

for that, by adding to the price of every other article entering into the supplies of the army a sum sufficient to make it the price of 1818, there was still a difference in the cost per man of \$163.95. This great reduction was effected without stinting the service or diminishing the supplies, either in quantity or quality. They were, on the contrary, increased in both, especially the latter. It was effected through an efficient organization of the staff, and the co-operation of the able officers placed at the head of each of its divisions. The cause of the great expense of the former period, was to be found to be principally in the neglect of public property, and the application of it to uses not warranted by law. There is less scope, doubtless, for information in the army now. I cannot doubt, however, but that the universal extravagance which pervaded the country for so many years, and which increased so greatly the expenses both of Government and individuals, has left much room for reform in this, as well as other branches of the service.

In addition to the army, there are many other and heavy branches of expenditure embraced under the military head—fortifications, ordnance, Indians, and pensions—the expenditures of which, taken in the aggregate, greatly exceed the army; the expense of all of which, for the reason to which I have alluded, may, doubtless, be much reduced.

On turning to the navy, I have not been able to obtain information which would enable me to make a similar comparison between the two periods, in reference to that important arm; but I hope, when the information is received which has been called for by the Senator from Maine, (Mr. Williams) ample data will be obtained to enable me to do so on some future occasion. In place of it, I propose to give a comparative statement of the expense of the British navy and ours for the year 1840. The information in reference to the former is taken from a work entitled the Penny Cyclopaedia, under the head of "Navy."

The aggregate expense of the British navy in the year 1840 amounted to \$4,980,353 pounds sterling, deducting the expense of transport for troops and convicts, which does not properly belong to the navy.—That sum, at \$4.80 to the pound sterling, is equal to \$23,905,694.36. The navy was composed of 392 vessels of war of all descriptions, leaving out 36 steam vessels in the packet service, and 23 sloops fitted for foreign packets. Of the 392, 98 were line of battle ships, of which 19 were building; 116 frigates, of which 11 were building; 68 sloops, of which 13 were building; 41 steam vessels, of which 16 were building; and 66 gun brigs, schooners, and cutters, of which 12 were building.

The effective force of the year—that which was in actual service, consisted of 3,400 officers, 3,998 petty officers, 2,816 seamen, and 9,000 mariners, making an aggregate of 29,244. The number of vessels in actual service were 175, of which 24 were line of battle ships, 31 frigates, 30 steam vessels, and 45 gun brigs, schooners, and cutters, not including the 39 steamers and 24 sloops in the packet service; at an average expenditure of \$573 for each individual, including officers, petty officers, seamen, and marines.

Our navy is composed, at present, according to the report of the Secretary accompanying the President's message, of 67 vessels—of which 11 are line of battle ships, 17 frigates, 18 sloops of war, 2 brigs, 4 schooners, 4 steamers, 3 store ships, 3 receiving vessels, and 5 small schooners. The estimates for the year are made on the assumption, that there will be in service during the year, 2 ships of the line, 1 razee, 6 frigates, 20 sloops, 11 brigs and schooners, 3 steamers, 3 store ships, and 8 small vessels; making in the aggregate, 53 vessels. The estimates for the year, for the navy and marine corps, as has been stated, is \$5,295,579.53, considerably exceeding one-third of the entire expenditures of the British navy for 1840. I am aware that there is probably a much larger expenditure applied to the increase of the navy in our service than in the British, in proportion to the respective forces; and I greatly regret that I have not the materials to ascertain the difference, or compare the expenses of the two navies, in the various items of building, outfit, and pay, and the relative expenses of the two per man, per gun, and per ton. The comparison would be highly interesting, and would throw much light on the subject of these remarks. We know our commercial marine meets successfully the British in far competition; and as the elements of the expenses of the commercial and naval marine are substantially the same, in time of peace, when impressment is disused in the British service, our navy ought to bear an unfavorable comparison with theirs, on the score of expense.—Whether it does, in fact, I am not prepared to say, with the materials I have been able to collect, but it does seem to me, when I compare the great magnitude of their naval establishment with the smallness of ours, and the aggregate expense of the two, that ours on a full comparison, will be found to exceed theirs by far, in expense, however viewed.

I hope what I have stated will excite inquiry. It is a point of vast importance. If we can bring our expenditures to an equality, or nearly so, with theirs, we may then look forward with confidence to the time, as not far distant, when, with our vast commercial marine, (more than two-thirds of the British) we may with proper economy in our disbursement, and by limiting the object of our expenditures to those which properly belong to this Government under the Constitution, place a navy on the ocean, without increase of burden on the people, that will give complete protection to our coasts, and command the respect of the world. But if that cannot be done, if our expenses must necessarily be greatly exceeded in proportion to that of the first maritime power in the world, it is well it should be known at once, that we may look to other means of defence, and give up what, in that case, would be a hopeless struggle. I do not believe that it will be found to be the case. On the contrary, I am impressed with the belief that our naval force ought not to cost more in proportion than the British. In so no thought they may have the advantage, but we will be found to have equally great or others.

From these statements it may be fairly inferred that there is great room for economy, under every head of expenditure. I am by no means prepared to say what reduction may be effected by it. It would require much more time and minute examination to determine with precision any thing like the exact amount; but it is certain that millions may be saved, simply by a judicious and strict system of economy, without impairing in any degree the efficiency of the Government. But in order to form a more definite conception as to the amount of that reduction, I propose to add to the aggregate expense of 1823 seventy-five per cent—the estimated increase of the population of the United States since then, which will give the amount that ought to have been the estimated expenditures for this year, on the supposition that the expense of the Government ought not, in ordinary times, to increase faster than the population; and which, deducted from the actual estimates of the year, will show, on that supposition, to what amount they ought to have been reduced. But in

making this supposition, I wish it to be understood, I do not admit that the expenditures of the Government ought to keep pace with our rapidly increasing population. There are many branches of the public service which ought not to be, and have not, in fact, been much increased with the increase of population, and are now, in point of expansion, very nearly what they were in 1823. There are more enlarged, but it is believed that there are but few whose growth have been greater, or as great as that of our population. It would, in truth, not be difficult to show that an increase of revenue and expenditures, and consequently of patronage and influence, equal to our rapidly growing population, must almost necessarily end in making the Government despotic. It is known that it takes a much less military force in proportion to subject a large country with a numerous population, than a small one with an inconsiderable one; and in like manner, and for similar reasons, it takes much less patronage and influence in proportion, to control the former than the latter. So true is it, that I regard it as an axiom, that the purity and duration of our free and popular institutions looking to the vast extent of country and its great and growing population, depend on restricting its revenues and expenditures, and thereby its patronage and influence, to the small amount consistent with the proper discharge of the few great duties for which it was instituted. To a departure from which may be attributed, in a great measure, the existing disorders. With these remarks, I shall now proceed to give the result of the proposed calculation.

The actual expenditures of 1823, all included, except payments on account of the public debt, amounted to \$9,827,832. That sum multiplied by 75 per cent, the estimated ratio of increase of population from '23 to '40, gives \$7,370,874; which, on the assumption that the expenditures should not increase more rapidly than the population, ought to be the extreme limits of the expenditures of this year. But the estimates for the year, deducting payment on account of the debt, are, as has been stated, \$23,996,258, being an excess of \$2,498,577 beyond what the expenditures ought to be on the liberal scale assumed. The increase, instead of being at the rate of the population, is equal to 2 68-100 to 1, compared with the expenditures of 1823, and 3 1-2 nearly, compared with the ratio of the increase of population. Had the ratio of increase not exceeded that of the population, the whole expenditure of the year, including the sum of \$7,000,000 for the debt, would have been but \$24,198,681, instead of \$31,997,258.

But as great as this reduction is, it by no means represents the saving that would be made on the data assumed.—The expense of collecting the revenue, (of which a statement has already been made, as it relates to the customs) as well as several other items less important, are not included in the expenditures, and must be added, to get the true amount that would be saved. The addition, at the lowest calculation, would be a million of dollars, which, added to the \$2,498,577, would make the sum of \$9,498,577, and would reduce what ought to be the expenditures of the year, on the ground assumed, to \$16,198,681. The reduction is great, but I feel confident, not greater than what, with a judicious and efficient system of administration might be effected, and that not only without impairing, but actually increasing the efficiency of the Government. To make so great a reduction, would take much time and labor; but if those who have the power, and stand pledged, would begin the good work, much, very much might be done during the present session. But if this bill, as it now stands, should become a law, I would despair for the present. I see in the amendment a deliberate and fixed determination to keep up the expenditures, regardless of pledges and consequences.

Having now shown how greatly the public expenditures have increased since 1823, I next propose to make some remarks on the causes that have produced it. I selected the year 1823, as I stated in the early stages of my remarks, in part to illustrate the effects of that pernicious system in this connection. It is curious to look over the columns of expenditures, under the various heads, in the table I hold in my hand, and note how suddenly they rose under every head, after each of the tariff acts of 1824 and 1825, until they reached the present point. (Here Mr. C. read from the table of the expenditures under each head year by year, from 1823 to 1840, in illustration of his remarks.) Nor is it wonderful that such should be the effect of the protective policy. How could it be otherwise? Duties were laid, not for revenue, but for protection. Money was not the object. It was but an incident; and the party in favor of the system (a majority in both Houses during the whole period) cared not how it was wasted.—During that wasteful period, I have heard members of Congress of high intelligence declare that it was better that the money should be burnt or thrown into the ocean than not collected; and they spoke in the true genius of that corrupting and oppressive system. In fact, after it was collected, there was a sort of necessity that it should be spent. The collection was in bank notes, and of all absurdities, one of the greatest is, an accumulation of such an article in the public treasury, whether we regard the thing itself, or its effects on the community and the banks. When pushed to a great extent, it must prove ruinous to all; and to such an accumulation, in spite of the most wasteful expenditures, may be attributed, in a great degree, the overthrow of the banks, and the embarrassments of the Government and country. But so mind were the banks, for the most part, to their fate, that they were among the foremost to urge on the course of policy destined to hasten so greatly their overthrow. All resistance on the part of the minority in Congress opposed to the system, was in vain. If the money was saved from one objectionable object, it was sure to be applied to some other, and perhaps even more objectionable; if the source of expenditures was stopped in one place, it was certain to burst through another. Under the conviction, that the struggle was in vain so long as the cause remained, I conceived a great measure resistance to appropriations, and turned my efforts against the cause; a Treasury overflowing with bank notes, to exhaust which, was the only means left of staying the evil. It is not my intention to cast the blame on either party. The fault lay in the system—the policy of imposing duties, when the money was not needed, and collecting it in a currency, which to keep, would have been more wasteful and ruinous, if possible, than to spend, however extravagantly. It is due in justice to the late Administration, to say, that they had commenced, in good earnest, the work of reform, and that with so much success, as to have made a very considerable reduction in the expenditures, towards which an exertion exerted himself with more zeal or greater effect than the Senator behind me, (Mr. Woodbury) then at the head of the Treasury Department. It is to be deeply regretted, that what was then so well begun has not been continued by those who had succeeded.

It is admitted, on all sides, that we must equalize the revenue and expenditures. The scheme of borrowing to make up an increasing deficit, must

in the end, if continued, prove ruinous. Already is our credit greatly impaired. It is impossible to borrow at home in the present state of things, at the usual rate of interest. The six per cent. stock authorized at the late session, is now several per cent. below par; and, if we would borrow in the home market, it would endanger the solvent banks. It is admitted that a loan of two millions in Boston has caused the present intense pressure there in the money market. Nor can the foreign market be relied on, till our finances are put in a better condition. Who, in their present condition, would think of jeopardizing our credit by appearing in the European market with United States stock? It is certain, that no negotiation could be effected there but at usurious interest, and on a considerable extension of the time for redemption; the tendency of which would be to depress the State stocks, and lay the foundation of a permanent funded debt. There remains another objection, which should not be overlooked; the loan would be returned in merchandise, with the usual injurious and embarrassing effects of stimulating the consumption of the country, for the time, beyond what its exports would permanently sustain.

Nor is the prospect much better for the additional issue of Treasury notes proposed by the bill as amended in the Senate. They are now below par, and this must still add to their depression; perhaps to the same extent to which the six per cent. are now depressed. The reason is obvious. The only advantage which they have over stocks in raising a loan, is, that they are receivable in the dues of the Government, which gives them to a certain extent, the character of currency; but that advantage is not peculiar to them. As the law now stands, notes of solvent banks are also receivable in the public dues.—They are, in fact, Treasury notes, as far as it depends on receivability, as much so as if each one was endorsed to be received in the dues of the Government by an authorized agent. Now, so long as the Government receives bank notes at par with their own, and the banks (as is now the case) refuse to receive them at par with bank notes, Treasury notes will be depressed compared with bank notes, for the plain reason that the latter can pay the debts both of the banks and the Government, while the former can pay only the debts of the Government.

In such a state of things, only a very small amount of Treasury notes can be used for currency without depressing them below par; and when that amount is much exceeded, they will sink rapidly to the depression of stock bearing the same rate of interest. Very different would be the fact, if the Sub Treasury had not been repealed. Under its operation, the Government could at any time have issued what amount it pleased to meet a temporary deficit of the Treasury, at a mere nominal rate of interest, or none at all. The provision that nothing but gold and silver, and the paper issued on the credit of the Government, should be received in the public dues, would have kept them at par. But as things now are, it must be obvious that neither loans in the usual way, nor Treasury notes, can be relied on to make up the deficit, without ruinous consequences. And here let me inform the Senators on the other side that they are laboring under a great mistake in supposing that the temporary wants of the Treasury, are anxious to force the use of them on you. The fact is far otherwise. We deeply regret to see you reduced to the necessity of using them. We believe them to be very useful and convenient, much cheaper, and more safe, than loans, to meet the occasional wants of the Government, and see, with regret, a resort to them under circumstances so well calculated to discredit them in public estimation, and when they cannot be used but at the expense of the public creditors.

We have, then, arrived at the point that we must increase the duties or curtail expenditures; and the question is, which shall we choose? That question will be decided by the vote we are about to give. There is no mistake. Those who have changed this bill into a loan bill of \$5,000,000, tell us in language too intelligent to be mistaken, that they intend to fix the permanent expenses of the Government at about \$25,000,000; for it will be that sum, at least, to meet what they tell us is the lowest amount to which the expenditures can be reduced, and to discharge the interest and principal of the debt already contracted or authorized. Now, sir, it is clear that so large a sum cannot be derived from the present tariff, as high as it has been raised. I agree with the chairman that, with our present export trade, the heavy interest to be paid on debts abroad, and the large list of free articles, that it is not safe to estimate the consumption of the country of dutiable articles, at more than \$25,000,000, which, at 20 per cent. round, would give but \$17,000,000 gross, and a net revenue, according to the present expense of collection, of not more than \$15,000,000 at the outside, leaving \$10,000,000 annually to be raised by additional duties on imports, or a corresponding reduction in the expenses of the Government. Which shall we choose? That the reduction may be made and the deficit met, aided by the repeal of the distribution bill, without impairing the efficiency of the Government, I trust I have satisfactorily shown; not all at once, but enough and more, this year, to avoid this loan, and gradually, by a vigorous system of economy, to arrest all further loans, and to discharge those that have been contracted or authorized. Why then not adopt the alternative of curtailing expenses? I put the question in all soberness to those who are in power and responsible. You stand pledged, solemnly pledged to reform—you told the people that the expenses of the Government were extravagant; that they could be reduced to a point lower than I have assigned; and why not redeem your pledge, when I have proved that there is such ample room to do so? We, on this side, are anxious to cooperate with you, and to carry out with vigor the good work which had been commenced before you came into power. Why, instead of carrying out, with still greater vigor, what had been commenced, do you still do it as a wrong enough. Why do you now go for increase, instead of reduction? Why falsify all your solemn promises, and prove now that you are in power, that you are so glib for debts, duties, and increase of expenditures, as you exhibited your face for reform while you were seeking power?

But one answer can be given; from deep solicitude for another protective tariff. Yes, that same pernicious system, which swelled the expenditures to their present vast amount, is the real impediment to their reduction. It is that which has made you forget all your promises, and which now seeks to keep up the expenditures as a pretext for imposing duties, not for revenue, but in reavily for protection. It is that which is striving to force Government to return to the old and disastrous policy which has brought such calamity on the country, and done so much to corrupt its morals and politics; and which is now forcing it to resort to loans and Treasury notes, at the hazard of its credit, when it is as many of the States, that the credit of the Union should stand above suspicion. It is that which, passed the Distribution bill, and now resists its repeal, which it is clear that the revenue from the lands is indispensable to meet the demands of the Government, and to preserve its credit. Put that corrupt and corrupting system out of our finances would vanish; the Distribution act would be repealed, the revenue from the public domain restored to the Union, and economy, and retrenchment, would save their millions. Every voice would be raised in their favor, and the expenditures would be speedily equalized with the revenue. Were this done, we would have no more of an empty Treasury—of loans, of Treasury notes and prostrated credit; no more of additional duties. Instead of increase, we should hear the cheerful note of reduction—repeal of taxes—striking shackles from commerce and navigation—and lightening the burden of labor. I hazard nothing in as-

serting that, with a thorough reform in the fiscal action of the Government, and a repeal of the distribution act, that a revenue of millions might be carried on the Government efficiently. Such would be the happy effects of equalizing the revenue and expenditures by a judicious system of economy and retrenchment, aided by the restoration of the revenue from the lands.

Let us now ask, gentlemen, if they have reflected on the consequences which must result from the alteration of that raising the revenue to the standard of the expenditures? What has already been the effects of expenditures? What is the immediate cause of the present policy? What has emptied the Treasury, prostrated the credit of the Government, and imposed high additional taxes on the commerce and labor of the country? What but the policy commenced at the Extra Session of keeping up the expenditures to the present high standard, and which, if we may judge by this measure, and the declaration of the chairman of the Committee on Finance, it is determined to adhere to? Can any one doubt that if there had been no change of policy—if that as earnestly pressed by my friend behind me, of reducing the expenditures, had been continued, but that the existing embarrassments would have been avoided! On you, who have reversed the wise and judicious course then commenced, rests the responsibility. It is you who have emptied the Treasury; you who have laid destroyed the credit of the Government, and caused the present embarrassment.

But you are at the beginning of the difficulties. Those that are to come, unless you change your course, are still more formidable. The power of borrowing, in every form, short of usurious and ruinous interest, is gone, and can you expect to raise from commerce alone the means of meeting the expenditures at the present high standard? I pronounce it to be beyond your power to raise twenty-five millions annually from the customs. So large a sum cannot be extorted from commerce in the present state of things. A net revenue to that amount would require a gross revenue, at the present extravagant rate of collection, of at least twenty-seven millions of dollars. Our present exports will not pay for an importation of more than \$125,000,000, allowing the ordinary profits of trade. From this must be deducted \$10,000,000 for the interest of debt abroad, which would reduce the imports to \$115,000,000.—Deduct \$10,000,000 more for free articles, immediately connected with the manufacturing operations of the country, and it would reduce the dutiable articles consumed in the country annually to \$105,000,000. In the free articles I do not include tea and coffee, which are now so. It would take an average duty of 25 per cent. to raise \$27,000,000 on \$105,000,000. Can you in the present state of things, raise your duty to that high standard?

I pass over the effects of such a duty, in repressing the export trade on which the import depends. Between them there is the most intimate relation. Each limits the amount of the other. In the long run, it is acknowledged that the imports cannot, on a fair valuation, exceed the exports. It is not less certain that the same rule applied to the exports, which, in the long run, cannot exceed the imports. And hence duties on imports as effectively restrict and limit the amount of the exports as if directly imposed on the latter. To repress the one is to repress the other. But, setting aside all considerations of the kind, I directly meet the question, and say that you cannot extort from commerce the vast amount you propose.

He who would reason from the past on this subject, will be greatly deceived. High duties now will not give the revenue they once did. The smuggler forbids. The standard of morals is greatly lowered. The paper system and the protective policy worked a great and melancholy change in that respect. The country is filled with energetic and enterprising men, rendered desperate by being reduced from affluence to poverty through the vicissitudes of the times. They will give an impulse to smuggling unknown to the country heretofore. The profits of regular business, in the new state of things in which the country is placed, must be low and slow. Fortunes can no longer be made by a single bold stroke; and the impatience and necessities of the large class to which I have alluded, and whose debts will be gaped by the Bankrupt act, will not submit to recovering their former condition by so slow a process. With high duties, smuggling then will open too tempting a field to restore their broken fortunes, not to be entered by many of the large class to which I refer, to which many will be added from the lower standard of morals who cannot plead the same necessity. If to this be added the greatly increased facility for smuggling, both on our Northern, and Eastern and Southern frontiers, it will be in vain to expect to raise the sum proposed from commerce. Not only has the line of frontier along the lakes been greatly lengthened, but the facility of intercourse with them, both by canals and roads, have been increased in a still greater degree. How is smuggling to be prevented along an extended frontier, with such unlimited facility for practicing it? Nor will the supply of smuggling goods be confined to the immediate neighborhood of the frontier. They will penetrate through the numerous roads and canals leading to the lakes, far inland, and complete successfully with the regular trade in the heart of the country. Nor is it to be doubted that the British authorities will connive at this illicit trade. Look at the immense interest which they have to turn the trade of our country, as far as possible, through the channel of the St. Lawrence. It will give to Great Britain the entire tonnage to whatever portion of our trade may be turned through that channel—a point so important to her naval supremacy, to which she is ever so attentive. Already great facilities are afforded for turning the provision trade, both for the home market and the supply of the West Indies, through it, and with much success.

I was surprised to learn, since the commencement of the session, as I have no doubt most of those who hear me will be, that a place on the St. Lawrence, almost unknown, is already the fourth ton in the Union, as to the number of vessels that enter and depart in the year. I refer to St. Vincent, at the outlet of Lake Ontario. It is the depot of the British trade, which descends the St. Lawrence from our side. To give life and vigor to a vast trade, which gives her the entire tonnage of the outward and inward voyage, is too important to be neglected, particularly as it would so powerfully counteract our high duties, and so greatly widen the field of consumption for her manufactures. Turning to the frontier at the other end of the Union, we shall find a great increase of facility for smuggling in that quarter; but I abstain from enlarging on it for the present.

Taking all these causes together, it cannot be doubted that smuggling will commence at a much lower point of duties than it ever has heretofore, and that all calculations of increase of revenue from increase of duties, founded on the past, will fail. It is the opinion of good judges that it would commence with the duties as low as 12 per cent. on such articles as iron and silks; but that as it may, it may be safely predicted that the scheme of raising the standard of revenue by the present expenditures, which such a policy necessarily involves, its ruinous effects on the great staples of the country, now suffering under the greatest depression, and that deep discontent which most hollow in the quarter that produces them. I shall confine myself to that to the financial question. Regarding that light, I tell gentlemen that the line of policy they propose will fail. They will have to abandon it; they will have to resort to internal taxes to supply the deficit from commerce. Yes, you must restore the revenue from the lands, economy and retrenchment, or be forced to resort to internal taxes in the end. Are you prepared for that? I ask those who represent the great sections to the north and east of this, if they have reflected how that portion of the Union would be affected by internal taxes? I refer not to direct taxes, for that, according to the mode prescribed in the Constitution, can never be pushed to any oppressive extreme, but to excises. If you have not, it is time you should; for in the way you are now going, you will soon have to learn experimentally how it will operate.

There never has been a civilized country within my knowledge, whose moneyed affairs have been worse managed than ours for the last dozen years. In 1828 we raised the duties, on an average, to nearly fifty per cent. when the debt was in the eye of being discharged, and thereby flooded the country with a revenue, which discharged, which could not be absorbed by the most lavish expenditures. Hence the double affliction of an accumulating surplus of millions on millions, and o-

the most wasteful expenditures at the same time. Then came the Compromise act, which entirely exempted one-half of the imports from duties, in order to escape the growing evil of such a surplus, and reduced the one tenth, every two years, on all the duties above twenty per cent. in order to get clear of the protective policy. Under their operation, aided by the Deposits act, the surplus was absorbed, and the revenue gradually brought down to the proper level; to meet the descending revenue, a reduction of expenditures was commenced, with the intention of equalizing the revenue and expenditures. Then a change of party took place; the one coming in professing a greater love for economy and retrenchment than the one going out; but instead of fulfilling their promises, the public expenditures have been increased by millions—debts contracted—revenue from the lands squandered—and all this when the income was reduced to the least possible depression. Take all in all, can folly, can infatuation go farther.

#### BANKRUPT LAW.

UNITED STATES—NORTH CAROLINA DISTRICT.

**I HEREBY GIVE NOTICE**, That on the first day of February next, I shall hold a Court at my house in Fayetteville, for the purpose of receiving petitions under "An act to establish a uniform system of Bankruptcy throughout the United States," and that the said Court will be kept open every day in succession (Sundays excepted) until notice shall be given to the contrary.

In the case of voluntary bankrupts, the Act provides that all persons whatsoever, residing in the State, &c., owing debts, which shall not have been created in consequence of a defalcation as a public officer, or as executor, administrator, guardian or trustee, or while acting in any other fiduciary capacity, who shall, by petition, setting forth to the best of their knowledge and belief, a list of their creditors, their respective places of residence, and the amount due to each, together with an accurate inventory of his or her property, rights and credits, of every name, kind, and description, and the location and situation of each and every parcel and portion thereof, verified on oath, (or affirmation) apply to the proper Court, for the benefit of the Act, and therein declare themselves to be unable to meet their debts and engagements, shall be deemed bankrupts within the purview of the Act, and may be so declared accordingly by a decree of the Court.

It is my opinion, that all persons coming within the purview of the Act, though they may be entirely destitute of property, are entitled to its benefits.

I perceive in the publications of several of the District Judges, a diversity of opinion, as I anticipated, on the construction of the act, even in the incipient stage of proceeding under it; and I am aware that other and more important difficulties will occur in the sequel. But I am now engaged in a correspondence with several District Judges, with the view of reconciling, as far as we can, the discrepancies of the Act, and of aiming, at least, at something like a uniformity of practice. I shall, however, hold myself in readiness to put the Act in operation, according to its spirit and the best of my ability, whether it be amended or not.

The necessary rules and forms, together with a tariff of fees, shall be given in due time.

According to my construction of the Act, the petition may be verified before any Judge or Justice of the Peace of this State; but I think the petitioner is required to appear in Court, at the hearing, either in person or by attorney, to declare himself to be unable to meet his debts and engagements.

The petitioner must comprise in his petition all the items required; and it will be fatal, unless to adopt the very letter of the Act. He must name the county in which he resides.

The petitions, when received, will be referred, for hearing, to their respective State Courts, in the Spring.

For instance, all within the District of Albemarle, will be heard at Edenton; all within the District of Pamlico, will be heard at Newbern; and all within the District of Cape Fear, at Wilmington. And publications will be ordered as directed by the Act.

The District of Albemarle comprises the two State Districts of Etowah and Halifax; the District of Pamlico comprises the Districts of Newbern and Hillsborough, together with all that part of the District of Wilmington which lies to the Northward and Eastward of New River; and the District of Cape Fear comprises the remainder part of the State.

All Communications on the subject of Bankruptcy, addressed to me by mail, if not post paid, will remain in the office.

H. POTTER, Judge U. States for District of North Carolina. Fayetteville, January 17, 1842.

#### DANCING SCHOOL.

##### JOHN WORD

HAS the pleasure of announcing to the inhabitants of Salisbury and its vicinity, that he has made up his Dancing School, for a second quarter, and will commence his first lessons on Wednesday, the 2nd March, precisely at 10 o'clock A. M. A night's school will be opened for young gentlemen. Salisbury, N. C., February 25, 1842.

#### NOTICE.

THERE will be sold, on Tuesday of the Superior Court, (22nd March next), on a credit of 6 months, the splendid

#### CABINET OF MINERALS.

ONE LARGE TRAVELLING TRUNK, and Box, belonging to Dr. Austin, deceased. All persons indebted to Dr. Austin's estate, may expect to be sued if they do not pay up before the above Court. C. B. WHEELER, Adm'r. De bonis non. Salisbury, N. C., February 25, 1842.

#### The Bankrupt Law!

HAVING taken considerable pains to acquaint myself with the provisions of the Bankrupt law, lately passed by Congress, I hereby tender my services to such as may wish to avail themselves of its benefits. I shall attend the United States Court of this District, and if necessary, the Circuit Court, also. Persons wishing to avail themselves of my services, can see me on the approaching 6th Circuit of the Superior Courts: Afterwards I shall be found in my office at Salisbury. H. C. JONES.

N. B. I take this occasion to correct a prevailing error concerning this law. Many persons I find, suppose that no one, except such as owe to the amount of five hundred dollars can claim its benefit. This is a mistake, for it embraces "all persons," owing debts who are unable to "meet them," no matter how small the amount. Salisbury, Feb 11, 1842. Sw

FOR SALE.—A first-rate New Cooking Stove on cheap terms. Apply at this Office. December 17, 1841. Gw.