia, Baltimore, Cincinnati, Chicago, St. Louis, and New Orleans.

Tenthly. The amount then on hand of bills or notes, issued by other banks and banking associations.

Eleventhly. The amount of balances due from other banks, bankers, and banking associations, excluding deposits subject to be drawn at sight as aforesaid.

Twelfthly. The amount on hand of bills, bonds, stocks, notes, and other evidences of debts, discounted or purchased by the association, specifying particularly the amount of suspended debt, the amount considered bad, the amount considered doubtful, and the amount in suit or judgment.

Thirteenthly. The value of the real and personal property held for the convenience of the association, specifying the amount of each.

Fourteenthly. The amount of real estate taken in payment of debts due to the association.

Fifteenthly. The amount of the undivided profits of the association.

Sixteenthly. The total amount of the liability to the association by the directors thereof, collectively, specifying the gross amount of such liabilities as principal debtor, and the gross amount of indorsers or sureties.

The statement thus made shall forthwith be transmitted to the Controller of the Currency.

SEC. 46. *And be it further enacted*, That every association may take, reserve, receive, and charge on any loan or discount made, or upon any note, bill of exchange, or other evidence of debt, such rate of interest or discount as is for the time the established rate of interest for delay in the payment of money, in the absence of contract between the parties, by the laws of the several States in which the associations are respectively located, and no more: *Provided, however*, That interest may be reserved or taken in advance, at the time of making the loan or discount, according to the usual rules of banking; and the knowingly taking, reserving, or charging of a rate of interest greater than that allowed by this section shall be held and adjudged a forfeiture of the debt or demand on which the same is taken, reserved, or charged; but the purchase, discount, or sale of a bill of exchange, drawn on actually existing values, and payable at another place than the place of such purchase, discount, or sale, at the current discount or premium, shall not be considered as taking, reserving, or charging interest.

SEC. 47. *And be it further enacted*, That the total liabilities of any person, or of any company or firm, (including in the liabilities of a company or firm the liabilities of the several members thereof,) to any association, including liabilities as acceptor of bona fide bills of exchange, payable out of the State where the association is located, shall at no time exceed one-third; exclusive of liabilities as acceptor, one-fifth; and exclusive of liabilities on such bills of exchange, one-tenth part of the amount of the capital stock of such association actually paid in.

SEC. 48. *And be it further enacted*, That no association shall, at any time, pay out on loans or discounts, or in purchasing drafts or bills of exchange, or in payment of deposits, nor shall it in any other mode put in circulation the notes of any bank or banking association, which notes shall not, at any such time, be receivable, at par, on deposit, and in payment of debts by the association so paying out or circulating such notes; nor shall it knowingly pay out or put in circulation any notes issued by any bank or banking association which at the time of such paying out or putting in circulation is not redeeming its circulating notes in lawful money of the United States.

SEC. 49. *And be it further enacted*, That all transfer of the notes, bonds, bills of exchange, and other evidences of debt owing to any association, or of deposits to its credit; all assignments of mortgages, sureties on real estate, or of judgments or decrees in its favor; all deposits of money, bullion, or other valuable thing for its use, or for the use of any of its shareholders or creditors; and all payments of money to either, made after the commission of an act of insolvency, or in contemplation thereof, with a view to prevent the application of its assets in the manner prescribed by this act, or with a view to the preference of one creditor to another, except in payment of its circulating notes, shall be utterly null and void.

SEC. 50. *And be it further enacted*, That if the directors of any association shall knowingly violate, or knowingly permit any of the officers, agents, or servants of the association to violate, any of the provisions of this act, all the rights, privileges, and franchises of the association, derived from this act, shall be thereby forfeited. Such violation shall, however, be determined and adjudged by a proper circuit, district, or territorial court of the United States, before the association shall be declared dissolved. And in cases of

such violation, every director who participated in or assented to the same shall be held liable in his personal and individual capacity for all damages which the association, its shareholders, or any other person, shall have sustained in consequence of such violation.

SEC. 51. *And be it further enacted,* That the Controller of the Currency, with the approbation of the Secretary of the Treasury, as often as shall be deemed necessary or proper, shall appoint a suitable person or persons to make an examination of the affairs of every banking association, which person shall not be a director or other officer in any association whose affairs he shall be appointed to examine, and who shall have power to make a thorough examination into all the affairs of the association, and, in doing so, to examine any of the officers and agents thereof on oath, and shall make a full and detailed report of the condition of the association to the Controller; and the association shall not be subject to any other visitatorial powers than such as are authorized by this act, except such as are vested in the several courts of law and chancery. And every person appointed to make such examination shall receive for his services at the rate of five dollars for each day by him employed in such examination, and two dollars for every twenty-five miles he shall necessarily travel in the performance of his duty, which shall be paid by the association by him examined.

SEC. 52. *And be it further enacted,* That every president, director, cashier, teller, clerk, or agent of any association, who shall embezzle, abstract, or wilfully misapply any of the moneys, funds, or credits of the association, or shall without such authority, issue or put forth any certificate of deposit, draw any order or bill of exchange, make any acceptance, assign any note, bond, draft, bill of exchange, mortgage, judgment, or decree, or shall make any false entry in any book, report, or statement of the association, with intent, in either case, to injure or defraud any other company, body politic or corporate, or any individual person, or to deceive any officer or agent appointed to examine the affairs of any such association, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by imprisonment not less than five nor more than ten years.

SEC. 53. *And be it further enacted,* That the president and cashier of every such association shall cause to be kept at all times a full and correct list of the names and residences of all the shareholders in the association, in the office where its business is transacted; and such list shall be subject to the inspection of all the shareholders and creditors of the association during business hours of each day in which business may be legally transacted; and a copy of such list, verified by the oath of such president or cashier, shall, at the beginning of every year, be transmitted to the Controller of the Currency, commencing on the first day of the first quarter after the organization of the association.

SEC. 54. *And be it further enacted,* That the Secretary of the Treasury is hereby authorized, whenever, in his judgment, the public interest will be promoted thereby, to employ any of such associations, doing business under this act, as depositaries of the public moneys, except receipts from customs.

SEC. 55. *And be it further enacted,* That all suits and proceedings arising out of the provisions of this act, in which the United States or its officers or agents shall be parties, shall be conducted by the district attorneys of the several districts, under the direction and supervision of the Solicitor of the Treasury.

SEC. 56. *And be it further enacted,* That every person who shall muti-

late, cut, deface, disfigure, or perforate with holes, or shall unite or cement together, or do any other thing to any bank bill, draft, note, or other evidence of debt issued by any such association, or shall cause or procure the same to be done, with intent to render such bank bill, draft, note, or other evidence of debt unfit to be reissued by said association, shall upon conviction forfeit fifty dollars to the association who shall be injured thereby, to be recovered by action in any court having jurisdiction.

SEC. 57. *And be it further enacted,* That if any person shall falsely make, forge, or counterfeit, or willingly aid or assist in falsely making, forging, or counterfeiting any note in imitation of, or purporting to be in imitation of, the circulating notes issued under the provisions of this act, or shall pass, utter, or publish, or attempt to pass, utter, or publish any false, forged, or counterfeited note, purporting to be issued by any association doing a banking business under the provisions of this act, knowing the same to be falsely made, forged or counterfeited, or shall falsely alter, or cause or procure to be falsely altered, or willingly aid or assist in falsely altering any such circulating notes, issued as aforesaid, or shall pass, utter, or publish as true, any falsely altered or spurious circulating note issued, or purporting to have been issued, as aforesaid, knowing the same to be falsely altered or spurious, every such person shall be deemed and adjudged guilty of felony, and being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept at hard labor for a period not less than five years nor more than fifteen years, and to be fined in a sum not exceeding one thousand dollars.

SEC. 58. *And be it further enacted,* That if any person shall make or engrave, or cause or procure to be made or engraved, or shall have in his custody or possession any engraved plate or block after the similitude of any plate from which any circulating notes issued as aforesaid shall have been printed, with intent to use such plate or block, or cause or suffer the same to be used, in forging or counterfeiting any of the notes issued as aforesaid, or shall have in his custody or possession any blank note or notes engraved and printed after the similitude of any notes issued as aforesaid, with intent to use such blanks, or cause or suffer the same to be used, in forging or counterfeiting any of the notes issued as aforesaid, or shall have in his custody or possession any paper adapted to the making of such notes, and similar to the paper upon which any such notes shall have been issued, with intent to use such paper, or cause or suffer the same to be used, in forging or counterfeiting any of the notes issued as aforesaid, every such person, being thereof convicted by due course of law, shall be sentenced to be imprisoned and kept to hard labor for a term not less than five nor more than fifteen years, and fined in a sum not exceeding one thousand dollars.

SEC. 59. *And be it further enacted,* That suits, actions, and proceedings by and against any association under this act, may be had in any circuit, district, or territorial court of the United States held within the district in which such association may be established.

SEC. 60. *And be it further enacted,* That it shall be the duty of the Controller of the Currency to report annually to Congress, at the commencement of its session—

First. A summary of the state and condition of every association from whom reports have been received the preceding year, at the several dates to which such reports refer, with an abstract of the whole amount of

banking capital returned by them, of the whole amount of their debts and liabilities, the amount of circulating notes outstanding, and the total amount of means and resources, specifying the amount of specie held by them at the times of their several returns, and such other information in relation to said associations as, in his judgment, may be useful.

Second. A statement of the associations whose business has been closed during the year, with the amount of their circulation redeemed, and the amount outstanding.

Third. To suggest any amendment to the laws relative to banking by which the system may be improved, and the security of the billholders and depositors may be increased.

Fourth. To report the names and compensation of the clerks employed by him, and the whole amount of the expenses of the banking department during the year; and such report shall be made by or before the first day of December in each year, and the usual number of copies for the use of the Senate and House, and one thousand copies for the department, shall be printed by the public printer and in readiness for distribution on the first meeting of Congress.

SEC. 61. *And be it further enacted*, That any banking association or corporation lawfully in existence as a bank of circulation on the first day of January, anno Domini eighteen hundred and sixty-three, organized in any State, either under a special act of incorporation or a general banking law, may at any time within — years after the passage of this act become an association under the provisions of this act; that in such case the certificate of association provided for by this act shall be signed by the directors of such banking association or corporation, and in addition to the specifications required by this act shall specify that such directors are authorized by the owners of two-thirds of the capital stock of such banking association or corporation to make such certificate of association, and such certificate of association shall thereafter have the same effect, and the same proceedings shall be had thereon, as is provided for as to other associations organized under this act. And such association or corporation thereafter shall have the same powers and privileges, and shall be subject to the same duties, responsibilities, and rules, in all respects, as is prescribed in this act for other associations organized under it, and shall be held and regarded as an association under this act.

SEC. 62. *And be it further enacted*, That any bank or banking association authorized by any State law to engage in the business of banking, and duly organized under such State law at the time of the passage of this act, and which shall be the holder and owner of United States bonds to the amount of fifty per centum of its capital stock, may transfer and deliver to the Treasurer of the United States such bonds, or any part thereof, in the manner provided by this act; and upon making such transfer and delivery, such bank or banking association shall be entitled to receive from the Controller of the Currency circulating notes, as herein provided, usual in amount to eighty per centum of the amount of the bonds so transferred and delivered.

SEC. 63. *And be it further enacted*, That upon the failure of any such State bank or banking association to redeem any of its circulating notes issued under the provisions of the preceding section, the Controller of the Currency shall, when satisfied that such default has been made, and within thirty days after notice of such default, proceed to declare the bonds

transferred and delivered to the Treasurer forfeited to the United States, and the same shall thereupon be forfeited accordingly; and thereupon the circulating notes which have been issued by such bank or banking association, shall be redeemed and paid at the treasury of the United States, in the same manner as other circulating notes issued under the provisions of this act are redeemed and paid.

SEC. 64. *And be it further enacted*, That the bonds forfeited, as provided in the last preceding section, may be cancelled to an amount equal to the circulating notes redeemed and paid, or such bonds may be sold, under the direction of the Secretary of the Treasury; and after retaining out of the proceeds a sum sufficient to pay the whole amount of circulating notes for the redemption of which such bonds are held, the surplus, if any remains, shall be paid to the bank or banking association from which such bonds were received.

SEC. 65. *Be it further enacted*, That Congress reserves the right at any time to amend, alter, or repeal this act.

Approved February 25, 1863.

*Section eight of the "Act to provide ways and means for the support of the government," approved March —, 1863.*

SEC. 8. *And be it further enacted*, That all banks, associations, corporations, or individual issuing notes or bills for circulation as currency, shall be subject to and pay a duty of one per centum each half year from and after April first, eighteen hundred and sixty-three, upon the average amount of circulation of notes or bills as currency issued beyond the amount hereinafter named—that is to say, banks, associations, corporations, or individuals having a capital of not over one hundred thousand dollars, ninety per centum thereof; over one hundred thousand dollars and not over two hundred thousand dollars, eighty per centum thereof; over two hundred thousand dollars and not over three hundred thousand dollars, seventy per centum thereof; over three hundred thousand dollars and not over five hundred thousand dollars, sixty per centum thereof; over five hundred thousand and not over one million of dollars, fifty per centum thereof; over one million and not over one million and a half of dollars, forty per centum thereof; over one million and a half and not over two millions of dollars, thirty per centum thereof; over two millions of dollars, twenty-five per centum thereof. In the case of banks with branches, the duty herein provided for shall be imposed upon the circulation of the notes or bills of such branches severally, and not upon the aggregate circulation of all; and the amount of capital of each branch shall be considered to be the amount allotted to or used by such branch; and all such banks, banking associations, corporations, and individuals shall also be subject to and pay a duty of one-half of one per centum each half year from and after April first, eighteen hundred and sixty-three, upon the average amount of notes or bills not otherwise herein taxed and outstanding as currency during the six months next preceding the return hereinafter provided for; and the rates of tax or duty imposed on the circulation of associations

which may be organized under the act "To provide a national currency secured by a pledge of United States stocks, and to provide for the circulation and redemption thereof," approved February 25th, eighteen hundred and sixty-three, shall be the same as that imposed on the circulation and deposits of all banks, associations, corporations, or individuals, but shall be assessed and collected as required by said act. And all banks, associations, or corporations, and individuals issuing or reissuing notes or bills for circulation as currency after April first, eighteen hundred and sixty three, in sums representing any fractional part of a dollar, shall be subject to and pay a duty of five per centum each half year thereafter upon the amount of such fractional notes or bills so issued; and all banks, associations, corporations, and individuals receiving deposits of money subject to payments on checks or drafts, except savings institutions, shall be subject to a duty of one-eighth of one per centum each half year from and after April first, eighteen hundred and sixty-three, upon the average amounts of such deposits beyond the average amount of their circulating notes or bills lawfully issued and outstanding as currency. And a list or return shall be made and rendered within thirty days after the first day of October, eighteen hundred and sixty-three, and each six months thereafter, to the Commissioner of Internal Revenue, which shall contain a true and faithful account of the amount of duties accrued, or which should accrue on the full amount of the fractional note circulation and on the average amount of all other circulation, and of all such deposits, for the six months next preceding, [as aforesaid, during the time when such duties remain unaccounted for.] And there shall be annexed to every such list or return a declaration, under oath or affirmation, to be made in form and manner as shall be prescribed by the Commissioner of Internal Revenue, of the president, or some other proper officer of, said bank, association, or individual, respectively, that the same contains a true and faithful account of the duties which have accrued, or which should accrue, and not accounted for; and for any default in the delivery of such list or return with such declaration annexed, the bank, association, corporation, or individual making such default, shall forfeit, as a penalty, the sum of five hundred dollars. And such bank, association, corporation, or individual shall, upon rendering the list or return as aforesaid, pay to the Commissioner of Internal Revenue the amount of the duties due on such list or return, and in default thereof shall forfeit, as a penalty, the sum of five hundred dollars; and in case of neglect or refusal to make such list or return as aforesaid, or to pay the duties as aforesaid, for the space of thirty days after the time when said list should have been made or rendered, or when said duties shall have become due and payable, the assessment and collection shall be made according to the general provisions prescribed in an act entitled "An act to provide internal revenue to support the government and to pay interest on the public debt," approved July one, eighteen hundred and sixty-two.

## STATISTICS OF TRADE AND COMMERCE.

### EUROPEAN SUGAR AND COFFEE TRADE FOR 1862.

BY H. E. MORING.

#### SUGAR.

WE gave in the last No. of the *Merchants' Magazine*, the sugar trade of the United States for 1862. Below will be found the imports, stocks, and distribution of sugar at the principal European depots, for the twelve months ending December 31, 1862:

	—Imports.—		—Stock, December 31.—	
	1862.	1861.	1862.	1861.
Holland*.....tons	108,200	117,000	7,800	15,100
France†.....	232,290	215,448	72,904	48,440
Antwerp.....	13,976	21,442	2,529	1,512
Hamburg.....	28,500	27,500	5,000	5,500
Bremen.....	14,000	12,500	1,300	2,100
Trieste.....	22,767	14,775	6,516	3,080
Genoa.....	30,846	30,133	3,839	2,990
Leghorn.....	11,336	13,392	1,294	1,339
Continent.....	461,915	452,190	101,182	80,061
Great Britain.....	475,721	493,489	122,798	111,854
Total.....	937,636	945,679	223,980	191,915
Receipts and deliveries.		1862.	1861.	1860.
Total stock, January 1st..... tons		191,915	127,060	159,288
“ receipts up to December 31st.		937,636	945,679	767,801
Total supply for 12 months....	1,129,551	1,072,739	977,089	
Deduct stock December 31st.....	223,980	191,915	127,060	
Distribution in 12 months.....	905,571	880,824	800,029	
Average distribution for 12 months.	75,464	73,402	66,669	
Distribution in December.....	41,244	66,156	45,426	
Receipts in “.....	30,930	44,677	38,188	
Average distribution first 11 months	78,850	73,369	66,588	
Distribution in November.....	87,310	73,900	67,260	
“ in October.....	80,290	68,500	71,320	
“ in September.....	92,570	68,840	74,040	
“ in August.....	61,550	79,980	74,120	

#### COFFEE.

The following table shows the imports and distribution of coffee at the

\* Stock in first hands alone; all others in first and second hands.

† Exclusive of beet-root sugar.

principal European depots for the twelve months ending 31st December, 1862 :

	Imports.		Stock December 31.	
	1862.	1861.	1862.	1861.
Holland..... tons	76,875	68,250	17,125	16,875
France.....	58,506	60,239	17,642	13,346
Antwerp.....	15,046	13,679	2,991	2,042
Hamburg.....	40,250	50,000	5,750	10,500
Bremen.....	4,700	6,830	820	780
Trieste.....	8,883	12,677	2,052	2,678
Genoa.....	6,383	5,489	490	624
Leghorn.....	1,339	1,919	268	312
Continent.....	211,982	219,083	47,138	47,157
Great Britain.....	36,073	33,133	8,789	8,788
Total.....	248,055	252,216	55,927	55,945
Receipts and deliveries.		1862.	1861.	1860.
Total stock, January 1st..... tons		55,945	42,832	39,705
“ receipts up to December 31st...		248,055	252,216	225,893
Total supply for 12 months.....		304,000	295,048	265,598
Deduct stock, December 31st.....		55,927	55,945	42,832
Distribution in 12 months.....	248,073	239,103	222,766	
Average distribution for 12 months...	20,673	19,925	18,564	
“ “ first 11 months..	21,819	21,196	19,559	
Distribution in December.....	7,129	4,365	7,443	
Receipts in December.....	9,914	21,264	15,508	
Distribution in November.....	12,470	12,790	8,120	
“ in October.....	27,620	26,160	26,160	
“ in September.....	30,600	25,460	31,880	
“ in August.....	18,240	30,040	19,620	

#### TRADE AND COMMERCE OF THE SANDWICH ISLANDS.

We find in the Honolulu *Commercial Advertiser* the annual review of the trade of the Sandwich Islands, from which we make up the following :

The tables show that there has been an improvement both in the import and export trade, and that they are becoming more nearly equalized, which indicates a healthier state than has existed for several years. The total imports for the year are given at \$998,239, while the exports foot up \$838,424. These totals do not, however, represent the exact trade, inasmuch as each sum embraces goods simply bonded and re-exported again without paying duties. The quantity of bonded goods is very large—amounting to \$259,069, or more than one-fourth the above total. A large portion of these bonded goods consist of oil, bone, or other cargo, landed for transshipment and export, and really ought not to appear in the imports. But as they have been placed there, they have also to be given among the exports when shipped away. How large this class of

goods is, we have no means of learning; but if we may judge from the duties given in the table as derived from bonded goods, \$4,947, which represent goods to the value of \$49,470, it must embrace nearly \$200,000, after allowing for the spirits bonded. The *bona fide* imports have, therefore, been only about \$800,000 for the year 1862, of which the tables show that \$112,717 have been entered free of duty. Of this sum, goods to the value of \$33,163 were imported for Hawaiian whalers, and \$51,625 for agriculturists and mechanics.

That our readers may compare the statistics of the present year, with those of previous ones, we insert the following table, showing the commerce of the islands for the past seventeen years:

	Total imports.	Total exports.	Domestic produce exported.	Foreign merchandise re-exported.	Total custom-house receipts.
1862 .....	\$998,239 67	\$838,424 61	\$586,541 87	\$251,882 74	\$107,490 42
1861 .....	761,109 57	659,774 72	476,872 74	182,901 98	100,115 56
1860 .....	1,223,749 05	807,459 20	480,526 54	326,932 66	117,302 57
1859 .....	1,555,558 74	931,329 27	623,575 21	302,754 06	132,129 37
1858 .....	1,089,660 60	787,082 08	529,966 11	257,115 97	116,138 23
1857 .....	1,130,165 41	645,526 10	423,303 91	222,222 91	140,777 03
1856 .....	1,151,422 99	670,824 67	466,278 79	204,545 88	123,171 75
1855 .....	1,383,169 87	572,601 49	274,741 67	297,859 82	158,411 90
1854 .....	1,590,837 71	585,122 67	274,029 70	311,092 97	152,125 58
1853 .....	1,401,975 86	472,996 83	281,599 17	191,397 66	155,650 17
1852 .....	759,868 54	638,395 20	257,251 69	381,142 51	113,001 93
1851 .....	1,823,821 68	691,231 49	309,828 94	381,402 55	160,602 19
1850 .....	1,035,058 70	783,052 35	536,522 63	246,529 72	121,506 73
1849 .....	729,839 44	477,845 81	279,734 74	198,102 07	83,231 32
1848 .....	605,618 73	300,370 98	266,819 43	33,551 55	55,563 94
1847 .....	710,138 52	264,226 63	209,018 53	57,208 07	48,801 25
1846 .....	598,382 24	363,750 74	301,625 00	62,325 74	56,506 64

In each branch of trade there has been an improvement. While the duty paying imports have increased only about 14 per cent, the domestic exports have increased 24 per cent, and this notwithstanding a continued falling off in the whaling trade. The custom-house receipts show an increase of 7 per cent over the previous year. The number of merchant vessels given shows an increase more apparent than real, for of the total 113 merchantmen, of 48,687 tonnage, about one-fourth, or 26 vessels, of 17,783 tonnage, simply anchored outside to land mails or provision their ships.

In the importation of spirits there is a falling off of about 8 per cent—the total being 8,940 gallons; and in the duties derived from spirits (\$23,895) a decrease of \$3,400 from the receipts of 1861. This decrease is fully accounted for by the decreased number of seamen visiting the port. The average yearly receipts from the duties on spirits from 1853 to 1858 were over \$67,000, showing a loss to the public treasury by the change in the tariff of over \$44,000 per annum, or in that proportion for the amount imported.

In the foreign commerce there has been really no great improvement. The merchant tonnage arriving at the islands has increased only 2,753 tons, equal to two good sized empty clippers, which is the actual increase of vessels that touched outside the port. But while there is this small gain shown in the merchant service, there is a decrease of over one half in the whalers.

## RAILWAY, CANAL, AND TELEGRAPH STATISTICS.

### TOLLS AND TONNAGE OF THE NEW YORK CANALS FOR 1862.

THE revenue from our canals the past year shows a very satisfactory result. For this increase we are, in our opinion, indebted to the abundant crops and the blockade of the Mississippi. The *Albany Journal*, however, gives a comparative table, which will be found below, showing what the tolls *were* the past year, and how much less they would have been had the rates of 1857 or 1860 been followed, and concludes from it that this satisfactory result is due to the fact that the rates of tolls have been brought to a revenue standard. This conclusion we do not think is quite correct. For instance, the increase of canal tonnage from 1859 to 1862 was about 2,000,000 tons, while the increase of revenue during the same time was \$3,140,833. Of course it is clear, therefore, that nearly the whole of this additional revenue comes from the increased tonnage, and not simply from increased rates of tolls. Then, again, why was not the tonnage diminished under the increased tolls the past year? The fact that there was no decrease is said to be evidence of good management, and to show that high rates will not drive business from the canals. We certainly think these conclusions are unwarranted. The canals may be managed well and the tolls *may* not at present be too high, but we see no proof of these facts in last year's business. There was no other outlet during 1862 for the wealth of the West except our railroads, which were also taxed to their utmost capacity. This freight was forced, therefore, to come by the canals, and would have done so even had the tolls been higher. Only let the usual avenues of trade be opened, let the blockade of the Mississippi be raised, and then we can tell how high tolls our canals will bear.

We give the following table for the purpose of showing how much the revenue was increased the past year, compared with 1859 and 1860, by the increased tolls. The first column shows the tons of each class of property first cleared and carried on the canals from the opening to the close of navigation in 1862. The second column exhibits the tolls paid on boats and passengers and on each class of property carried, on the rates of toll imposed by the Canal Board in the winter of 1862, which continued uniform through the season of navigation. The third, what tolls would have been on the same tonnage of each class under the rates charged in toll sheet of 1857; and the fourth shows what the toll receipts would have been under the rates imposed in 1860:

Class of property.	Tons transported in 1862.	Tolls received 1862 on rates of that year.	Tolls on same tonnage on the rates of 1859.	Tolls on same tonnage on the rates of 1860.
Boats and passengers, 1862..	.....	\$261,283	\$261,283	\$261,283
The Forest—				
Furs and peltry.....	109	70	263	263
Product of wood.....	1,569,674	699,433	577,293	590,594
Agricultural—				
Product of animals ....	68,269	65,466	49,238	65,466
Vegetable food.....	2,422,598	3,637,118	2,607,733	2,668,521
All other agricultur'l products.	3,169	2,208	2,203	2,208

	Tons carried 1862.	Tolls rec'd 1862.	Tolls 1859.	Tolls 1860.
Manufactures .....	364,877	161,554	202,123	207,829
Merchandise .....	167,727	117,444	101,568	199,193
Other articles .....	1,002,271	244,435	181,739	240,764
Aggregate .....	5,598,785	\$5,188,943	\$3,063,185	\$3,235,858
Deduct tolls on boats & pass. ....		261,283	261,283	261,283
Tolls on property .....		\$4,927,660	\$3,721,902*	\$3,974,565

The increase in 1862 over 1859 on the same amount of tonnage is \$1,205,758, and over 1860, \$953,085.

We have prepared the following tables which will be found of interest, showing, as they do, the tolls and tonnage for the past three years :

## CANAL TOLLS FOR THREE YEARS.

Description of articles.	1860.	1861.	1862.
Boats and passengers... tolls	\$199,479	\$207,924	\$261,283
Furs and peltry .....	113	81	.....
Products of wood .....	657,511	398,566	699,433
Product of animals .....	13,039	14,132	65,466
Vegetable food .....	1,574,390	2,856,846	3,637,118
All other agricultural products	1,348	1,220	2,208
Manufactures .....	87,956	95,722	161,556
Merchandise .....	223,885	107,958	177,444
Other articles .....	251,876	226,336	244,435
Total .....	\$3,009,597	\$3,908,785	\$5,188,943

## CANAL TONNAGE FOR THREE YEARS.

Description of articles.	1861.	1861.	1862.
Furs and peltry .....	222	155	.....
Products of wood .....	1,509,755	1,052,237	1,569,674
Product of animals .....	19,882	19,232	68,259
Vegetable food .....	1,659,158	2,122,237	2,422,593
All other agricultural products	3,714	2,854	3,169
Manufacture .....	268,759	281,256	364,877
Merchandise .....	250,360	135,096	167,927
Other articles .....	938,364	895,518	1,002,271
Total .....	4,602,214	4,507,635	5,598,785

The value of tonnage for 1862 is as follows :

Products of the forest .....	\$11,305,954
Products of animals .....	\$11,117,228
Vegetable food .....	71,971,741
Other agricultural products .....	1,150,401
Manufactures .....	84,239,370
Merchandise .....	12,314,651
Other articles .....	83,640,903
	11,733,453
	\$203,234,331

The total of freight or number of tons carried one mile during the last season of navigation was..... 1,123,547,430

The total movement of the several classes composing such tonnage is as follows :

Products of the forest.....		228,815,916
Products of animals.....	16,910,583	
Vegetable food.....	653,245,382	
Other agricultural products.....	615,000	
		<hr/>
Manufactures.....		670,770,965
Merchandise.....		49,329,099
Other articles.....		49,798,250
		<hr/>
		1,123,548,430

The whole amount of tonnage arrived at tide-water by way of the Erie Canal, from Western States and Canada, during the last season of navigation, was 2,594,837 tons. The whole amount of tonnage arrived at tide-water, the product of this State, during the same period was 322,257 tons.

The whole number of barrels of flour arriving at tide-water, through the canals, during the last season of navigation, was.....	1,826,509
The whole number of bushels of wheat arriving during the same period, was 32,667,866, which turned into flour, calculating five bushels to the barrel, would make.....	6,533,573
	<hr/>
Total in barrels.....	8,360,082

The whole number of bushels of corn arriving at tide-water, during the same period, was 23,709,822.

Comparing the season of 1861 with that of 1862, it shows an increase in revenue of \$1,280,158, and an increase in tonnage of 1,091,150, divided among the different classes as follows :

Products of the forest, increase.....	517,282
Products of animals, increase.....	48,987
Vegetable food, increase.....	300,361
Other agricultural products, increase.....	315
	<hr/>
Manufactures, increase.....	349,663
Merchandise, ".....	84,621
Other articles, ".....	32,831
	<hr/>
	106,753
	<hr/>
	1,091,150

In flour and wheat, comprised in the returns of vegetable food, there has been an increase in tonnage the past year of 179,239, and an increase in the tolls of \$611,465. In corn and oats there has been an increase during the same period of 68,746 tons, and an increase in tolls of \$126,308. Under the head of "Products of the Forest," there was an increase in tonnage upon shingles, boards, and scantling, of 150,750, and an increase in tonnage upon timber, staves, and wood of 265,358, and an increase in pot and pearl ashes of 1,220. Under the head of "other articles," there was an increase in the tonnage of mineral coal, for the same period, of 94,570, and a decrease in sundries of 119,556 tons.

## COMMERCIAL REGULATIONS.

### REGULATIONS OF THE TREASURY DEPARTMENT AS TO ESTIMATING THE ALLOWANCE FOR TARE.

THE following circular, relating to tare, has been issued by the Hon. S. P. CHASE, Secretary of the Treasury, to collectors of customs :

*Treasury Department, January 24, 1863.*

SIR: The 16th section of the Tariff act of the 14th July, 1862, provides: "That, from and after the passage of this act, in estimating the allowance for tare on all chests, boxes, cases, casks, bags, or other envelop or covering of all articles imported liable to pay any duty, where the original invoice is produced at the time of making entry thereof, and the tare shall be specified therein, it shall be lawful for the collector, if he shall see fit, or for the collector and naval officer, if such officer there be, if they shall see fit, with the consent of the consignees, to estimate the said tare according to such invoice; but in all other cases the real tare shall be allowed, and may be ascertained under such regulations as the Secretary of the Treasury may from time to time prescribe, but in no case shall there be any allowance for draft."

The execution of the foregoing provision will be governed by the following regulations: In all cases where the original invoice is produced at the time of making the entry thereof, with the tare specified therein, the collector, or collector and naval officer, if such officer there be, may, in his or their discretion, and with the consent of the consignees, estimate the tare according to the invoice; otherwise the real tare is to be allowed.

The following schedule of tares is the tare to be allowed in all cases where the invoice tare is not adopted as hereinbefore prescribed: *Provided*, That the collector shall have the right at any time to test the tare on any importation where, in his opinion, the real tare may vary from the tare in the schedule annexed.

Should any consignee or importer enter a protest in due form of law against the enforcement of any one or more of the tares as herein set forth, the collector will in all such cases adopt the real tare, to be ascertained in the usual manner.

#### SCHEDULE OF TARES PRESCRIBED FOR THE GOVERNMENT OF THE COLLECTORS OF CUSTOMS AND OTHERS INTERESTED.

Almonds.....	2½ per cent, bales; 2 per cent, bags; 8 per cent, frails.
Alum.....	10 per cent, casks.
Barytes.....	3 per cent.
Cheese.....	10 per cent for casks or tubs.
Cassia.....	9 per cent for mats.
Coffee, Rio.....	1 per cent, single bags; 2 per cent, double bags. All other coffee, actual tare.
Cinnamon.....	6 per cent, bales.
Cocoa.....	2 per cent, bags; 8 per cent, cero ons.
Chickory.....	2 per cent, bags.

Copperas.....	10 per cent, casks.
Curran's.....	10 per cent, casks.
Hemps.....	Manilla, 4 pounds to each bale; Hamburg, Leghorn, Trieste, 5 pounds to each bale.
Indigo.....	10 per cent for ceroons.
Melado.....	11 per cent.
Nails.....	2 per cent, bags; 8 per cent, casks.
Ochre.....	Dry, in casks, 8 per cent; oil, in casks, 12 per cent.
Peruvian Bark....	10 per cent, ceroons.
Paris White.....	10 per cent, casks.
Pepper.....	2 per cent, bags; 4 per cent, double bags.
Pimento.....	2 per cent, bags.
Raisins.....	25 per cent, boxes; 27 per cent, $\frac{1}{2}$ boxes; 29 per cent, $\frac{1}{4}$ boxes; 4 per cent, frails; 12 per cent, casks.
Rice.....	2 per cent, bags.
Spanish Brown...	In casks, dry, 10 per cent; casks, in oil, 12 per cent.
Sugar.....	12 $\frac{1}{2}$ per cent, hogs-heads; 12 per cent, tierces; 10 per cent, barrels; 14 per cent, boxes; 2 per cents, bags; 2 $\frac{1}{2}$ per cent, mats.
Salt.....	Fine, in sacks, 3 pounds for each sack; coarse, or ground alum, 2 pounds each.
Teas.....	Duty to be levied on the net number of pounds, as per invoice, when from China or Japan. All others, actual tare by weight.
Tobacco.....	Leaf, in bales, tare 10 pounds each bale. Bales with extra covers, 12 pounds each.
Whiting.....	10 per cent, in casks.

Respectfully,

S. P. CHASE, *Sec. of the Treasury.*

#### DECISIONS OF TREASURY DEPARTMENT UNDER THE TARIFF ACTS.

The following decisions have been made by the Secretary of the Treasury, of questions arising upon appeals by importers from the decisions of collectors, relating to the proper classification, under the Tariff acts of March 2, 1861, August 5, 1861, and July 14, 1862, of certain articles of foreign manufacture and production entered at the ports of Boston and New York.

#### RAGS.

*Treasury Department, December 16, 1862.*

SIR: I have had under consideration your report on the appeal of Mr. L. HEIFFER from your decision subjecting to duty, under the Tariff act of August 5, 1861, certain rags imported in the ship Ocean Romp, which arrived on the 21st of July last.

The appellants claim the right to enter said rags free of duty under the provisions of the act of July 14, 1862, inasmuch as they were "on ship-board on the 1st day of August, 1862."

Under the act of August 5, 1861, "rags, of whatever material," were made subject to duty at the rate of 10 per centum ad valorem. The act of July 14, 1862, provides "that all imported cotton and linen rags for the manufacture of paper shall be free; it also says that all goods "on

shipboard on the first day of August, 1862, shall be subject to the duties prescribed by this act."

In this case it appears that sufficient time elapsed to have enabled the importer to make his entry and obtain a permit for the landing of his merchandise, but he failed to do so, and apparently waited of purpose until the new act went into effect before making his entry.

Your decision is affirmed.

I am, very respectfully,

S. P. CHASE, *Sec. of the Treasury.*

J. Z. GOODRICH, Esq., *Collector, etc., Boston.*

PATENT LEATHER.

*Treasury Department, February 7, 1863.*

SIR: I have had under consideration the appeal of FRED. M. MAAS & Co. from your decision assessing a duty at the rate of 30 per cent on certain "Patent Leather," imported by them.

The appellants claim that the leather in question is liable to 20 per cent duty, "because an upper leather."

Section 22 of the act of March 2, 1861, imposes a duty of 30 per cent on "japanned, *patent* or enameled leather, or skins of all kinds." Under this section you have classed the importation by F. M. MAAS & Co., and assessed the duty accordingly.

Your decision is hereby affirmed.

I am, very respectfully,

S. P. CHASE, *Sec. of the Treasury.*

HIRAM BARNEY, Esq., *Collector, etc., New York.*

RAW SILK.

*Treasury Department, February 7, 1863.*

SIR: I have had under consideration the appeal of MESSRS. HADDEN & Co. from your decision assessing a duty of 10 per cent, under section 14 of the Tariff act of July 14, 1862, on certain raw silk imported by them from Liverpool, on August 28th and September 11th, 17th, and 23d.

The appellants say, "The ground upon which we claim exemption from duty in respect to these several importations is that, being unmanufactured and in a raw state, they are expressly made *free* by all the existing acts of Congress on the subject of duties. In the tariff or rates of duties, silk raw, or as reeled from the cocoon, not being doubled, twisted, or advanced in manufacture in any way, and silk cocoons and waste silk, are declared free. This is the tariff under the law of 1862, as well as under prior laws."

Section 14 of the Tariff act of July 14, 1862, is unmistakably plain and emphatic in its language. It levies a duty of 10 per cent on *all* goods, wares, and merchandise of the growth or produce of countries beyond the Cape of Good Hope, when imported from places this side of the Cape of Good Hope.

The appellants admit that the raw silk in question is the production of China and Persia, and that it was imported by them from Liverpool. This virtually decides the question, and your decision is hereby approved.

I am, very respectfully,

S. P. CHASE, *Sec. of the Treasury.*

HIRAM BARNEY, Esq., *Collector, etc., New York.*

## [JOURNAL OF MINING, MANUFACTURES, AND ART.

## GOLD MINING IN NEW ZEALAND.

WE find in the Edinburgh *Witness* an article in regard to the discoveries of several gold-fields of an extraordinary character in Otago, New Zealand. The *Witness* says the greatest excitement prevails there. The Otago journals can scarce find terms extravagant enough to describe the richness of the auriferous districts; and their statements must be received with some qualification. But, even making all allowance for this, it appears that the quantity of precious metal which has been obtained by diggers is remarkable. Those interested in the progress of New Zealand may remember that, in August last, two miners of the names of HARTLEY and REILLY arrived in Dunedin, the capital of Otago, with 87 pounds of gold, which they had obtained in the interior of the country. They purposely avoided all mention of the place where they had found this treasure, and it was only when the government promised them a reward of £2,000, on condition that the district produced 16,000 ounces within three months, that they divulged their secret. No sooner was it made known that this rich field was in the district watered by the Molyneux river, in the northern part of Otago, than a rush took place, Dunedin being almost deserted. In spite of warnings, "Thousands (says the *Otago Times* of the 16th December.) started on a journey of a hundred miles, into an almost uninhabited country, with scarcely any provisions for their necessities, without food, and even without tools, only eager to arrive early and secure claims. Soon a rush came from Australia; and as had been predicted, there was much suffering at first from want of necessaries, and great numbers returned disappointed, without even reaching the ground. Soon, however, a more healthy state of things supervened, and as many got first-rate prospects on the river, and provisions began to arrive, the panic was stayed. But there came another cause of alarm. The river, as warm weather came on, began to rise; and it was quickly evident that, however rich the river bars might be, it would be hopeless to expect to work them until another season. Gloomy anticipations began to be entertained; but the people on the spot, finding that they could not work the river, very sensibly turned their attention to the banks, and almost at once began to find gold. They found that gold was to be obtained by driving into the steep banks, and by sinking in the terrace like flats; and they also discovered that the small rivers and creeks contained rich deposits. Large parcels of gold reached town by the hands of private buyers—one person bringing down 125 pounds, and other parcels of 10 or 20 pounds, and confidence was restored. On the 6th of October the first escort from the new field arrived in town, bringing 6,031 ounces of gold; on the 18th, another escort of 6,240 ounces came to hand; on the 31st October, 9,053 ounces; and on the 15th November, 9,569 ounces, thus making upwards of 30,000 ounces within the stipulated three months, instead of 16,000, and securing the reward to the prospectors."

The new gold field, when first proclaimed under the title of the Dun-

stan Gold Field, after one of the adjoining mountains, was fixed for a distance of twenty-five miles along the river's course; but the diggings soon extended, the region being of such an auriferous character, until they embraced an extent of territory of at least fifty miles in one direction, and thirty in another. Still further discoveries were made. A correspondent, in writing of these gold fields, says:

"One is at the Cardrona river, a tributary of the Molyneux, distant from the Dunstan river camp some seventy miles. About one thousand men are there assembled. The valley at the Cardrona is twenty-six miles long, the whole of which is auriferous. From the Cardrona, Mr. HECTOR (an officer of the government,) proceeded to the Arrow river, on the other side of a mountain, dividing one gully from another. 'Here were diggers, each making 3 ounces of gold a day; but this,' adds Mr. HECTOR, 'must fall far short of what some of the first arrivals obtained.' One party of four took out 243 ounces in the first fortnight; nuggets of an ounce and of 15 and 17 dwt. being common. Prospectors found payable gold for upwards of twenty miles. From another part called Conroy's Gully, much more abundant yields seem to have been obtained. 'To give returns,' writes the special reporter of the *Times*, 'of all the rich finds is impossible. Pounds weight per day are freely spoken about and cause no surprise; and people here will believe almost anything that is reported. The mention of ounces is treated quite cavalierly, such is the excitement prevailing.' \* \* \* 'Very few are content to settle down upon anything that is not extraordinary. WILLIAMS and party cleared up some 400 ounces; they washed as high as a pound weight per dish. It was in this rush that the 50lb. weight was got by two men. It is useless to mention other instances of success, as the list would extend to large dimensions. The gold is coarse, heavy, and water worn, and many pieces weighing over an ounce had been obtained. CORCORAN and party informed the sergeant stationed here that they were making six pounds weight a day.'"

Another correspondent gives an account of a party of two men at Arrow river washing out 4lbs. weight with one tin dish in seven days; of a party in the same locality washing 50 ounces a day with a cradle; of another party in a locality as yet undisclosed, washing out sixty ounces in one day, with no appliance except an old blanket, none of the pieces of gold being of less size than small horse beans; of four men at Potter's getting 180 ounces for a few days' work, and of other cases of less conspicuous good fortune almost without number. These fortunes have not, however, been made without incurring great hardships from the scarcity of provisions and the severity of the weather, and many who were unfitted for the work, or whose means would not enable them to hold on for a sufficient time, have been compelled to retrace their steps, bitterly bemoaning their fate. In addition to these new fields, those discovered some months ago continue to yield good returns; and it is stated that the total quantity of gold brought down to Danedin by escort since the opening of the gold fields, up to the 16th December, (16 months,) is 523,772 ounces. Otago has, since the discovery of these auriferous regions, made such great progress that her population exceeds that of the other provinces, while her imports and exports are also greater. These fresh discoveries will draw many to her shores, and develop her resources. Gold has

also been discovered at Coromandel, in the northern island, but machinery is here required to crush and amalgamate the quartz. The mail now arrived also informs us that new gold fields have been discovered about seventy miles from Melbourne, so that Victoria will still be able to preserve her place as one of the most auriferous regions.

Another correspondent, writing from Australia, says:

"At no time before were the reports from New Zealand about the gold mines so favorable as by the latest accounts. Fortunes are being made with almost fabulous rapidity, and the rush thither is unprecedented. According to one local journal, the province of Otago was increasing its population by thousands every week. Otago occupies the southern part of the larger island (New Munster,) and is situated nearly under the 45th parallel of south latitude. The port of Dunedin was overflowing with passengers from Australia. Within one week four ships had arrived at Fort Chalmers, bringing thirty-two hundred passengers. At the Dunstan "diggings" three thousand one hundred and thirty-three ounces of gold were left with the police for transmission, within five days. Yields of three or four ounces of yellow dust per day per laborer were thought of little account, and several were reported to be taking it out by the pound. Among the articles reported as scarce are bank notes, wherewith to purchase precious metal. All kinds of produce had advanced to extravagant prices, and rowdiness was becoming disgustingly prevalent in a community which was founded under religious influence and named after the great Scottish divine by his countrymen.

"The whole population of New Zealand, as ascertained by a census before the gold excitement broke out, was 106,000, of which about fifty per cent was natives. But with this discovery it is probable that the foreign element has already doubled, and will continue to advance at an unusually rapid rate for years to come. The climate and soil are for the most part among the best on the globe, and the situation of the islands is well adapted to European constitutions. One of these days another nation will be born there."

Since the foregoing was written we have received later news from New Zealand, *via* Panama. These accounts are still more glowing than the others. New discoveries are reported, throwing into shade those made in Otago; and the New Zealand mines are believed to excel in richness those of California or Australia. Their present weekly product is estimated at 20,000 ounces. Prices of all kinds are at monstrous figures; and railroads, telegraphs, steamboat lines, gas works, etc., are among the grand projects of the day.

#### THE OIL WELLS OF CANADA.

The Toronto *Leader* says: "At the present time the prospects of the petroleum trade of Canada are clouded. Out of about thirty wells, all but two have ceased to flow. When these wells first begun to give out, the question was raised whether it would not still be possible to obtain oil from them by pumping. Experience shows, however, that when the flow of oil ceases, little else than salt water is left behind. Whether this water be strong enough for profitable manufacture into salt is a question on which opinion is unsettled, and which experiment may some day decide. Though the spouting wells have never formed the only source of

supply, by far the greatest part of the oil has been obtained from them. The effect of their cessation may be pretty accurately expressed in figures. The production has fallen from 12 000 bbls. to something like 400 bbls. a day. But it does not, by any means, necessarily follow that this low figure is not capable of great future augmentation. Up to this time, the greater part of the oil, which is estimated altogether at 300,000 bbls., has been taken from an area of about two square miles. When we take into account that the anticlinal in which the oil is found traverses the entire peninsula of Upper Canada, between almost the most distant points that could be selected, it would be rash to conclude that this vast subterranean reservoir is not capable of being made to yield up an enormous amount of hitherto hidden treasure.

The spouting wells were sure to become exhausted, and what has now happened in regard to them must have been foreseen by all who took the trouble to understand their nature. Other spouting wells may be found, but it is evident that if any of the wells are to give a permanent supply, it will be those from which the oil is pumped. Hitherto there has been a monstrous waste of oil, arising chiefly from not having the spouting wells, when oil was first struck, properly under control. According to some estimates, about one-half the entire quantity of oil brought to the surface has been lost in this way. It is a matter of speculation whether another flow of oil may not be got below the bed of the exhausted wells, and we learn that this point is to be settled by sinking a trial well to the depth of 1,000 feet. In Pennsylvania success was obtained under like circumstances, and the precedent gives hope of a like result in this case.

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#### POSTAGE ON BOOTS, ETC.

POST OFFICE DEPARTMENT, APPOINTMENT OFFICE, }  
 Washington, January 3d. }

Many postmasters persist in sending through the mails packages of clothing, boots, etc., charging thereon only one cent an ounce for postage. This is a palpable violation of the law and regulations with which every postmaster should be familiar. The packages are held for the legal postage at the distributing offices, or office of delivery, accumulating to such an extent as to be greatly annoying to these officers, and, in a large majority of cases, never reach the parties addressed, thus causing a loss to the parties sending.

The law and regulations clearly define what is mailable matter, and prescribe what amount of postage is to be charged thereon, and further provides that all other matter or thing, if sent by mail, is subject to letter postage.

To prevent further loss to parties interested, and the improper interruption of business at the large offices, all postmasters are required to make themselves fully acquainted with the laws and regulations relating to the postal service; and the mailing of packages hereafter, of the character referred to, by any postmaster, without the proper postage being prepaid by postage stamps, will be considered good cause for removal.

(Signed.) ALEX. W. RANDALL, 1st Asst. Postmaster-General.

## THE BOOK TRADE.

*Verner's Pride.* By Mrs. HENRY WOOD, author of the "Earl's Heirs," "Life's Secret," "The Channings," etc. Philadelphia: T. B. PETERSON & BROTHERS. In two volumes. Price 50 cents each.

We have Mr. LONGFELLOW's authority for declaring that it is a sublime thing to suffer and be strong, but we can only give our own for the assertion that we have been achieving sublimity this long time. Concealment has been preying upon the editorial cheek until we are threatened with a moral lockjaw, and our constitution can no longer support such depredations. We seek relief by candor. There is a defect in Mrs. Wood's style which is exasperating beyond expression; we should long ago have spoken of it, but for the fact that it was commented on by several of our contemporaries, and we considered that sufficient. To speak of it, is to remedy it, we said to ourselves, and in silence awaited amendment; but the next book showed no improvement, nor the next, and in this last work, the error glares upon one from every page with a persistency that is unendurable. Like, is a good Saxon word, quite unobjectionable in its proper place, but it becomes woefully unpleasant when abnormally situated, and in *Verner's Pride* it crops out in every direction, in the most monstrous and preposterous connection.

If it is an established law in Ethics that a man should pay his debts before he makes presents, or that a philanthropist should relieve his suffering neighbor before sending swaddling-bands to Bush babies, it is even more imperative upon an author to be thoroughly master of the sober beast Syntax, before he mounts unbridled Pegasus for a flight. The most talented, the most imaginative, the most prolific writer in the world, will only mutilate or squander his best gifts, without a patient and special reference to such prosaic things as spelling and grammar. We doubt whether SHAKESPEARE's most devoted admirers would be quite as enthusiastic if he had represented the courtly Polonius as exclaiming, "To thine own self be true, and it must follow *like* the night the day," etc., or if he had made wrathful Mark Antony ejaculate, "I am no orator *like* Brutus is, but *like* you know me all, a plain, blunt man." To go beyond SHAKESPEARE, and mar the pure simplicity of the Scriptures by such abuses, only gives a still stronger contrast. The very children would cry out against such enormities as "*Like* thy days are so shall thy strength be," or "*Like* ye would that men should do to you, do ye also to them likewise." If SHAKESPEARE and the Sacred Word can suffer from such substitution, its effect upon ordinary writing must be doubly disastrous.

It becomes the more disagreeable the longer it is persisted in, and develops from a heedless inaccuracy into a wilful delinquency. It is a pity that a matter so easily remedied should be allowed to spoil so good a book as *Verner's Pride*. If not equal to the "Channings," which we consider an admirable novel, and by far the best thing ever published by Mrs. WOOD, it is at least superior to her other works; the plot is continued with great ingenuity and is very interesting; Jan is a splendid character, and Master Cheese very amusing in his fat way. The hero, we love for his many noble qualities, notwithstanding two drawbacks to our enthusiasm. The first is, that he is undeniably a little tender about the brain, and the second, that his extreme delicacy is spotless, and rather of a remittent type. He allows his love for the heroine (who is an uncommonly nice girl) to appear while his first wife is living, but after she is dead, and the way is open, pangs of honor seize him and he resolves to conceal

his affection, because his circumstances are depressed. This obstacle being removed, by his coming into a fortune, the reader expects an immediate proposal, a wedding, and the end. But the hero is then attacked by the violent conviction that it is his duty to ask the consent of the young lady's father first, and as he is in India, there is necessarily a considerable delay. Meantime the heroine has a good time growing thin, and ruining her best pocket handkerchiefs with frequent secret tears, as far as the last chapter, when everything is made suddenly right. The whole Pickaby affair is a capital story by itself, full of the purest fun and entertainment, and is quite equal to some of DICKENS'S best humorous sketches.

*The New American Cyclopædia; a Popular Dictionary of General Knowledge.*  
Edited by GEORGE RIPLEY and CHARLES A. DANA. Volumes Sixteen. New York:  
D. APPLETON & Co., 443 and 445 Broadway.

This is the last volume of this admirable work. The first was issued, as our readers probably remember, in 1858, and, as during these five years it has been going through the press, all have had an excellent opportunity to form a correct judgment of its merits or demerits. To us, however, it is but just to say, it has become an invaluable resource, in the prosecution of our every day duties. One can find within its pages an inexhaustible fund of accurate and practical information on almost all questions and subjects of art, science, biography, history, law, medicine, political economy, etc. In connection with the publication of this great work, we have learned some interesting statistics that may be interesting to the reader. Its publishers, we understand, have invested \$415,000 in this literary venture. The amount paid to contributors, and for making the stereotype plates, up to December last, was \$143,700. The other expenses on 217,550 copies of the first fifteen volumes printed, were, for paper \$111,500, printing \$17,500, binding \$110,000, advertising, circulars, etc, \$20,000. Add to this the cost of paper, printing, and binding 10,000 copies of vol. xvi, \$10,500, and an item denominated sundries, \$1,800, and we have a grand total of \$415,000. The number of titles or subjects treated is said to be about 27,000. The sixteen volumes contain 13,804 pages, which have 52,000,000 ems, printer's measure. To print the edition called for of the first fifteen volumes required 12,094 reams of white paper; and to print 10,000 copies of the sixteenth volume consumes 556 reams more. The work has been circulated entirely by subscription, and it had obtained at a recent period not less than 17,000 subscribers. Of this number 12,000, we are informed, live in the free, and 5,000 in the slave States; of the latter, Louisiana contributed the greatest number.

A staff of twenty-five regular writers was engaged, most of whom had desks in a large office furnished with a very extensive library of books of reference in various languages. The editorial labors of revising the articles as written, and again revising the proof sheets, employed not only the two editors, but five or six other gentlemen, especially competent for this work, who verified dates and other figures, and, so far as is possible to human handiwork, made each page perfect.

We think that the Messrs. APPLETON deserve great credit for the excellent manner in which they have supervised this work, and are glad to know that it has proved to them, what it really is, a success.

*Appleton's Annual Cyclopædia for 1862.*

D. APPLETON & Co. have rapidly passing through the press the second volume of the new annual publication, which was received with such favor by all classes of the community. Its contents embrace the material and intellectual progress of the year, particularly in this country; the important civil and political measures of the Federal

and State governments; an accurate and minute history of the struggles of the great armies and the many battles, illustrated with maps of the country and plans of the actions, taken from official copies; the proceedings in the Confederate States to maintain the war and establish their government; the debates of the Federal and Confederate Congresses; the financial measures of the government, the commerce, etc.; also, the progress of foreign nations, including the Mexican Expedition; the ignominious flight of Otho from Greece; the Tae-ping Rebellion in China; the cautious march of the Russians into Persia, their intrigues in Afghanistan, and their march to the Chinese frontier; the Cochin China war; the distress of the Lancashire operatives; the stoppage of the looms of Mulhouse and Lyons; also, the developments in the physical sciences; the progress of literature, mechanical inventions, and improvements; the religious statistics of the world, and biographical sketches of the eminent persons deceased in 1862.

As an evidence of the high estimation in which the volume for 1861 is held in England, we append the following notice from the *London Daily News*:

"This valuable work contains, as nearly as may be, materials for the complete history of America for the year. It embraces the political, civil, military, and social affairs of the Western Continent for that period. It preserves all the public documents for the future historian, records the biography of men who have played a distinguished part in the great events that have occurred during the year, and gives full statistics of the condition of the nation, with the state of its commerce, finance, literature, science, agriculture, and mechanical industry. The work is a decided improvement upon our 'Annual Register.' It comprehends a much wider circle; indeed, it excludes scarcely anything connected with the national life. It gives the authorities and original pieces upon which its statements are founded; and the alphabetical arrangement, though it breaks up the historical connection of the contents, renders them very easy of reference. We cannot imagine a more useful book for immediate use to any one interested in what is taking place in the United States. Were our members of Parliament who take an annual opportunity of displaying their ignorance before their constituents, docile enough to consult the pages of this authentic work, they would not be so frequently exposed to the reproach of delivering opinions formed upon the most distorted views of American affairs. Nor will the value of the work cease with the immediate interest it is calculated to excite. Every succeeding year will add to it. As the colors with which imagination, prejudice, and passions surround the solemn events now occurring amongst our Transatlantic kinsmen fade with time, so will the truthful records of these annual volumes become more distinct and more precious to the historical inquirer. Should the work be continued, as it deserves to be, during a long series of years, America will have to boast, among other things, of possessing the fullest and best arranged repertory of history in the world."

#### *Appletons Railway Guide.*

The Messrs. APPLETON have just issued their Railway Guide for April. They continue to keep it up to the high standard it has always held, making it invaluable to the traveler. We notice also that they now publish a smaller volume (Railroad Guide) for ten cents, which contains much information, and will, we think, become quite popular among those who propose taking short journeys, and do not wish therefore to purchase the larger book.

*Somebody's Luggage.* By CHARLES DICKENS. Philadelphia: T. B. PETERSON & BROTHERS. Price 25 cents.

Mr. DICKENS's books are sure to be read whatever their merits may be, for his worst writings are better than some people's best. The present volume contains certainly several very trashy stories, and yet, after the DICKENS-fashion of late days, we find among the rubbish a few gems of sufficient value to redeem the whole. The narrative of Mary Carwour is passably good, but the last tale in the book, the account of Dick Blorage and his Chair of Truth, is altogether charming, and is of itself worth all the rest of the *Luggage*.

THE  
MERCHANTS' MAGAZINE

AND  
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WILLIAM B. DANA.

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