

INSOLVENT DEBTORS—UNITED STATES.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING

A Report in compliance with the act of 2d March, 1831, for the relief of certain Insolvent Debtors of the United States.

DECEMBER 22, 1838.

Read, and laid upon the table.

TREASURY DEPARTMENT,

December 21, 1838.

SIR: In compliance with the eighth section of an act of Congress entitled "An act for the relief of certain insolvent debtors of the United States," approved March 2, 1831, I have the honor to transmit the accompanying report.

Very respectfully, sir, I remain your obedient servant,

LEVI WOODBURY,
Secretary of the Treasury.

Hon. JAMES K. POLK,

Speaker of the House of Representatives U. S.

Report presented to Congress by the Secretary of the Treasury, in compliance with the eighth section of an act of Congress entitled "An act for the relief of certain insolvent debtors of the United States," approved March 2, 1831.

Names of applicants.	Nature of debt.	Principal.	Surety.	Amount.	How disposed of.
Edward Dorr - -	C. H. bonds	-	Surety	\$75,000	See No. 1
Nathaniel B. Rix - -	Do.	-	Surety	1,300	" 2
Halsey Healy - -	Do.	Principal	-	1,000	" 3
Gideon Lane - -	Do.	-	Surety	2,788 30	" 4
Nathaniel H. Olmstead - -	Do.	Principal &	Surety	-	" 5
Gorham Davenport - -	Do.	-	Surety	3,500	" 6
William Bogart - -	Do.	-	Surety	6,000	" 7
John Clark, - -	Do.	-	Surety	19,916 77	" 8
William Ropes - -	Do.	Principal	-	15,000	" 9
William Price - -	Do.	-	-	6,200	" 10
Nathaniel Mitchell - -	Do.	Principal	-	1,600	" 11
John Doughty - -	Do.	Principal	-	14,430	" 12
W. W. Wright - -	Do.	Principal	-	17,000	" 13
Arthur Hirst - -	Do.	Principal	-	2,000	" 14
Robert Waln - -	Do.	Principal &	Surety	113,817 97	" 15
Edward H. Nicoll - -	Do.	-	Surety	10,000	" 16
Michael Kinsman - -	Do.	-	Surety	3,261 68	" 17
Michael Nisbet - -	Do.	-	Surety	513 25	" 18
John Sarchet - -	Do.	Principal	-	1,923 59	" 19
Samuel Knight - -	Do.	Principal	-	520,805 45	" 20
Washington Kellogg - -	Do.	Principal	-	3,014	" 21
Josiah Dunham - -	Do.	-	Surety	1,325 80	" 22
William Osburn - -	Do.	-	Surety	104,562 43	" 23
Josiah L. C. Amee - -	Do.	Principal	-	1,325 80	" 24
Amasa G. Smith - -	Do.	-	Surety	1,325 80	" 25
Thomas A. Dexter - -	Do.	-	Surety	92,582 53	" 26
Thomas C. Amory - -	Do.	Principal &	Surety	98,105 44	" 27
Thomas Tremlett - -	Do.	-	Surety	92,582 53	" 28
Joseph Archer - -	Do.	-	Surety	21,098 22	" 29
John H. Adams - -	Do.	Principal &	Surety	98,105 44	" 30
Dalton Deblois - -	Do.	-	Surety	92,582 53	" 31
John McFadon - -	Do.	Principal &	Surety	19,796 19	" 32
Henry Toland - -	Do.	Principal	-	31,000	" 33
Charles Mix - -	Do.	Principal &	Surety	2,241 07	" 34
Edward E. Houdlette - -	Do.	Principal &	Surety	5,774 12	" 35
Theodore A. Dwight - -	Do.	Principal	-	8,586	" 36
John Ordranax - -	Do.	-	Surety	39,692	" 37
William H. Dundas - -	Do.	Principal &	Surety	22,777 38	" 38
John S. Lafitte - -	Do.	Principal	-	13,864 03	" 39
Horace D. Forbes - -	Do.	-	Surety	852 48	" 40
John L. Francia - -	Do.	Principal	-	13,195	" 41
Hezekiah Kelley - -	Do.	Principal	-	1,235 45	" 42
Thomas Watson - -	Do.	Principal	-	6,885 86	" 43
Isaiah Mankin - -	Do.	Principal	-	10,879 25	" 44
William W. Thompson - -	Do.	Principal	-	13,095 36	" 45
Henry Patto - -	Do.	Principal	-	41,060	" 46
Jeremiah Kershaw - -	Bond for collection of direct tax	-	Surety	1,710	" 47

No. 1. EDWARD DORR.—This case before the commissioners of insolvency.

No. 2. NATH'L B. RIX.—This case before the commissioners.

No. 3. HALSEY HEALY.—This case before the commissioners.

No. 4. GIDEON LANE.—He was informed, April 26, 1833, that the Secretary of the Treasury had decided to release him from his debt to the Government, upon his paying, or securing to be paid to the United States, sixteen hundred dollars; but indulgence of time for this payment would be given, if desired, upon security ample and unobjectionable, and no reply has been received from him.

No. 5. NATH'L H. OLNSTEAD.—This case before the commissioners.

No. 6. GORHAM DAVENPORT.—This case before the commissioners.

No. 7. WILLIAM BOGART.—This case before the commissioners.

No. 8. JOHN CLARK.—This case before the commissioners.

No. 9. WILLIAM ROPES.—This case before the commissioners.

No. 10. WILLIAM PRICE.—Returned for amendment.

No. 11. NATH'L MITCHELL.—This case before the commissioners.

No. 12. JOHN DOUGHTY.—This case before the commissioners.

No. 13. W. W. WRIGHT.—Released, 17th August, 1835, upon condition. Now before the commissioners, to ascertain and report whether certain pledged stocks therein mentioned have been, as he alleges, *bona fide* sold for a less amount than the sums for which they were pledged.

No. 14. ARTHUR HIRST.—This case before the commissioners.

No. 15. ROBERT WALN.—This case before the commissioners.

No. 16. EDWARD H. NICOLL.—Suspended till the consent of his co-surety, Francis H. Nicoll, be filed to his discharge, or it be shown, which does not appear by the report, that the said co-surety is unable to pay his debt to the United States, and entitled, as is the said Edward, to a discharge; proof whereof, the United States commissioners of insolvency for the southern district of New York have been instructed to receive, should the said Edward request; but no report has yet been received touching the same.

No. 17. MICHAEL KINSMAN.—This case before the commissioners.

No. 18. MICHAEL NISBET.—This case before the commissioners.

No. 19. JOHN SARCHET.—Released, July 7, 1835, in part, from his debts to the United States—that is to say, from custom-house bonds, being parcel thereof wherein Thomas Hale is with him bound, executed by him to the United States as follows, namely: one thereof on the 28th October, 1822, for \$66 28; one on the 27th April, 1823, for \$308; one on the 18th March, 1823, for \$449; and one on the 7th April, 1823, for \$308; but no other debts or bonds whatever. Provided, that nothing in the discharge should be taken, considered, or construed, to be a release of his assignee or assignees, or any or either of them, from any liability incurred to the United States for the debts of the said John, under and by virtue of the sixty-fifth section of the act of Congress entitled "An act to regulate the collection of duties on imports and tonnage," approved the 2d March, 1799.

No. 20. SAMUEL KNIGHT.—This case before the commissioners.

No. 21. WASHINGTON KELLOGG.—This case before the commissioners.

No. 22. JOSIAH DUNHAM.—This case before the commissioners.

No. 23. WILLIAM OSBURN.—This case before the commissioners.

No. 24. JOSIAH L. C. AMEE.—This case before the commissioners.

No. 25. AMASA G. SMITH.—This case before the commissioners.

No. 26. THOMAS A. DEXTER.—Report of the commissioners in this case now in the course of examination.

No. 27. THOMAS C. AMORY.—Report of the commissioners in this case now in the course of examination.

No. 28. THOMAS TREMLETT.—This case before the commissioners.

No. 29. JOSEPH ARCHER.—This case before the commissioners.

No. 30. JOHN H. ADAMS.—The report of the commissioners, in this case now in the course of examination.

No. 31. DALTON DEBLOIS.—This case before the commissioners.

No. 32. JOHN MCFADON.—Released, December 23, 1837, upon condition. Provided, however, and it is expressly understood, that nothing herein contained shall be taken, considered, or construed, to be a release or discharge of the said John McFadon from his debt due to the United States, as principal and surety, until the said John McFadon shall pay to the United States the sum of five thousand dollars, lawful money of the said United States, and until the said John McFadon shall, either himself or by his duly-authorized authority, first transfer and convey to the United States, by good and sufficient instrument in writing, to be approved by the attorney of the United States for the district of Maryland, all his title and interest in and to twenty-two quarter sections of land in the bounty tracts of Arkansas, and until the said John McFadon shall surrender and deliver over, for the benefit of the United States, to the said attorney of the United States, all the debenture certificates which he represents himself now to have, or which are within his control, which are estimated at the amount of thirteen hundred and seventy-two dollars and ninety-four cents, without including interest thereon; further, until he, the said John McFadon, shall assign, transfer, and set over, to and for the benefit of the United States, by good and sufficient instrument in writing, to be approved by the said attorney of the United States, all his right to and interest in and to all or any such claim as he represents himself to have against the United States for spoliations committed by the French nation upon the commerce of the United States prior to the year of our Lord one thousand and eight hundred. It being hereby expressly understood that, should this claim for French spoliations be hereafter allowed and paid by the United States, any surplus that may remain, after deducting what may appear to be justly due from J. McFadon, as principal and surety, to the United States, shall be paid back to the said John McFadon, or his heirs or assigns; and, further, that nothing herein contained shall be taken, considered, or construed, to be a release or discharge of the said John McFadon, or any assignee or trustee of the said John McFadon, from any liability at any time incurred, or which may hereafter arise, in behalf of the United States, in consequence of any goods or effects which have passed into the hands of said assignee or trustee, under the insolvent laws of the State of Maryland, for distribution: the intention of this release truly being to reserve all the rights of the United States which now exist, or which may at any time exist, by virtue of the right of priority in debts due to the United States, or any rights which now exist on their own merits, or which may at any time have attached, under and by virtue of the sixty-fifth section of an act of Congress entitled "An act

to regulate the collection of duties on imports and tonnage," approved the 2d March, 1799.

No. 33. HENRY TOLAND.—This case before the commissioners.

No. 34. CHARLES MIX.—Released, February, 17, 1838, unconditionally.

No. 35. EDWARD E. HOUDLETTE.—This case before the commissioners.

No. 36. THEODORE A. DWIGHT.—Released, March 16, 1838. Provided, however, and it is expressly understood, that nothing herein contained shall be taken, considered, or construed, to be a release or discharge of the said Theodore A. Dwight from his debt to the United States, until the said Theodore shall first assign, transfer, and set over, to the United States, by a good and sufficient instrument in writing, to be approved by the attorney of the United States for the southern district of New York, all his right of property and interest in and to a certain judgment of court in favor of the said Theodore, and now declared by him to be unsatisfied, against one Eames & Stafford, for the sum of eight hundred and twenty-five dollars, exclusive of costs; giving and granting full and sufficient authority, irrevocable by the said Theodore, to the said United States, or its agent duly appointed, to use the name of the said Theodore, as it may be necessary, in further prosecution of the said judgment to its full satisfaction; and, upon receipt thereof, to give discharges for the same, or any part thereof, as it may, at any time, after the assignment of the said Theodore, become desirable for the benefit of the United States, and before any competent tribunal; and until George A. Dwight, the surety of the said Theodore A. Dwight, shall first file with the Secretary of the Treasury his consent, in writing, that the privileges of the said acts may be extended to the said Theodore A. Dwight, without prejudice to his liability to the United States.

No. 37. JOHN ORDRONAUX.—Suspended for further information.

No. 38. WILLIAM H. DUNDAS.—Released, July 9, 1838. Provided, however, and it is understood, that nothing herein contained shall be taken, considered, or construed, to be a release or discharge of the said William H. Dundas from his debt due to the United States, until the said William H. Dundas shall first transfer and convey to the United States, by good and sufficient instrument in writing, to be approved by the attorney of the United States for the District of Columbia, all his right to title and interest in any real, personal, or mixed property, which he derived in any form as an heir of his late father or mother, or other relative, through or in consequence of a conveyance of the said William H. Dundas's brother to the other heirs with himself. Hereby also intending expressly to reserve in this release, for the benefit of the United States, all the said William H. Dundas's right to and in, as an heir of his late father or mother, or other relative, or any right or interest which may have attached or been derived by or through any legacy from any deceased friend of the said William H. Dundas, to the following-described property, to wit:

An unimproved lot on the northwest corner of Queen and St. Asaph streets, situate in Alexandria, in the District of Columbia.

The tobacco warehouse lot, excluding the bakehouse, situate in said Alexandria.

A lot on the corner of Oronoko and Water streets, containing near an half acre, situate in said Alexandria.

A lot on the northeast corner of Queen and Water streets, commonly called Kirkpatrick's water lot, situate in said Alexandria.

Washington tavern lot, on the corner of King and Pitt streets, with the improvements thereon, situate in said Alexandria.

Stable lot on the west side of Pitt street, between King and Prince streets, situate in said Alexandria.

A square, or two acres of ground, on Washington and Oronoko streets, with the improvements, situate in said Alexandria.

One undivided half of the Diagonal house, and the lot thereto belonging, situate in said Alexandria.

An unimproved lot on Washington street, between Queen and Princess streets, situate in said Alexandria.

Six unimproved lots on and near Diagonal street, situate in said Alexandria.

Ground rents.—Ephraim Gilman, \$31 per annum.

Peter Paris, \$7 50 per annum.

One patent of 4,967 acres of land on Mud river, in Cabell county, Virginia.

One patent for 5,000 acres in Randolph county, Virginia.

One patent for 2,000 acres in Randolph county, Virginia.

One patent for 1,675 acres in Randolph county, Virginia.

One tract of 80 acres of ground in Fairfax county, Virginia, in one half only of which, or 40 acres, said William H. Dundas has the interest of an undivided eighth.

300 acres of land on Pokeallico creek, Kenawha county, Virginia.

Ground rents.—Joseph Dudley, £10 19s.

G. R. Lamphin, 7 04

G. Lamphin, 6 18

25 01, or \$83 50 per annum, being

an undivided eighth part of one half only, or \$41 75, of these ground rents.

A lot containing seven acres in Fairfax county, Virginia, near Alexandria.

A vacant lot in the town of Alexandria.

The intention truly being to reserve in the conditions of this release the one undivided eighth part of all the estate of the late John Dundas. Further reserving hereby, expressly for the benefit of the United States, all rights which have attached or which may attach in consequence of a conveyance of property at any time made by the said William H. Dundas to any trustee or assignee, under or to take the benefit of the insolvent laws of the State of Maryland; and further hereby expressly reserving, for the benefit of the United States, all and every right of said United States which has attached or may attach under or by virtue of a deed of conveyance from the said William H. Dundas to the late William H. Crawford, Secretary of the Treasury of the United States, and dated the twenty-ninth day of May, in the year of our Lord one thousand eight hundred and twenty: the intention of this release in all respects truly being to reserve for the benefit of the United States all the said William H. Dundas's right, property, interest, claim, or demand, which in any way and at any time may be found to exist, even though the specific character of the property or his interest in it be not herein particularly set forth; the said

William H. Dundas hereby expressly giving to the United States, or to any duly-authorized agent thereof, when requested, full power at any time to use his name to enable the United States, or their agent, to avail themselves of the full benefit of any interest or right which may be found to exist, and to require it; and it is further understood, as among the terms of this release, that the said William H. Dundas is in good faith, and whenever he shall be requested by a duly-authorized agent of the United States, to convey and transfer to the United States, by a good and sufficient instrument, to be approved by the said district attorney, any interest or right of property in any of that which is herein described, or which may at any time hereafter be found to exist, and which conveyance may be deemed material to perfect more effectually a title in the United States: the intention of this release truly being, also, to reserve all the rights of the United States which now exist, or which may at any time exist by virtue of the right of priority in debts due to the United States, or any rights which now exist, or which may at any time have existed, under and by virtue of the sixty-fifth section of an act of Congress entitled "An act to regulate the collection of duties on imports and tonnage," approved the 2d March, 1799.

No. 39. JOHN S. LAFITTE.—Released, March 27, 1838. Provided, however, and it is expressly understood, that nothing herein contained shall be taken, considered, or construed, to be a release or discharge of the said John S. Lafitte from his debt due to the United States, until the said John shall, either himself or by his authorized authority, first transfer and convey to the United States, by good and sufficient instrument in writing, to be approved by the attorney of the United States for the district of Maryland, all his title and interest in and to the ship Lafayette, and her tackle, and until he shall first procure some suitable person to take out, from a competent court in the State of Maryland, letters of administration upon the estate of Nicholas Bonnifin, late of the city of Baltimore, deceased, and until the legal representative of the said Nicholas Bonnifin shall first file with the Secretary of the Treasury his consent, in writing, that the privileges of the acts of Congress for the relief of certain insolvent debtors of the United States may be extended to the said John S. Lafitte, without prejudice to the liability of the said Nicholas Bonnifin's estate to the United States; and, further, that nothing herein contained shall be taken, considered, or construed, to be a release or discharge of the said John S. Lafitte, or any assignee, trustee, or creditor, of the said John S. Lafitte, from any claim or liability incurred in behalf of the United States, either by their several or joint acts, or by virtue of the right of priority in debts due to the United States: the intention of this release truly being to reserve all the rights of the United States which may have attached or existed at any time, under, or which in any way should arise out of, John S. Lafitte's deed of trust, for certain purposes, to the said Nicholas Bonnifin, bearing date July 23, 1836, to any property assigned, transferred, or delivered over, to any person or persons, either by the said John S. Lafitte, or his late trustee, Nicholas Bonnifin, reserving hereby, for the benefit of the United States, any and all such rights as may by any act or agency, either of the said John S. Lafitte, or the late Nicholas Bonnifin, or any creditor of the said John S. Lafitte, or any administrator hereafter appointed upon the estate of the late Nicholas Bonnifin, have existed, or which now exist on their own merits, or which have attached under and by virtue of the sixty-fifth sec-

tion of an act of Congress entitled "An act to regulate the collection of duties on imports and tonnage," approved the 2d March, 1799.

Afterwards, on the 19th July, 1838, the terms of this release, applicable to the transfer of the ship Lafayette, were modified, the amount of said ship having been settled by the United States marshal for the district of Maryland.

No. 40. HORACE D. FORBES.—Released unconditionally, June 18, 1838.

No. 41. JOHN L. FRANCIA.—Released, March 27, 1838. Provided, however, and it is expressly understood, that nothing herein contained shall be taken, considered, or construed, to be a release or discharge of the said John L. Francia from his debt due to the United States, until the said John L. Francia shall first assign, transfer, and set over, to the United States, by a good and sufficient instrument in writing, to be approved by the attorney of the United States for the southern district of New York, all his right of property, and all the right of property of the late house of Francia, Thompson, & Co., in and to a certain claim or debt against certain persons called the Josephs, and in favor of said John L. Francia, or the late house of Francia, Thompson, & Co., which claim or debt, it is declared by the representations of the said John L. Francia, is for the sum of \$1,783 62, and is now in suit against certain persons described in said representations as Josephs; giving and granting full and sufficient authority, irrevocable by the said John L. Francia, to the said United States, or its agents duly appointed, to use the name of the said John L. Francia, or the name of the house of Francia, Thompson, & Co., as it may be necessary in further prosecution of the said claim or debt, before any competent tribunal, to its full satisfaction; and, upon receipt thereof, to give discharges for the same, or any part thereof, as it may at any time, after the assignment of the said John L. Francia, become desirable for the benefit of the United States. Provided, further, and it is hereby expressly understood, that nothing herein contained shall be taken, considered, or construed, to be a release or discharge of the said John L. Francia, or any assignee or assignees of the said John L. Francia, or the house of Francia, Thompson, & Co., from any claim or liability on behalf of the United States, by virtue of the right of priority in debts due to the United States: the intention of this release truly being to reserve all the rights of such priority aforesaid to any property assigned, transferred, or delivered over, either by the said John L. Francia or the late house of Francia, Thompson, & Co., to any person or persons, for the benefit of their creditors, or any of them; hereby expressly intending, also, to reserve for the benefit of the United States all the proceeds of any property which may have accrued in favor of the said John L. Francia, or the late house of Francia, Thompson, & Co., and which proceeds may have been at any time secured by the United States, or to which they may be entitled; and, also, to reserve, for the benefit of the United States, any and all such rights as may by any act or agency of the said John L. Francia, or the late house of Francia, Thompson, & Co., have attached under and by virtue of the sixty-fifth section of an act of Congress entitled "An act to regulate the collection of duties on imports and tonnage," approved March 2, 1799. And, further, until William W. Thompson, the co-principal upon the bonds, and Edward Thompson, the sole surety upon the bonds, shall respectively first file with the Secretary of the Treasury their consent, in writing, that the privileges of the said acts may be extended to the said John L. Francia, without

prejudice to the liability of the said William W. Thompson and Edward Thompson to the United States.

No. 42. HEZEKIAH KELLEY.—Released unconditionally, July 5, 1838.

No. 43. THOMAS WATSON.—This case before the commissioners.

No. 44. ISAAH MANKIN.—This case suspended until the decision of a bill in equity, in behalf of the United States, is known.

No. 45. WILLIAM W. THOMPSON.—This case now in the course of examination.

No. 46. HENRY PATTO.—This case before the commissioners.

No. 47. JEREMIAH KERSHOW.—This case before the commissioners.

Application to the Secretary of the Treasury, to cause satisfaction to be entered on judgments against insolvents discharged under the provisions of the act of Congress of June 7th, 1834, and the several acts for the relief of certain insolvent debtors of the United States.

Applicant.	Residence.	When received.	How disposed of.
John G. Bailey,	New York,	Oct. 8, 1836,	See No. 1.

No. 1. JOHN G. BAILEY.—The application in this case was defective; instructions were given for its amendment, and it has not since been returned.

RECAPITULATION.

Before commissioners of insolvency	-	-	-	28
Released upon condition	-	-	-	7
Released unconditionally	-	-	-	3
Applicant informed that he could be released upon paying a certain sum	-	-	-	1
Suspended	-	-	-	3
Returned for amendment	-	-	-	1
In the course of examination	-	-	-	4
				<u>47</u>

TREASURY DEPARTMENT, *December 21, 1838.*

prejudice to the liberty of the said William W. Thompson and Edw.
Thompson to the United States.
No. 43. HENRY HAZARD. - Received conditionally July 3, 1858.
No. 44. THOMAS WATSON. - The case being the commissioner
No. 45. JAMES HERRICK. - This case suspended until the decision
a bill to expel in behalf of the United States is passed.
No. 46. WILLIAM W. THOMPSON. - The case now in the hands of
Commissioner.
No. 47. HENRY HAZARD. - This case before the commissioner.
No. 48. HENRY HAZARD. - This case before the commissioner.
No. 49. HENRY HAZARD. - This case before the commissioner.
No. 50. HENRY HAZARD. - This case before the commissioner.

28	29	30	31	32	33
John G. Bailey	John G. Bailey	John G. Bailey	John G. Bailey	John G. Bailey	John G. Bailey
Oct 2, 1858	Oct 2, 1858	Oct 2, 1858	Oct 2, 1858	Oct 2, 1858	Oct 2, 1858
2 No. 1	2 No. 1	2 No. 1	2 No. 1	2 No. 1	2 No. 1

of liberty. The application in this case was denied.
The John G. Bailey. - The application in this case was denied.
application was given for its amendment, and a bill for same has
passed.

RECAPITULATION

Before commission of inspection.
Released upon condition.
Released upon condition.
Application returned that he could be released upon giving a caution.
Suspended.
Returned to imprisonment.
In the course of examination.

Application for the release of the said William W. Thompson and Edw.
Thompson to the United States.
No. 43. HENRY HAZARD. - Received conditionally July 3, 1858.
No. 44. THOMAS WATSON. - The case being the commissioner
No. 45. JAMES HERRICK. - This case suspended until the decision
a bill to expel in behalf of the United States is passed.
No. 46. WILLIAM W. THOMPSON. - The case now in the hands of
Commissioner.
No. 47. HENRY HAZARD. - This case before the commissioner.
No. 48. HENRY HAZARD. - This case before the commissioner.
No. 49. HENRY HAZARD. - This case before the commissioner.
No. 50. HENRY HAZARD. - This case before the commissioner.