



[BY AUTHORITY.]

LAW OF THE UNITED STATES, PASSED AT THE THIRD SESSION OF THE TWENTY-FIFTH CONGRESS.

[PUBLIC—No. 10.]

AN ACT to abolish imprisonment for debt in certain cases.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That no person shall be imprisoned for debt in any State, on process issuing out of a court of the United States, where by the laws of such State, imprisonment for debt has been abolished; and where by the laws of a State, imprisonment for debt shall be allowed, under certain conditions & restrictions, the same conditions and restrictions shall be applicable to the process issuing out of the courts of the United States; and the same proceedings shall be had therein, as are adopted in the courts of such State.

JAMES K. POLK, Speaker of the House of Representatives. R. H. JOHNSON, Vice President of the United States, and President of the Senate. APPROVED, February 28th, 1839. M. VAN BUREN.

[PUBLIC—No. 11.]

AN ACT in amendment of the acts respecting the Judicial System of the United States.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That where, in any suit at law or in equity, commenced in any court of the United States, there shall be several defendants, any one or more of whom shall not be inhabitants of or found within the district where the suit is brought or shall not voluntarily appear thereto, it shall be lawful for the court to entertain jurisdiction, and proceed to the trial and adjudication of such suit, between the parties who may be properly before it; but the judgment or decree rendered therein shall not conclude or prejudice other parties, not regularly served with process, or not voluntarily appearing to answer; and the nonjoinder of parties who are not so inhabitants, or found within the district, shall constitute no matter of abatement, or other objection to said suit.

Sec. 2. And be it further enacted, That all the circuit courts of the United States shall have the appointment of their own clerks; and in case of a disagreement between the judges, the appointment shall be made by the presiding judge of the court.

Sec. 3. And be it further enacted, That all pecuniary penalties and forfeitures accruing under the laws of the United States, may be sued for and recovered in any court of competent jurisdiction in the State or district where such penalties or forfeitures have accrued, or in which the offender or offenders may be found.

Sec. 4. And be it further enacted, That no suit or prosecution shall be maintained, for any penalty or forfeiture, pecuniary or otherwise, accruing under the laws of the United States, unless the same suit or prosecution shall be commenced within five years from the time when the penalty or forfeiture accrued; Provided, The person of the offender or the property liable for such penalty or forfeiture shall, within the same period, be found within the United States; so that the proper process may be instituted and served against such person or property therefor.

Sec. 5. And be it further enacted, That the punishment of whipping and the punishment of standing in the pillory, so far as they now are provided for by the laws of the United States, be, and the same are hereby, abolished.

Sec. 6. And be it further enacted, That in all cases of recognizances in criminal causes taken for, or in, or returnable to, the courts of the United States, which shall be forfeited by a breach of the condition thereof, the said court or in which the same shall be so taken, or to which the same shall be returnable, shall have authority in their discretion to remit the whole or a part of the penalty, whenever it shall appear to the court that there has been no wilful default of the parties, and that a trial can notwithstanding be had in the cause, and that public justice does not otherwise require the same penalty to be exacted or enforced.

Sec. 7. And be it further enacted, That the second section of the act of Congress, passed the twenty-ninth day of April, one thousand eight hundred and two, which makes it the duty of the associate justice of the Supreme Court, resident in the fourth circuit, to attend in the city of Washington, on the first Monday of August annually, to make orders respecting the business of the Supreme Court, be, and the same is, hereby, repealed.

Sec. 8. And be it further enacted, That in all suits and actions in any circuit court of the United States in which it shall appear that both the judges thereof or the judge thereof, who is solely competent by law to

try the same, shall be any ways concerned in interest therein, or shall have been of counsel for either party, or is, or are so related to or connected with either party as to render it improper for him or them, in his or their opinion, to sit in the trial of such suit or action, it shall be the duty of such judge or judges, on application of either party, to cause the fact to be entered on the records of the court; and also to make an order that an authenticated copy thereof, with all the proceedings in such suit or action, shall be forthwith certified to the most convenient circuit court in the next adjacent State, or in the next adjacent circuit; which circuit court shall, upon such record and order being filed with the clerk thereof, take cognizance thereof in the same manner as if such suit or action had been rightfully and originally commenced therein, and shall proceed to hear and determine the same accordingly, and the proper process for the due execution of the judgment or decree rendered therein, shall run into and may be executed in the district where such judgment or decree was rendered, and also, into the district from which such suit or action was removed.

APPROVED, February 28th, 1839.

[RESOLUTION—PUBLIC—No. 2.]

A RESOLUTION authorizing certain certificates of deposit to be cancelled and reissued.

WHEREAS sundry persons have deposited sums of money in the Treasury of the United States, under the provisions of the second section of the act making further provision for the sale of the public lands, approved twenty fourth of April, eighteen hundred and twenty, and received certificates therefor, and, supposing the same to be assignable, have assigned the same, for a valuable consideration, to other persons; and whereas the said section is so construed by the Treasury Department, that such receipts or certificates are not available to the assignees; be it therefore, Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Treasurer of the United States be, and he is hereby, authorized and required, on the presentation of any such certificate by an assignee or bona fide holder thereof, to allow said assignee or holder to surrender the same to be cancelled, and to issue a new certificate in the name of said assignee or holder, in lieu of the one so surrendered; which new certificate shall be received in payment for public lands, in the same manner as the original would have been had it not been transferred by the person who made the deposit; but the certificates to be issued under this resolution shall not be assignable.

APPROVED, February 28th, 1839.



TARBOROUGH:

SATURDAY, APRIL 6, 1839.

On Monday last, Dr. Ephraim Dickens was re-elected Magistrate of Police; and Messrs. Solomon Pender, John Williams, James W. Clark, John Lawrence, and Geo. Howard were elected Commissioners of the town of Tarborough for the ensuing year.

We learn that on Sunday week last, Mr. Joseph Savage of this county, mutilated one of his hands in a dreadful manner, by the careless use of fire arms. He had provided himself with a heavily loaded pistol, for the purpose of killing a dog that had repeatedly troubled him; and in riding on horseback with the pistol in his hand, his hat was falling off when he threw up both hands, discharging the pistol the load of which mutilated two or three fingers and passing through the crown of his hat tore it to pieces. It is feared that amputation will be necessary for the fingers.

We terminate in this paper, as we hope, the controversy between Messrs. Stanly and Duncan; and as there is but one feature in it that we approve, we will presume to mention it—that is, that in this, in our opinion, ill-timed, misplaced, and indecorous affair, the only "strong points" used were at the end of a goose quill. But the most remarkable feature in this controversy is, the diversity of opinion relative to the contents of Mr. Stanly's speech, and the time occupied in its delivery; as the deponents are all "honorable" men, we shall submit this matter entirely to the decision of our readers. It is very singular, however, that Mr. Stanly should be so precise in the time himself, corresponding with the declaration of his political opponents, and still differ so widely from his friends. In the commencement of his speech Mr. Stanly says: "It is now 20 minutes past 4 o'clock"—and the Reporter testifies that at the close he said, he "had occupied but fifteen minutes;" yet his friends testify from half an hour to an

hour, carrying the time far beyond sun down. In conclusion, we conjecture that even the Southern whig members of Congress, embracing nearly all of them, will demur to Mr. Stanly's insinuation that they also have sold their birthright for a mess of pottage, by voting for the anti-abolition resolutions, in conjunction with the "Democratic Esau."

We take pleasure in calling the attention of our readers to the Prospectus of the "Extra Globe." The enterprising publishers have succeeded in making this one of the cheapest as well as the most useful political publications of the day. We trust they will meet with that extensive patronage, requisite to sustain a publication of this description. We will gladly forward the names of those who may feel disposed to receive it.

The federal whig presses are raising a great clamor about a discovery, that the Investigating Committee made in their extensive and fruitless trip to New York, respecting a regulation adopted by the runaway conservative collector Swartwout, of extorting a moiety of the salaries of his subordinate officers for electioneering purposes. That Swartwout was guilty of this mal-practice, as well as many others, we do not pretend to question; but it does not appear that it was done by the direction or connivance of the Secretary of the Treasury, which would be requisite to establish the charge of "corruption," so loudly proclaimed by the whigs.

Another foul charge, touching the management of the General Post Office, is triumphantly refuted by the able and indefatigable officer at the head of that Department, in the following manner.

From the National Intelligencer.

TO THE EDITORS.

Gentlemen: The sketch of a debate in the House of Representatives on the 28th of February last, reported in your paper of the 16th inst. contains misrepresentations affecting my public character, which I ask the privilege of correcting through the same columns which have given them circulation.

The following extracts contain the allegations referred to, viz:

"Mr. Graves would state for the benefit of the gentleman from New York [Mr. Bronson] another fact going to show what use was made of the office holders, and of what sort of material they were sometimes composed. A man by the name of Smith, who had fled from Bristol county jail, in Massachusetts, under indictment as counterfeiter, came into the State of New York, and was appointed a postmaster at a town in the district belonging to a member of this House, [Mr. Foster.] The character of the man was so bad, and his felony so notorious, that whenever counterfeit money was circulated in that neighborhood, public suspicion was always attracted towards the postmaster as having had some hand in the business. These facts had been fully represented to the head of the Post office Department, but, because he was an active and determined partisan, every effort to remove him had been unsuccessful.

"Mr. Graves presumed, as a matter of course, that he had been appointed by the late or present Administration. The appointment had been made three or four years ago, and Mr. G. had quoted it as one instance, to show that men were not appointed for their merit, their good character, or their capacity to discharge the duties of the office; but that the greatest 'scamps' were appointed and retained, if they could subvert the political purposes of party."

"Mr. Briggs. I ask the gentleman from New York whether he denies the statement. If he does, I call upon my colleague over the way to state the facts, and to show that the Department does know the character of this man has been fully informed of the facts and still keeps him in office. A wretch who was guilty of forgery and counterfeiting, and who escaped the fangs of the law only by turning State's evidence."

Here are two serious charges: 1. That I retain in office as postmaster "a wretch who was guilty of forgery and counterfeiting, and who escaped the fangs of the law only by turning State's evidence," although I had been "fully informed of the facts," and "know the character of the man."

2. That my reason for retaining such a villain is, that he is "an active and determined partisan."

These charges appear to have been made on the 28th day of February last. Lucius D. Smith, postmaster at New London, Oneida county, New York, the individual referred to, was removed from office on the 21st day of January last, and the appointment of his successor was officially announced in the Globe on the first day of February last. He had, therefore, been removed more than a month when these charges were uttered on the floor of the House. This Messrs. Graves and Briggs had the means of knowing, as well by the official publication as by asking a single question at the Department.

Moreover, this man was removed upon

the instant on the first presentation of the case to me. This also Messrs. Graves and Briggs might have ascertained.

The origin of the charge is probably this: In December, 1836, the files of the Appointment office were destroyed by the fire which consumed the Post office building. On those files were probably papers then recently received, giving the character of Smith, and their destruction saved him from removal at that time. Mr. Graves had probably heard of those papers, and uttered the injurious charges which have now found their way to the public without inquiring into their truth.

Mr. Graves says that Smith was not removed, because he was "an active and determined partisan." If Mr. Graves knows this man's politics, he knows more than I do. They do not appear in the case, and, it is believed, never did. His office yielded him not more than \$60 per annum. If this sum paid him for taking care of the office and for political services also, they were cheap, indeed! Their importance may be appreciated from the fact that Mr. Grant, one of the Representatives from the district in which he lived, knew nothing of him or his case.

Mr. Graves says "the character of the man was so bad, and his felony so notorious, that whenever counterfeit money was circulated in that neighborhood, public suspicion was always directed to the postmaster as having some hand in the business." And does any man really believe the Administration expected to gain strength in that neighborhood by keeping such a man in office? When counterfeiters of money become favorites with the people, then may the uncharitable conclude that they will be protected in office by the Administration.

Equally baseless is the charge or insinuation from the same source that the clerks or any others holding office in or under the Post Office Department are taxed for political purposes, as the condition on which they are permitted to remain in office. So far as regards myself, I know, and, so far as regards those acting under me, I believe that no suggestion of such a contribution voluntary or involuntary has been made by a superior to an inferior, directly or indirectly, throughout the vast ramifications of this Department.

AMOS KENDALL.

Post Office Department, March 18, 1839.

Foreign.

Late from Europe.—Liverpool papers to the 2d of March, have been received at New York. Cotton was rather lower; and in the prices of grain there was no improvement.

Washington Market, April 2.—Corn—we quote at \$3 75 a \$3 50. Bacon—a small quantity has been sold at 11 a 12 1/2 cents. Lard—scarce, 10 a 11 cents. Naval Stores—but a small lot of new dip has been brought in. We quote old dip at \$2 50; serape, \$1 05 a \$1 10.—Republican.

Norfolk Market, March 29.—Cotton, 13 1/2 to 14 1/2 cents; Corn, 81 to 83 cents; Bacon, (hog round) 11 to 12; Lard, 12 to 12 1/2 cents. Herald.

Petersburg Market, March 29.—Cotton. The sales this week have been at 13 to 14 cents, the latter rates for good fair qualities. Prime would command something more with our manufacturers. The market is dull and very little doing.—Int.

The sick are all taking Goëlicke's Matchless Sanative, which is astonishing Europe and America with its mighty cures.

A perfect cure of Asthma, fifty four years standing, effected by the treatment of Dr. Wm. Evans.—This is to certify, that I was attacked with the Asthma in the ninth year of my age, and from that time until the present year, a period of fifty four years, I have been subject to that disease. For the last five years, I had it almost incessantly—not being exempt from it more than twenty four hours at any one time. I had consulted the most skillful physicians, and tried many remedies without any relief. In June last, I commenced using Dr. Wm. Evans' Vegetable Medicine, not with the expectation of effecting a cure, for I believed my case hopeless and my dissolution near, but with the hope of obtaining momentary relief. Before I had used two packages, I was entirely relieved; and I have not been attacked with it since. I can now say that I am permanently cured of the disease, and I can confidently recommend it to all who are afflicted with this distressing complaint.

SARAH SIMMONS.

Prince George, co. Va., Nov. 10. J. M. REDMOND, Agent, Tarboro'.

Notice.

THE subscriber will make a final settlement of the estate of

Elza Hawkins, dec'd,

At May Court next—all persons, therefore, having claims against said estate will present them immediately, as the time prescribed by law for its settlement has expired.

DEMPESEY BRYAN, Adm'r with the will annexed.

March 25, 1839. 13 3

Notice.

THE subscriber informs the citizens of Edgecombe county, and the public generally, that he has commenced the Wheelwright business,



In the shop formerly occupied by Isaac B. Brady, in Tarborough. Gigs, &c. will be repaired in the most expeditious manner, and on the most reasonable terms.

STEPHEN BRADLEY, April 5, 1839. 14

PROSPECTUS

For the "Extra Globe," for 1839.

WE lay before our Republican friends a subscription paper for our cheap periodical publication, the "Extra Globe." During the months when Congress is in session, we publish the "Congressional Globe," which gives a condensed report of its proceedings weekly, for one dollar. In the interval between the sessions of Congress, we publish the "Extra Globe," for six months, containing the news, politics, public documents, and whatever else of interest appears in the Daily Globe, for the same price. These two publications are printed weekly, in book form, to render them for convenient for preservation and reference. Each number contains 16 royal quarto pages.

The important elections which will take place during the approaching Summer and Fall, will give peculiar value to the information to be derived from this quarter, during the canvass. The new phases of parties in the North, and the troubled aspect which foreign agitation gives to our national affairs there, will also impart to the country for the six months preceding the meeting of the next Congress, more than ordinary interest.

The publication of the "Extra Globe" will commence the first week in May, and end the first week in November next.

TERMS.

For 1 copy	\$1 00
For 6 copies	5 00
For 12 "	10 00
For 25 "	20 00
For 50 "	40 00
For 100 "	75 00

Payments may be transmitted by mail, postage paid at our risk. The notes of any incorporated bank in the United States, current in the section of country where a subscriber resides, will be received. But when subscribers can procure the note of banks in the Northern and Middle States, they will please send them.

To insure all the numbers, the subscriptions should be here by the 7th of May. No attention will be paid to any order unless the money accompany it.

BLAIR & RIVES.

Washington City, April, 1839.

List of Letters,

Remaining in the Post Office at Tarborough, the 1st of April, 1839, which if not taken out before the 1st of July next, will be sent to the General Post Office as dead letters.

- Anderson Henry
- Adams Henry
- Armstrong Wm
- Allsbrook Wm
- Bullock Col J K 2
- Bullock Capt W G 2
- Bunting C Miss
- Brown Wm R
- Barfield John jr
- Bell Olive Mrs
- Brownrigg O Mrs
- Bridgers James
- Bennett Mark
- Bloeker John C
- Braswell Willie
- Battle Joseph
- Cotten John W
- Cherry Eliz'h Mrs
- Cobb Mary
- Carney Rutha Mrs
- Cri-p Whitley
- Davis Hiram B
- Drew Redick
- Deverux G P Mrs
- Dew Zachariah
- Edmondson P
- Ellinor James
- Furson Jos M
- Griffin Susan Mrs
- Grimes Stephen
- Griffin Edmund 3
- Gorge James
- Hunter C G 2
- Howe Il Irvin
- Hines Peter R
- Haney Rebec'a Miss
- Howard George
- Higgs Mary L Miss
- Jones M A Miss 2
- Johnson Aaron
- Jones Calvin
- Jones Asa
- Lewis D M
- Long Robert
- Lewis B-jamin
- Long James F
- Laups Elliott R
- Lawrence J Rev
- Mooring Wm
- Mercer Thomas N
- Macon Sarah Mrs
- Nash Wm
- Pender Joshua
- Pender Wm
- Parish Daniel
- Pitt James
- Pollard Willie
- Plank Isaac C
- Parker Simmons B
- Roberts John 2
- Rountree Willie
- Roy J L
- Redding James M
- Ruth Mary M Miss
- Sasnett Reddin 3
- Simmons James B 2
- Stiff Edgecombe 2
- Sharp John P
- Shelton Burwell
- Simmons Wm
- Staton Rudenick
- Sasnet Zach'h
- Terrell N M 2
- Taylor Eliz'h Mrs 2
- Taylor Kinrod
- Thigpen Dennis
- Whitfield Benj'd
- Wood Wm M
- Ward Charlotte Mrs
- Weddell James
- Wilkinson N Mrs
- Whitaker John C
- Williams O
- Winton Lydia Miss
- Williams Wm
- Williams David
- Wimberley R D
- Warren C W

JAS. M. REDMOND, P. M. 100—\$17 64.