

Indiana State Sentinel.

SEMI-WEEKLY.

INDIANAPOLIS, AUGUST 9, 1845.

Marion County—Official Vote, 1845.

Table with columns: Name, Votes, and other electoral data for Marion County in 1845.

For Election Returns see next page.

Ex-Governor Ray of Indiana is still confined in the Indianapolis jail for being insane!

The above statement is entirely incorrect; and we feel authorized to state that the domestic affairs of Gov. Ray are fully reconciled, and he now would be glad to rest in peace with his family, if the press in the plenitude of its generosity will permit him to do so.

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The Sub-Treasury.

The N.Y. News makes the following observations in relation to the Sub-Treasury system of finance, and its effect on prices.

The idea has sought to be impressed upon the public mind that the operation of the Sub-Treasury will be to reduce prices and values from their present level.

Now although nothing can be more erroneous than such a statement, the fact that the idea has gone abroad, through the instrumentality of a party press, may have the same influence, by anticipation, in preventing embarkation in enterprises, particularly the import of goods, as if it were true.

Hence it will come in aid of the prospective fall in the duties to prevent imports, while the improved state of the foreign markets for United States produce will enhance the exports.

A double operation, by means of which some of the specie accumulated in the Bank of England vaults will be transferred to the United States.

The assertion that the operation of the Sub-Treasury will reduce prices and values, is based upon the fact that the specie circular, operating when the market presented prices greatly inflated by reckless speculations in paper money, was followed by a fall from those prices.

It must be remembered, however, that the currency for the last two years has been actually below a specie standard. That is, that at the great points of trade, banks have held more specie than they have issued in paper, or in other words, if they had called in their paper and paid out all their specie, there would have been more money in circulation than was actually the case.

In illustration, we will take the specie and not circulation of the banks at the two principal commercial points:

New Orleans, April 25, 1845. Circulation, \$1,200,000. Specie, \$1,200,000.

New York, May 1, 1845. Circulation, \$1,200,000. Specie, \$1,200,000.

Total, \$2,400,000. This is the specie and not circulation of the banks at the two principal commercial points.

Now the operation of the Sub-Treasury is to draw out this idle coin from the banks and pass it into circulation, by paying it out in discharge of government funds.

By thus pouring into the market a state of actual specie, we have become more active, and our currency more useful.

In June, 1835—about the date of the Specie Circular—the specie in the New Orleans banks was \$2,241,000, with a circulation of \$9,114,082; a reverse of the state of things which now exists.

The heavy extension of banking credits at the centres of business produced an unhealthy rise in prices, which now does not generally exist. We may compare a few items from the price:

1836. Cotton, fair, 12 1/2 a 30. 4 1/2 a 7 1/2. Shirts, No. 3-4, 7 1/2 a 9 1/2. 5 a 6 1/2. Suetings, " 3-4, 10 a 13. 6 1/2 a 7 1/2.

bleached, 4-1, 10 a 18. 7 a 12. Coal, anthracite, \$5 00 a \$9 00. \$5 00 a \$10 00. Dispers, Russia, 2 1/2 a 3 1/2. 1 1/2 a 2 1/2. Flour, Western, 9 00 a 9 25. 4 00 a 4 12. Wheat, 1 5/8 a 1 9/8. 1 00 a 1 12. Beef, 10 00 a 11 00. 9 00 a 9 50.

These were the rates after the Specie Circular was put in operation some time, and the present rates. The prices of 1836 were sustained upon credits which were necessarily withdrawn when the Circular set the market on a specie basis.

Such a state of things does not now exist. Prices are very low, and are dependent only upon the effective demand from Europe, unimpaired by speculation.

The withdrawal of specie from the banks can in no way affect prices unfavorably. On the other hand, by scattering it through the interior in the shape of United States coin, it will impart a great activity to trade, and rather tend to operate a rise in prices.

Fire-Room Buildings.

The New York News says that the recent great fire in that city was arrested, in its approach to Wall street, by the same buildings that prevented the great fire of 1835, from reaching the Mechanics Bank and other buildings adjoining, when the stores between Garden street and Church and Broad street were burned.

Furnace buildings, formerly 15 Wall street, and the rear building extending towards Broad street, and in the rear of the Mechanics Bank, arrested the fire of December, 1835—and the same building, together with his stores, 13 and 15 Broad street, have arrested the progress of the second great fire.

On observing this fact a gentleman was induced to examine the buildings to ascertain how it was that they escaped the general ruin adjoining them, and he found that they have solid 12 inch walls, without "wall strips" and without the beams being inserted into the walls—nor is there an anchor passing through the brick work, and made fast to the beams as usual, by which many a building has been set on fire.

The walls are built in such a manner as to stand alone, and the beams rest on projections in the walls, by which means the interior may be entirely burned out without making holes in the walls when the beams fall, and thus allowing the fire to communicate to the next store. This fact is worthy of the serious attention of our builders.

The Royal Library of Paris now consists of nine hundred thousand printed volumes, and seventy thousand considerable manuscripts, besides numerous maps, medals, engravings and antiquities of every description. The vast edifice in which it is distributed becomes daily more insufficient, but the immense expense of removal, and the construction of a suitable receptacle, arrests the government in what, ere long, must be done. The practice of allowing volumes to be "taken home," has occasioned the loss of many thousands, (twenty or more) of them very precious. The collection is far too large for easy reference to works in any particular department.

Anti-Rent.

The extent of the anti-rent difficulties in New York, may perhaps be partially estimated by the extraordinary expenses which they have occasioned. The Albany Atlas says that there has already been paid from the treasury over fifty thousand dollars for expenses in calling troops into service, and for passes organized to aid sheriffs and protect the jails.

Of this sum nearly twenty thousand dollars is to be assessed on the counties this fall; the residue comes out of the State Treasury.

The Old Law of England.

Amidst the criminal in England was punished by horrible mutilations; his hand, his foot, his nose or lip were cut off, his feet plucked out, his head scalped, or he was branded with a red-hot iron on the forehead, cheek or arm. The Conqueror would not suffer death to be inflicted for a slight offence; but the mutilated criminal walked about, a standing warning, a living evidence of the "gruesome mercy" of the law.

Lamentations of this description are now considered barbarous; are they more so than the cold-blooded destruction of life?

Are not the newspapers publishing the cause of one so honored—upon a note of a swindling bank, is an outrage upon the memory of an honest man, which will not be countenanced by those who warred by his side against the foul and infamous corruptions of the banking system?

Noticing the case of Peepnug vs. Carow, which recently occurred here, the Cincinnati Chronicle of Aug. 2, has the following ominous remark: "We understand that a Mr. Carow has friends in Cincinnati who would be very happy to hear from him."

If not improper we should be glad if the Chronicle would give us a little more light in relation to the gentleman named.

Four of the convicts recently arrested at Logansport, on charges of larceny, and sentenced to the penitentiary for the term of five years each, passed through this city on their way to Jeffersonville on Sunday morning last. Their names are called John Murdock, James Murdock, Gould, and Williams alias Carpenter.

Since the above was in type, we learn that the prisoners escaped from their keepers, and the rail road cars at the same time! Will not every one inquire how this was done? The escape of such desperadoes is no small matter.

Marion Circuit Court.

Criminal Cases. Reported for the State Sentinel.

August 5, 1845.

The State of Indiana vs. Eleazer Davis.—Indictment for murder in the second degree, upon the person of John Tucker, a negro, at Indianapolis, on the 14th day of July last.

Counsel for the State, Messrs. Hammond, Morrison and Smith; for the defendant, Messrs. O'Neil, Quarles and Bradley.

At the opening of the court on Tuesday morning, the above case was called, pursuant to previous notice and order. The defendant's counsel asked the indulgence of the court to postpone the empanelling of the jury until he could be ascertained whether a witness who is reported as being sick, can be produced in court. The court granted the request, and adjourned until 2 o'clock, P. M. At two o'clock, the court convened and a jury was called to the box. Much difficulty presented itself in obtaining a jury, in consequence of the notoriety of the case, and the formation and expression of opinions thereon. The prisoner's counsel, however, were successful in procuring a jury, but one, and the State all his challenges, many challenges for cause also having been made, until a jury was found, viz: Eleasa Ruddick, John Johnson, James Hinds, Abner Roberts, Jacob Scott, John Symonds, Joshua M. Whitaker, Win. H. Stipp, Noble McCoy, Henry S. Mandy, Jacob Hiner, and W. Rogers; they were duly sworn.

The witnesses were severally called, and those answering were sworn, being about 40 in number. The length of time occupied in empanelling the jury, having consumed the whole afternoon, after a special charge to witnesses and jury the court adjourned until to-morrow morning at 9 o'clock.

Witnesses: Messing, 9 o'clock.

Court met pursuant to adjournment, 9 o'clock. The prosecution opened the case to the jury by reading the indictment, charging the said Davis with having added and abetted Nicholas Wood in the killing of John Tucker, &c.; Mr. Hammond read the penal statutes defining the crimes of murder in the first and second degree and of manslaughter, and made an explanation of the hearing of the evidence, and of the indictment before the jury, a recapitulation of the testimony which would be adduced, and a general review of the consequences resulting from the conclusions of the jury, both to the country and to the prisoner.

[Note.—We have full reports of the testimony as given by the Witnesses, but, at the suggestion of the Court, we have been induced to delay its publication until the conclusion of the trial.—Eds. Sentinel.]

Crime in the Olden Time.

In the course of some remarks recently made in the British House of Commons by Mr. Crawford, he states on the authority of Hansard's History of England, that in the reign of Henry VIII, there were confined, as debtors or criminals, at one time, in the jails, 60,000 persons; that 72,000 criminals were executed for theft and robbery alone in the reign of Henry VIII, an average of nearly 2000 a year; that in 1569, in the county of Somerset, 10 persons are stated to have been executed in one year for robberies, thefts, and other felonies; 85 burnt in the land, 37 whipped. The rapines committed by the robbers were infernal; 3000 or 4000 persons in every county were living by rapine, assembling in troops, committing spoils in the daytime, and night-attacks unattended from executing their duty. In 1507 an act was passed taking away the benefit of clergy from persons committing robberies in the day time. An act of the 3rd of Elizabeth, ch. 7, recites as follows: "Forasmuch as unlawful killing and taking away of men and goods, robbing, murthering and gardens, digging up and taking away fruit trees, breaking hedges, cutting woods and underwoods, are now commonly committed," &c. Such was the state of England immediately before the passage of the Poor Law, and we find that after the passage of the Poor Law an amelioration took place, and at the end of the reign of Elizabeth, the entire capital punishment was reduced to 400 yearly, in place of 2000, as in the reign of Henry VIII, the preceding sovereign. [Hume's History.] If we refer to the condition of the people in other respects, we find it described as follows; in Hume's history, in the reign of Mary, 1568: "The frequent plagues were ascribed to dirtiness—floors commonly of clay, strewed with rushes, and upon which all manner of refuse dirt lies uncollected. Scarcely a chimney in the houses, even in large towns; the fire kindled by the walls sent its way out by the roof, door, or windows; beds, a sack of chaff with a round log of wood for a bolster; houses built of sallow or willow; oak dedicated to the use of the rich."

Is it right to enforce a law which is wrong for the Legislature to make, and which is wrong for the Legislature to enforce? It assumes the principle that it is right for an agent to do what it is wrong for the principal to enjoin. It sanctions the highest prerogative ever set up by despotism; for if the people are always bound to obey the will of the rulers, without respect to right or wrong, the public conscience is at once struck into any form, and pressure corrupt or weak rulers may see fit to give it, in a statute. The practical test of all laws and all forms of tyranny, is how far the people will bear them. The fear of resistance to arbitrary will, or to unjust laws, is the only thing, in the history of man, that ever softened despotism or modified cruel and wicked legislation. Abandon this right, which is the natural right of the people against their rulers, and the will of a single man, or the caprice of a majority of one in a Legislature, becomes an unchangeable law to bind the people. The law is always tested by expediency, and the expediency can be shown only by the practical application of it by the people. The enforcement of the law difficult, expensive and doubtful, it will be abandoned by the rulers, as impracticable; whereas, if the people will take hold and enforce a wrong law, the very act establishes its supposed expediency and practicability. The rulers have only to go on making such laws, and the despotism is preached up to the people that it is their duty to force all wrong laws, and how long will they bear a wrong legislation right! Will any thing be left to the people, on this doctrine of passive obedience but subterfuge, until it becomes intolerable, and then redress by revolution!

Natural and Legal Justice.

Among the conflicting interests of man, in object, is the preservation of both natural and equal rights. The natural rights which are claimed by one class of the people are often incompatible with the arbitrary privileges, which have been guaranteed by the laws to another class. Whenever natural justice comes thus in competition with the laws, the arbitrary and unequal inequality in the laws of the community. If any body of legislators guarantee certain exclusive privileges to one portion of the people; their successors, when they are called to legislate for the rights of another class, have a difficult task to perform. It is their duty to protect the rights of the citizens, and at the same time to observe the laws. Since certain exclusive privileges have been guaranteed to one class, they cannot take them away without violating legal justice; and they cannot allow them to keep them without violating natural justice. In either of these cases they might be accused of violating their obligations. In all such cases the legal right should always make way for the natural right, on the principle that no man's legal rights have had the constitutional power of violating natural justice.

Taking it Coolly.

A man, named Mitchell, condemned to be executed at Opelousas, La., has published a card to the public, inviting them to come and witness the execution. This man has a proper notion of the moral dignity of his country, and he is to be congratulated for the benefit of the community, they should be present to have the proper moral effect produced upon them. The sneaking mode of stopping a man's breath in private is too much like the Turkish operation of the bowstring.

The three Ohioans captured on the Ohio river a few days since in the act of helping fugitive slaves