

BANKRUPTCY.

LETTER

FROM

THE SECRETARY OF STATE,

IN ANSWER TO

*Resolutions of the House of Representatives, adopted the 29th of January and 25th March, 1844, relative to the application and discharge of persons under the bankrupt law.*

AUGUST 7, 1846.

Read, and laid upon the table.

DEPARTMENT OF STATE,  
Washington, August 5, 1846.

SIR: On the 29th of January and on the 25th of March, 1844, the House of Representatives adopted the following resolutions:

"*Resolved*, That the Judiciary Committee be instructed to inquire, and to report to this House, as far as practicable, the number of persons who applied for the benefit of the late bankrupt law; the number who were discharged from the payment of their debts under that law; the number to whom such discharge was refused by the courts; the number of applicants still pending; the aggregate number of creditors given in by the applicants; the aggregate amount of debts given in by them; the aggregate amount of property surrendered; the aggregate per centum paid on the aggregate debts given in, out of the aggregate property surrendered; and the aggregate costs of the judicial proceedings had under the law. The whole of the above facts to be arranged in tabular form, by States and Territories, respectively."

"*Resolved*, That the Judiciary Committee be discharged from the further consideration of the resolution referred to them relative to the operation of the late bankrupt law, and that the same be referred to the President of the United States; and that he be requested to call for the information therein desired, and report the same to this House at the earliest practicable day."

The two resolutions having been referred by the President to this department, with instructions to take the necessary steps for obtaining the desired information, a letter was addressed to the clerks of the respective district and circuit courts of the United States, which had cognizance of

bankrupt cases under the act referred to, accompanied by a tabular form for the required statement.

I now have the honor to transmit these statements, so far as received, (numbered from 1 to 27,) and a summary thereof in tabular form, prepared at this department, together with such portions of the letters that accompanied them as refer to their contents.

In the letter addressed by this department to the clerks of court, it was stated that "no appropriation has been made for this object; but there is no reason to doubt that in this case, as in previous cases of a similar nature, the means will be provided by Congress for making to all persons employed in the task an adequate compensation for the service rendered by them."

Of the twenty-seven returns which have been received, (from twenty-one States and Territories,) a portion were accompanied by accounts against the government, or by statements of the amount of labor involved in their preparation, and of what would be deemed a fair compensation. Copies of these statements are also transmitted herewith.

I am, sir, very respectfully, your obedient servant,

JAMES BUCHANAN.

Hon. JOHN W. DAVIS,

*Speaker of the House of Representatives.*

No. 1.

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the district of Maine.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
3,478	2,456	4 * 23	995 † 365	44,319 38,908	\$9,195,976 07 7,343,323 94	\$2,968,387 78 2,472,124 12	‡ \$62,527 42    13,817 99	See report.
		27	630	83,227	16,539,300 01	5,440,511 90	§ 76,340 41	

\* This number withdrawn by leave of court. † This number have not petitioned for a discharge, leaving number now actually pending in court, 630.  
‡ Amount distributed. || Amount in registry. § Total paid in.

PORTLAND, March 16, 1846.

JOHN MUSSEY,  
Clerk United States district court, Maine.

To the Hon. JAMES BUCHANAN, Secretary of State, Washington, D. C.

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the district of New Hampshire.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts, out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law, including the clerk's, printers', marshal's, assignees' and commissioners' fees, as far as the costs have been taxed in the proceedings which have been completed.
1,798 * 6 1,792	1,641	2 † 47	102	49,761	\$3,742,623 19	\$1,973,334 42	† \$31,500 00	\$37,325 00

\* Less for cases withdrawn, renewed, &c.

† Withdrawn and dismissed.

‡ Amount of dividends; or .0084 on amount of debts.

JOHN L. HAYES,

*Clerk of the courts of the United States for the district of New Hampshire.*



No. 3.

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the district of Massachusetts.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum on the aggregate debts, out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
*3,389 †139	3,114 —	9 53	— —	99,619 4,465	\$34,648,396 69 9,895,463 88	\$16,834,459 10 1,365,912 41	—	\$98,330 52
3,250	3,114	62	—	95,154	24,752,932 81	15,468,546 69	4 00	98,330 52

\* 40 of these in invitum, and 3,349 voluntary.

† 48 of this number discontinued by leave of court, and 91 dismissed for want of prosecution.

NOTE.—About five millions of debts were secured by mortgages, and other liens, upon the property of the bankrupts, not included in the aggregate amount of property surrendered.

Of the property surrendered, after deducting liens and securities, there was received and distributed the sum of \$1,085,722 38 in cash; being about 20 per cent. on the claims actually proved against the estates of the bankrupts.

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the district of Connecticut.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
*1,537	1,413	†7	55	‡	\$10,469,273	§	\$74,911 16	¶

\* 1,510 of this number were voluntary petitions by the bankrupts, and 27 were against the bankrupts to compel them into bankruptcy.

† In addition to this number, 38 were withdrawn or not prosecuted after the petitions had been filed.

‡ The average number of creditors in each case may be safely put down at from 20 to 25.

§ The petitioners were not required in this district to give a valuation of their property; it is impossible, therefore, to give any information on this head.

|| This amount has been paid to creditors; making, as near as can well be calculated, 7 1-10 mills on the dollar.

¶ It is impossible to give the costs of the judicial proceedings. All that can be stated with certainty is the clerk's fees. The ordinary fee of the clerk for each case was \$4.

DISTRICT OF CONNECTICUT, ss:

Certified by

DISTRICT CLERK'S OFFICE, *New Haven, July 20, 1846.*

CHS. A. INGERSOLL, *Clerk,*

Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the Northern district of New York.

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts, out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
5,598	4,756.	39	803	171,103	\$51,556,405 25	\$1,167,487 94	13 66-100 cents	\$34,466 00

Respectfully submitted.

AURELIAN CONKLING, *Deputy Clerk.*

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the State of New York, in the Southern district thereof.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge has not been granted.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts, out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
*2,550	2,121	†389	‡429	109,485	§ \$120,580,415 00	¶ \$140,417 82	** 1-10 of 1 pr. et.	†† \$110,000 00

\* Of this number 2,466 have been voluntary, and 84 on petition of their creditors. They describe themselves as follows:

Merchants	-	726	Laborers	-	11	Farmers	-	47	No occupation	-	161
Lawyers	-	18	Physicians	-	26	Office-holders	-	15	Other occupations—		
Clerks	-	405	Gentlemen	-	40	Auctioneers	-	12	Miscellaneous	-	590
Mechanics	-	372	Brokers	-	85	Victuallers	-	11			
Agents	-	31									2,550

† The number to whom the court has refused a discharge for cause, is 12.

‡ A great number of these have been cut off by the expiration of the time allowed them to come in and continue their proceedings fixed by rule of court. Many of them never intend to proceed any further; so that the actual number of cases yet in litigation is very small.

|| It is impossible to ascertain this with a very great degree of precision. The above number is the nearest approach to it that can be made.

§ As near as can be got at.

¶ This is the amount which has been realized by the assignee and paid into court at different times, and subsequently paid out in dividends, &c., including the balance now in court.

\*\* The estates are not yet closed, in many cases. Some assets, no doubt, yet remain to be realized, and some dividends are yet to be made. At a rough guess, I should think that the aggregate per cent. would not exceed one-tenth of one per cent. upon the aggregate debts.

†† It is impossible to fix this with anything like an approach to certainty, costs varying with the amount of litigation in each case. The amount named above does not include the costs paid by the United States; as, for instance, for officers attending court held specially for bankrupt purposes, &c.

NEW YORK, April 1, 1846.

SIR: The above statement has been compiled with great care, and is the result of a very laborious investigation. I trust it will answer the purposes of the department; and remain, very respectfully, your obedient servant,

J. W. METCALF, Clerk,

Hon. J. BUCHANAN, Secretary of State.

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the district of New Jersey.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
810	769	25	16	33,673	\$17,811,303 47	\$19,186 79	* \$17,286 43	\$11,413 27

\* Equal to a shade more than 90 per cent.

I, Edward N. Dickerson, clerk of the district court of the United States in and for the district of New Jersey, do certify that the above statement is in all things correct, as appears from the papers filed in my office.

[L. S.] In testimony whereof, I have hereunto set my hand, and affixed the seal of this court, at Paterson, this 21st day of July, A. D. 1846.

EDWD. N. DICKERSON,  
Clerk district court New Jersey district.



*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the Eastern district of Pennsylvania.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
* 1, 799	1, 438	16	314	65, 678	\$31, 965, 723 68	† \$99, 253 20	‡	\$11, 295 20

\* Of this number, 31 were withdrawn and proceedings discontinued.

† This is the amount actually deposited to the credit of the bankrupt estates.

‡ The accounts not being finally closed, it is impossible to answer this interrogatory.

|| This is the aggregate amount of clerk's, marshal's, and crier's fees only, including those on distribution, and the per centage on the amount distributed, and exclusive of the amount paid for printing notices of application, and of commissioners' and assignees' fees, which I have no means of ascertaining.

OFFICE OF CLERK OF DISTRICT COURT UNITED STATES FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

Return to the Department of State, agreeably to the circular of the 13th December, 1845.

FRA. HOPKINSON, *Clerk District Court.*

PHILADELPHIA, February 3, 1846.

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the district of Maryland.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
490	346	17	108	12,962	\$5,745,451 49	\$1,903,250 69	1 per cent. and a fraction.	\$1,281 50

## RECAPITULATION.

346 discharges.  
 17 rejections.  
 108 pending.  
 9 petitions withdrawn.  
 8 petitions in involuntary bankruptcy withdrawn and dismissed.  
 2 decrees in involuntary bankruptcy.

490  
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THO. SPICER, Clerk  
 District Court U. S., Maryland District.

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the Eastern district of Virginia.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
1,189	913	15	261	23,468	\$8,713,116 10	\$20,783 00	*\$49 87	\$29,005 73

\* Or about 24 cents on the \$100.

CLERK'S OFFICE OF THE DISTRICT COURT OF THE U. S. FOR THE EASTERN DISTRICT OF VIRGINIA, *scilicet*:

The foregoing statement of the aggregate amount of debts, aggregate amount of property surrendered, aggregate per centum paid, and the aggregate costs of judicial proceedings, is made upon the cases of those bankrupts who are discharged, the number whereof is 913. On the 261 still pending no estimate can be made approaching nearer to accuracy than the ratio of 261 to 913—i. e. if prosecuted to a discharge.

Given under my hand this 23d of February, 1846.

P. MAYO, *Clerk of the District.*

To the Hon. JAMES BUCHANAN, *Secretary of State.*

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the Western district of Virginia.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
At the court held at Clarksburg, Va., 2 -	-	1	1	38	\$937 66†	\$85 75	-	\$13 26
At the court holden at Staunton, Va., 1,564 -	1,504	* 3	11	78,063	3,956,095 00	23,899 74	6-10ths of 1 pr. ct.	† 43,197 68

\* Two of whom have claimed a trial by jury, and still pending.

† Which comprises fees to assignee, commissioner, printer, and clerk.

CLERK'S OFFICE OF THE UNITED STATES COURT FOR THE WESTERN DISTRICT OF VIRGINIA,  
Staunton, January 26, 1846.

The report above is as full and accurate as it was possible to make it. The amount of debts due by applicants is not stated in many instances, and the interest in no case is given. The aggregate amount of property could not be obtained precisely, for the reason that the assignee always, where the value did not exceed \$300, assigned it to the applicant. There were two cases pending at a branch of the court at Clarksburg; they are reported above. The per centum paid on the aggregate debts may be increased a fraction by funds not yet received on property sold on time, &c.

Considerable labor and trouble attended the preparation of the report, and I consider \$35 a reasonable compensation.

**RICHARD W. MOORE,**  
*Clerk United States court Western district of Virginia.*

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the district of South Carolina.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
277	206	4	66, and 1 discontinued.	8, 113	\$5, 598, 821 00	\$817, 907 00	\$122, 242 14, or 2 18-100 per ct.	\$14, 234

NOTE.—By *costs*, in this statement, are intended the fees of the marshal, crier, and clerk, and the expenses of printing. (Instance a city case, in which the bankrupt's notice is printed in one paper only.)

*Ex parte—A. B., a bankrupt.*

Printer's bill	-	-	-	-	-	-	-	-	\$33 65
Clerk's, (about)	-	-	-	-	-	-	-	-	10 00
Crier	-	-	-	-	-	-	-	-	3 00
Marshal, (20 cents for notice on each creditor, and 50 cents for report,) say	-	-	-	-	-	-	-	-	4 50
20 creditors	-	-	-	-	-	-	-	-	
									<u>51 15</u>

P. S.—In a country case there are the expenses of printing in another paper, and the costs of reference to a commissioner, to be added to the above. All of which is respectfully reported.

[L. s.]

H. Y. GRAY, *District Clerk S. C. D.*

April 8, 1846.



*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the Northern district of Alabama.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
821	780	4	37	26,335	\$6,048,162 00	\$26,732 00	* $\frac{25541}{100000}$ ct.	† \$31,828 95

\* Or about one-quarter of a cent on the dollar.

† Including clerk's, marshal's, printer's, assignee's, solicitor's, and witnesses' fees, &c.

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the Southern district of Alabama.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
718	680	7	31	24, 642	\$25, 022, 243 64	\$100, 000	-	\$23, 882 25

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the Southern district of the State of Mississippi.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts, out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
872	861	None	3	22, 772	\$46, 156, 542 40	\$6, 332, 666 64	61-100 of a mill to the dollar	\$23, 588 10

## NOTES.

In six cases, proceedings were withdrawn by the petitioners, and in two abated by death.

The aggregate amount of property must be considered a nominal sum, as (many of the estates not being settled) it is founded chiefly upon the nominal value stated in the schedules, to which the amount realized will bear but a small proportion.

The "per centum paid" is here averaged upon the whole amount of indebtedness, but was, in fact, paid in a few cases only, which averaged from 3 to 5 per cent.; in the great majority of cases, the bankrupts' estates yielded nothing. The whole amount realized in this district, to the present time, is \$31,348 24; and there is no probability that the unsettled estates will produce more than a fourth of that sum, in addition.

The aggregate amount of judicial costs includes printers' and commissioners' fees. The sum stated is the amount charged; a large portion of which has not been received.

WM. BURNS, Clerk southern district of Mississippi.

JACKSON, MISSISSIPPI, February 7, 1846.

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the district of middle Tennessee.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
1,313	1,091	1	221	35,248	\$7,014,840	\$313,678	4½ per cent.	\$40,403

Respectfully submitted,

JACOB M. GAVVET,  
Clerk of the district court of the United States for middle Tennessee district.

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the district of Kentucky.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
2,373	1,387	14	972	81,139	\$16,241,171 48	\$5,499,171 75	4-5 of 1 per cent.	

Attest:

JNO. H. HANNA,  
Clerk United States Court, District of Kentucky.

FEBRUARY 20, 1846.

NOTE.—I have not any data by which the aggregate amount of costs can now be ascertained, but presume they will amount to about \$50,000; to be paid out of assets, and by applicants whose assets are insufficient, and also by those who obtain discharges—a portion being taxed against the bankrupt.

JNO. H. HANNA.



*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the district of Illinois.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
1,592	1,319	*1	264	48,728	\$14,498,396 23	\$3,569,524 89	1-13 of 1 per ct.	\$29,481 25

\* And 8 cases withdrawn.

N. B.—A majority of applicants who availed themselves of the bankrupt act in this district were insolvent before they came to the State of Illinois.

Sir: Above is a statement called for by your letter of the 13th December last.

Very respectfully, your obedient servant,

WM. HOPE,

*Clerk District Court U. S., District of Illinois.*

To the Hon. JAMES BUCHANAN,  
*Secretary of State of the United States.*

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the State of Arkansas.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
178	104	10	64	3,847	\$1,811,674 50	\$188,966 87	\$3,484 27, or about 1-5th of 1 per cent.	\$3,506 22

Attest:

WM. FIELD, *Clerk.*

NOTE.—In a good many cases where decrees have been rendered and the bankrupt discharged, the assignee has not made report of the final close of his business; but I apprehend, from what has been made in other cases, that little or nothing will be made in the remaining cases.

Respectfully,

WM. FIELD, *Clerk.*

No. 20.

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the district of Michigan.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
671	645	1	12	22, 408	\$16, 731, 685	\$159, 674 79	* \$4, 489 58	\$41, 810 54

\* Amount distributed to creditors.

Stated by

JOHN WINDER, *Clerk.*

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States;" and the proceedings had thereon, in the district court of the United States for the district of East Florida.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property given in by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
27	* 23	1	None.	727	\$324, 523 82	† \$247, 117 33	Will probably be about 1 per ct. †	\$500 00

\* 2 withdrawn and 1 abandoned. † A large portion of this amount consists of mortgaged property. ‡ The accounts of the estates are not all closed.

I, Geo. R. Fairbanks, clerk of the district of East Florida, do hereby certify that the foregoing exhibits a true statement of the several things therein set forth.

[L. s.] Witness my hand and the seal of said court, this 26th day of January, A. D. 1846, at St. Augustine, East Florida.

GEO. R. FAIRBANKS.

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the Western district of Florida..*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
16	14	1	1	249	\$114,404 39	\$14,897 00	\$7 66 $\frac{2}{3}$	\$480 00

C. N. JORDAN, *Clerk.*

PENSACOLA, March 6, 1846,



No. 23.

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district court of the United States for the Southern district of Florida.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
H. B. Goodyear	1	-	-	6	\$4, 750 00	\$3, 400, a credit	-	No charges made.
E. P. Hunt -	1	-	-	Mentioned 37 Others, sundry.	Amount stated to be between 9, 372 45 and 11, 872 45	-	-	Paid cl'k by Hunt, only \$5.
S. Sanderson -	1	-	-	1	1, 015 39	\$1, 825, a credit	-	No charges made.

KEY WEST, SOUTHERN DISTRICT OF THE TERRITORY OF FLORIDA,  
February 7, 1846.

Certified to be correct by

L. WINDSOR SMITH,  
*Clerk of the Superior Court for the said district.*

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the supreme court of the United States for the Territory of Wisconsin.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
315	276	39	-	7,644	\$2,552,444	\$2,613 65	\$1,256 72	\$5,241 08

TERRITORY OF WISCONSIN, }  
 Supreme Court, } ss:

I do hereby certify that the foregoing is a true statement, so far as the same can be ascertained from the papers on file in my office.

[L. s.] In testimony whereof, I have hereunto set my hand and affixed the seal of said court, at Madison, this 4th day of March, A. D. 1846.

LAFAYETTE KELLOGG,  
 Clerk Supreme Court, Wisconsin Territory.

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the district and supreme courts of the United States for the Territory of Iowa.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggr'gate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
223	192	31	-	5, 130	\$844, 552 88	\$159, 017 53	\$2, 277 87	\$4, 601 16

UNITED STATES OF AMERICA, *Territory of Iowa*, ss:

I, George S. Hampton, clerk of the supreme court for Iowa Territory; do hereby certify that the foregoing is a full, true, and complete statement of the causes in bankruptcy had in this court, and in the district courts of the several counties in this Territory, so far as they have been reported to me by the clerks of the said district courts.

In testimony whereof, I have hereunto set my hand, and affixed the seal of the said supreme court hereunto. Done at Iowa City, this 7th day  
[L. s.] of July, A. D. 1846.

GEO. S. HAMPTON,  
*Clerk of the Supreme Court of Iowa Territory.*

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the circuit court of the United States for the county of Washington, in the District of Columbia.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
248	184	2	62	5,325	\$1,940,412 81			

Test:

WM. BRENT, *Clerk.*

N. B.—There is nothing in my office to enable me to fill up the last three columns.—W. B.

*Statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the circuit court of the United States for the county of Alexandria, District of Columbia.*

Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered.	Aggregate costs of the judicial proceedings had under the law.
33	25	None*	5	826	\$191,164 20	\$1,356 74	9 1-13 per cent.	\$303 19

\* 3 withdrawn.

A large portion of the amount of debts given in by the applicants was secured by deeds of trust on real and personal estate, and has been paid by sale of the trust property.

The debts proved and filed with the assignee amount to \$13,880 39; amount of property surrendered, \$1,356 74. Making a dividend of 9 1-13 per cent.

Test:

CASSIUS F. LEE, *Clerk.*

DECEMBER 23, 1845.

Summary statement exhibiting the number and amount of applications for relief under the act of Congress of August 19, 1841, entitled "An act to establish a uniform system of bankruptcy throughout the United States," and the proceedings had thereon, in the several district courts of the United States, the courts of the United States for the Territories of Florida, Iowa, and Wisconsin, and the circuit courts of the United States for Washington and Alexandria counties, D. C., as far as the same have been received at the Department of State from the clerks of the said courts.

	Number of applicants for relief under the act.	Number who were discharged from the payment of their debts under the act.	Number to whom such discharge was refused by the court.	Number of applications still pending.	Aggregate number of creditors given in by the applicants.	Aggregate amount of debts given in by the applicants.	Aggregate amount of property surrendered by the applicants.	Aggregate per centum paid on the aggregate debts out of the aggregate property surrendered—in cents and fractions in the dollar.	Aggregate costs of the judicial proceedings had under the law.
Maine - - - - -	3,478	2,456	27	630	83,227	\$16,539,300 01	\$5,440,511 90	0.46	
New Hampshire - - - - -	1,792	1,641	49	102	49,761	3,752,623 19	1,973,334 42	0.84	\$37,325 00
Massachusetts - - - - -	3,250	3,114	62	-	95,154	24,752,932 81	15,468,546 69	4	98,330 52
Connecticut - - - - -	1,537	1,413	7	55	33,814	10,469,273 00	-	0.71	6,148 00
Northern district of New York - - - - -	5,598	4,756	39	803	171,103	51,556,405 25	1,167,487 94	13.66	34,466 00
Southern district of New York - - - - -	2,550	2,121	389	429	109,485	120,580,415 00	140,417 82	1	110,000 00
New Jersey - - - - -	810	769	25	16	33,673	17,811,303 47	19,186 79	0.97	11,413 27
Eastern district of Pennsylvania - - - - -	1,799	1,438	16	314	65,678	31,965,723 68	99,253 20	-	11,295 20
Maryland - - - - -	490	346	17	108	12,962	5,745,451 49	1,903,250 69	1	1,281 50
Eastern district of Virginia - - - - -	1,189	913	15	261	23,468	8,713,116 10	20,783 00	-	29,005 73
Western district of Virginia - - - - -	1,566	1,504	4	12	78,101	3,957,032 66½	23,985 49	0.6	43,197 68
South Carolina - - - - -	277	206	4	66	8,113	5,598,821 00	817,907 00	2.18	14,234 00
Northern district of Alabama - - - - -	821	780	4	37	26,335	6,048,162 00	26,732 00	0.25	31,828 95
Southern district of Alabama - - - - -	718	680	7	31	24,642	25,022,243 64	100,000 00	-	23,882 25
Southern district of Mississippi - - - - -	872	861	-	3	22,772	46,156,542 40	6,332,666 64	0.006	23,588 10
Middle district of Tennessee - - - - -	1,313	1,121	1	221	35,248	7,014,840 00	315,678 00	4.5	40,403 00
Kentucky - - - - -	2,373	1,387	14	972	81,139	16,241,171 48	5,499,171 75	0.8	
Illinois - - - - -	1,592	1,319	1	264	48,728	14,498,396 23	3,569,524 89	0.07	29,481 25



Arkansas	-	-	-	-	178	104	10	64	3,847	1,811,674 50	188,966 87	0.19	3,506 22
Michigan	-	-	-	-	671	645	1	12	22,408	16,731,685 00	159,674 79	0.027	41,810 54
East Florida	-	-	-	-	27	23	1	-	727	324,523 82	247,117 33	1	500 00
West Florida	-	-	-	-	16	14	1	1	249	114,404 39	14,897 00	7.66	480 00
Southern district of Florida	-	-	-	-	3	3	-	-	44	-	5,225 00		
Wisconsin	-	-	-	-	315	276	39	-	7,644	2,552,444 00	2,613 65	0.05	5,241 08
Iowa	-	-	-	-	223	192	31	-	5,130	844,552 88	159,017 53	0.27	4,601 16
Washington county, D. C.	-	-	-	-	248	184	2	62	5,325	1,940,412 81			
Alexandria county, D. C.	-	-	-	-	33	25	-	5	826	191,164 20	1,356 74	9.07	303 19
Total from 27 States and Territories					33,739	28,291	766	4,468	1,049,603	440,934,615 01	43,697,307 13	-	602,322 64

N. B.—The numbers in the 8th column, “aggregate per centum paid on the aggregate debts given in,” have been given conformably with the contents of the same column in the respective statements severally, although these are in some instances obviously inaccurate. For instance, the return from Alexandria county, D. C., gives the “aggregate amount of debts” \$191,164, and the “aggregate amount of property surrendered” \$1,356. The latter sum is obviously less than one per cent. of the former, and yet in the 8th column the “aggregate per centum paid” is stated to be a fraction over nine per cent. In one instance (the return from the eastern district of Virginia) the meaning of the statement made under this head is not understood.

DEPARTMENT OF STATE,  
Washington, August 5, 1846.

## SERIES OF EXTRACTS—A.

*Extract of a letter from B. T. Moore, clerk of the district court of the United States for the Northern district of Alabama, dated Huntsville, Ala., January 22, 1846.*

"The aggregate amount of debts given in by the bankrupts is exclusive of interest; but as the greater part of the debts seems to have been contracted in 1837, 1838, and 1839, I presume the interest would amount to about thirty-three and one-third per cent.

"In many instances two or more bankrupts are liable for the same debts, as principals and securities, &c., and on this account some debts are often repeated. I suppose that debts of this description would amount to one million of dollars; but this amount is not deducted.

"The amount of assets divided was \$15,448: this amount would pay, upon an indebtedness of \$6,048,162,  $\frac{25541}{1000000}$  of a cent, or about a quarter of a cent on the dollar.

"The assets surrendered consisted almost entirely of insolvent notes, accounts, and judgments, which, under an order of the court, are sold at public outcry.

"The \$26,732, aggregate amount of property surrendered by the applicants, is the amount realized from the sale of the bankrupts' effects, a portion of which was applied to the payment of costs, &c. One of the tabular forms will be directed via Nashville, &c., and the other via Georgia."

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*Extract of a letter from Thomas Spicer, clerk of the district court of the United States for the district of Maryland, dated Baltimore, January 24, 1846.*

"I do not know in what condition petitions in bankruptcy were presented to the courts in other districts; but in this, very few of the lists of debts due by and owing to the bankrupts were added up, which made it necessary for me to do it, in order that the exact amount of each might be ascertained.

"You will perceive that the amount of 'property' surrendered by the applicants is very considerable, the same being the amount of debts due to bankrupts, set down in figures; in addition to which, a very large amount in property, consisting of real and personal estate to which no value is annexed, was also returned, and from which almost the entire amount paid to creditors has been realized—the debts returned as being due to the bankrupts, in almost every instance, being either insolvent or assigned to cover liens existing prior to the passage of the bankrupt act."

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*Extract of a letter from Lafayette Kellogg, clerk of the supreme court of the United States for the Territory of Wisconsin, dated Madison, Wisconsin Territory, March 4, 1846.*

"I have the honor to transmit the statement required by your circular. I should have sent it sooner, but it was difficult to make out by any per-

son other than myself, and ill-health has prevented me from paying as close attention to it as I should otherwise have done; and it must be now somewhat imperfect, from the fact that but few of the estates have as yet been settled, and it is impossible to know how much available property they have."

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*Extract of a letter from Aurelian Conkling, deputy clerk of the district court of the United States, Northern district of New York, dated Auburn, New York, March 14, 1846.*

"Immediately upon the receipt of your communication of the 6th of January, in reply to the letter which I had the honor to address to you on the 30th of December last, relative to the proceedings in this district under the late bankrupt act, I undertook the service which I was called upon to perform; and having now completed it, I transmit to you, herewith, the required statement. In reference to some of the items of the statement, I deem it proper to submit a few explanatory remarks.

"1st. Under the head of 'number of applications still pending,' I have included all which have not been brought to a final adjudication. But a few of these cases have been known to have been long since discontinued. In many others the applicants are dead. In a few others the proceedings on the petitions for discharge are still going on; but, under an order of the court made some time since, prescribing a limited time for bringing them to a final hearing, must soon be terminated.

"2d. Under the head of 'aggregate amount of debts given in by the applicants,' are included all the debts specified by the petitioners, collectively, in the schedules of debts. But if the object of the resolution (of which I have a copy) is to ascertain the aggregate amount of actual indebtedness for which discharges have been asked, allowance must be made for the repetition of the same debt, of which there are doubtless many instances, by different applicants, each of whom was responsible for it jointly with others. Many of the debts, also, were secured wholly or in part by liens. In such cases the creditor was, of course, wholly or in part paid. This remark is applicable to a considerable proportion of the debts of large amount.

"3d. By the 'aggregate amount of property surrendered by the applicants,' I understand to have been intended the amount inventoried. In a majority of the cases, the ordinary legal remedies for the collections of debts having been exhausted against the applicants previous to their application, the amount inventoried fell short of the maximum which the applicant was allowed by the act to retain, and the whole was accordingly set apart for his use by the assignee. This will account for the apparent disproportion between the amount of the property inventoried, and the per centage which it yielded in the form of dividends. It is proper to add, also, that in estimating the value of real estate encumbered by mortgage, it was usual for the applicants to deduct the amount of the mortgage, and put down only the amount, if any, which the property might be expected to yield for distribution among the general creditors.

"4th. The only remaining subject which appears to me to require explanation is that of 'costs of the judicial proceedings.' I have felt much

at a loss to determine the precise object and scope of the inquiry. I can hardly suppose its design to have been to ascertain the aggregate of expenses which have been created by proceedings under the act, including the charges to which the applicants have been subjected for attorney's, printer's, and clerk's fees, &c., &c. If so, it is not in my power to furnish the information. It has, however, appeared to me possible that the object might be to ascertain how much the execution of the bankrupt act has cost the United States. The charges to which the government has been subjected in this district consist of rents, fuel, stationery, attendance, and jurors' fees, which have been paid by the marshal, the amount of which I have no ready means of ascertaining. But whatever it may be, I imagine it is covered by the surplus clerk's fees, which have been accounted for in settlements with the Treasury Department. But the construction of the resolution in this respect which has appeared to me, upon the whole, the most reasonable, is to consider it as referring to those charges which have fallen upon the proceeds of the property surrendered by bankrupts, and which, therefore, to the extent of their aggregate sums, have diminished the amount for distribution. These charges consist of the compensation allowed to assignees, and of the expenses of making dividends of the net proceeds paid into court, being the per centage allowed to the commissioners, by whom this part of the business was done, and the printer's fees paid by him for advertising. By this construction I have accordingly been governed in my answer to this inquiry. In conclusion, I beg leave to call your attention to the enclosed statement marked A."

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*Extract of a letter from John Mussey, clerk of the district court of the United States for the district of Maine, dated Portland, March 16, 1846.*

"The schedules accompanying the petitions of the several bankrupts were committed, on the 27th of the same month with the receipt of the circular, to a competent accountant for examination and report, and he has been since that day most diligently occupied with that portion of the work. Owing to the fact that the amounts of indebtedment and of property surrendered, as well as the number of creditors, were not carried out in most cases, nor the aggregates stated upon the schedules themselves, the labor has been great in so arranging them, in these particulars, as to present the aggregates required. His report is herewith annexed.

"The whole number of voluntary applications under the bankrupt law in this district was 3,478, of which 2,456 have received certificates of discharge; 23 have, on cause shown, had leave of court to withdraw their applications, and 4 have been refused a certificate of discharge; 995 have not yet been finally acted upon, of which, however, 365 have neglected, after decree of bankruptcy passed, to present their petitions for discharge within the time assigned by the court for that purpose, leaving the actual number now pending on the docket 630.

"With regard to the column for 'the aggregate per centum on the aggregate debts, &c.' I would observe that, at the present time, the same cannot be determined, as the number of estates in progress of settlement is 1,698, and the number finally adjusted is 1,778. Of the estates settled

the schedules show the number of creditors to be 44,319; the amount of indebtedment \$9,195,976 07, and that of assets \$2,968,387 78.

"The amount of debts actually proved and allowed in the cases in which the distribution of the assets has been ordered by the court is \$947,159 86, and that of the assets ordered for distribution is \$62,522 42.

"The annexed sheets, marked A and B, exhibit the amount of moneys deposited in all estates in bankruptcy where deposits have been made by the assignee, distinguishing those distributed from those now remaining subject to the order of court; the total amounting at this time to \$76,340 41. Of the number of bankrupts who have been discharged, or whose petitions for discharge are now pending, there are 1,283 against whom not a single creditor has proved his debt.

"In respect to the column for the 'aggregate costs, &c., under the law,' I would respectfully observe that the business in this district having been done by commissioners appointed throughout the State, by the court, the expenses attending the same do not appear upon the papers filed in this office. The assignees who administered (so far as completed) have had their accounts of administration adjusted through an auditor appointed by the court, and their whole disbursements, as well for their own services as those of other persons, are so blended as not to admit of discrimination without a re-examination and re-statement of each account, to ascertain the charges which would properly come under this head.

"The services of process by the marshal and his deputies, and the expenses of publication in the papers designated by the court under the law for that object, having been paid by the applicants, could not, with any accuracy, be ascertained from the papers in this office, without resorting to the same mode of examination as required for assignee's charges, and the result which could thus be obtained would only apply to about one half of the whole number of bankrupts. I have not caused such examination to be had.

"The following statement will, however, exhibit the charges incurred under the law in every case, where a decree of discharge has been passed by the court and a certificate of discharge been issued to the bankrupt.

1st. Under the *original* petition with schedules, viz:

To the <i>commissioner</i> for administering oaths, examining and approving bonds of assignee and debtor	\$3 00
<i>Clerk</i> , for entries in docket and register; orders for publication; decree of bankruptcy; appointment of assignee; certified copies of same; minuting proceedings in docket and register, and filing, numbering, and marking all original papers filed	4 35
<i>Printers</i> , for publishing notice of day for hearing	50
	<hr/>
	7 85

2d. Under petition for discharge after decree of bankruptcy was passed, viz:

To the <i>commissioner</i> for examining and reporting upon the case	\$1 00
<i>Clerk</i> , for entries in docket and register; orders for publication; decree of discharge; issuing certificate of discharge; minuting proceedings, and filing and certifying the papers	2 50



Printers, for publishing notice, for 70 days, of day of hearing - \$1 50  
 Marshal, for certificates of payment of costs and notice and pro-  
 clamation for discharge - - - - - 70

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 5 70

Total - - - - - \$13 55

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*Extract of a letter from William Burns, clerk of the district court of the United States, southern district of Mississippi, dated Jackson, February 7, 1846.*

"Although the result is presented in a few figures, it was obtained by much labor. Neither the law nor the rules of our court required that applicants for the benefit of the act should adopt any particular form in their schedules or inventories; consequently, only in a few instances did the bankrupt present the sum total of his indebtedness or of his property. In a large portion the schedules are not in a tabular form, but the amounts stated in words; and in many the items are mingled with long explanations of the transactions upon which they are founded. Thus the labor necessary to procure the desired information has been much greater than may be apparent."

*Extract of a letter from William Brent, clerk of the circuit court of the United States for the county of Washington, District of Columbia, dated Washington, July 1, 1846.*

"I have received your letter of the 27th June, reminding me of your circular of the 13th December, 1845, in relation to bankrupt cases within the county of Washington. I have not been unmindful of the request contained in your circular, but have been delayed in preparing the statement required in consequence of the general assignee in bankrupt cases having omitted to furnish an account of the sums distributed out of the assets of the bankrupts in his hands, as nothing in my office will enable me to ascertain what they were. I am now preparing such a statement as my office will enable me to furnish."

*Extract of a letter from John Fitts, clerk of the district court of the United States for the Southern district of Alabama, dated Mobile, July 10, 1846.*

"In answer to the circular letter of June 30, requesting to be informed when the department might expect to receive the statement called for, allow me to say that it would have been furnished long since but for the fact that the assignee in bankruptcy here failed in business for a large amount, and left here, and has no agent here; in consequence of which,



I have been unable to obtain some of the information called for. As I have now despaired of getting it, I will in a few days (say one week) send you the tabular form, filled up as far as the information is to be obtained from this office."

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*Extract of a letter from James S. Talbot, clerk of the district court of the United States for the district of West Tennessee, dated Jackson, Tenn., July 15, 1846.*

"I am in receipt of the circular from the State Department, of date 17th ultimo, inquiring when a report from the office of the district court relative to proceedings in bankruptcy may be expected. I have to reply that I was engaged in preparing the materials for such report about the 1st of March last, when I was attacked by illness, and confined to my bed for many weeks. I could not employ a person to continue the matter, for the reason that the business of my office is much too small to justify the employment of a clerk.

"I am at this time engaged in preparing the necessary information, and think that the report will be in readiness within 10 (ten) days."

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*Extract of a letter from N. R. Jennings, clerk of the district court of the United States for the district of Louisiana, dated Clerk's office United States district court, New Orleans, July 17, 1846.*

"Your letter enclosing the tabular forms came to hand in the month of January last; and after carefully examining the forms and estimating the amount of labor required, 'consistent with a thorough execution of the task,' I requested James R. Jennings, the former deputy clerk of this court, (then being in the city of Washington upon business connected with this office,) to call upon you, and state that as the task would be a very laborious and difficult one, it would be impossible for me to secure the services of a good accountant, capable of discharging such duties, except at a high salary, and that to be paid him from time to time as the work progressed.

"As the amount of business in this office is now small, I employ but one deputy clerk, whose time during the session of the court is constantly occupied. I therefore requested Mr. Jennings, who, being familiar with the proceedings in bankruptcy, could explain them very fully, to state that unless the department absolutely required it sooner, the task could be much more conveniently performed in the summer, when the court always adjourns. Having received no further notice upon the subject, I inferred that the arrangement was satisfactory. Since the receipt of your letter, and as the court has now adjourned for the summer, I will proceed at once to the task; but I fear that it will be impossible for me to have it ready by the adjournment of Congress.

"The three last divisions in the tabular form will require great exactness and skill in accounts, especially 'the aggregate per centum paid in the aggregate debts out of the aggregate property surrendered.' In many in-

stances the assignees in bankruptcy have made but partial reports, and the commissioners have made no distribution; and although the number of applicants in this State was small, the amount of property surrendered was large; and final accounts in many cases have not been made either by the assignee, or reports by the commissioners; hence the difficulty of responding correctly to that division of the form. In the last it will be in many cases almost impossible to find out the aggregate costs of the judicial proceedings, where the assignees have instituted suits, as they generally do, in the State courts of this and other States, and where no final reports have been made. The first six divisions can be answered without difficulty, after a thorough examination of all the documents in bankruptcy on file."

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*Extract of a letter from William Brent, clerk of the circuit court of the United States for the county of Washington, D. C., dated July 20, 1846.*

"The columns left blank in my statement embrace information which is not in my power to furnish. I have called on the general assignee, D. A. Hall, esq., to supply the statements called for, hoping that he possessed the means necessary for that purpose, but he informs me it is not in his power to do it."

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*Extract of a letter from Edward N. Dickerson, clerk of the district court of the United States for New Jersey district, dated July 21, 1846.*

"In order to arrive at the result required, I have had to obtain information not to be found on file in the papers of the court; and have had a most difficult duty to perform in extracting the results contained in the papers themselves, because of their great confusion and want of system. Accuracy, however, has been arrived at and obtained.

"Under the head of 'aggregate amount surrendered,' I give the amount which was realized by the numerous assignees in this State, in cash, from the sales, &c., of bankrupts' property; and under the head of 'aggregate per centum,' I give the amount which creditors actually received of the property surrendered, after deducting assignees' costs and clerk's charges, &c.

"Under the head of 'costs of judicial proceedings,' I give the costs which accrued *in court* to the officers of court.

"Accompanying the report you will find my bill for the services rendered. It is charged according to the taxed bill in this district, and is similar to a bill made to any individual for the same services.

"I hope soon to hear from the same."

*Extract of a letter from John Fitts, clerk of the district court of the United States for the Southern district of Alabama, dated office of the clerk of the district court of the United States for the Southern district of Alabama.*

"SIR: Herewith I have the honor to transmit one of the tabular forms sent to me by you, filled up as requested. It is a matter of deep regret to me that I have not been able to furnish the required information at an earlier day; but, from the causes mentioned in my reply to your last communication, it has been impossible for me to do so. As I then had the honor to state, the assignee appointed by the court under the bankrupt law became utterly insolvent more than a year since, and has left the city, taking with him his books and papers. He has failed to make a report of the amount of the sales of the assets in every case. I have made the most strenuous exertions to obtain access to his books and papers, but have been wholly unsuccessful, as I have not even been able to ascertain where they are kept. From the information which I have obtained from the auctioneers of the assignee, I have ascertained that the assets sold by them amounted to about sixty thousand dollars. These assets, however, were but a portion of those surrendered. The debts due to the applicants, which were reported to be good by the assignee, were ordered to be put in a train of collection. The exact amount which has been realized from this portion of the assets it is now impossible to ascertain, from the causes already mentioned; but it would probably be about forty thousand dollars, and I have accordingly placed that amount under the head of 'aggregate amount of property surrendered,' leaving it discretionary with you to accept that estimate or to reject it. I believe it to be as correct an estimate as can now be made."

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SERIES OF EXTRACTS—B.

*Extract of a letter from Francis Hopkinson, clerk of the district court of the United States in and for the Eastern district of Pennsylvania, dated Philadelphia, December 27, 1845.*

"The schedules of debts and property in the petitions for the benefit of the bankrupt law in this district have been, I think, invariably filed without being added up.

"To make the returns called for, the amount of those schedules in each of the 1,800 cases must be ascertained here and in the office, and would require about two months, unless I employ additional clerks.

"This I will do, and furnish the information required with as little delay as possible."

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*Extract of a letter from Aurelian Conkling, clerk of the district court of the United States for the Northern district of New York, dated at Auburn, December 30, 1845.*

"There are embraced in the tabular form nine several points of inquiry, and among others one as to the aggregate amount of debts.

"In this district, the whole number of cases in bankruptcy was *five thousand five hundred and ninety-seven*. At least one-half of these cases had occurred before the petitioners were required by a rule of the court to carry out the several items of indebtedness and credits into marginal columns, and to state the aggregate sum of each. It will be readily perceived, therefore, that in regard to these cases, especially, a large amount of labor will have to be bestowed upon this item alone. Indeed, there are several items of information required which can be supplied only by a careful examination of the schedules in each case.

"According to the best estimate I am able to form, it will not be in my power to make the necessary examinations in more than forty cases in a day. At this rate, one hundred and twelve days will be required for me to complete the task. It is stated in the circular that no appropriation has been made to pay for this service. I am desirous of knowing—and I hope the inquiry will not be deemed indecorous—whether there is such a certainty of recompense as will justify me in bestowing the large amount of labor which will be necessary to execute the task; and whether, in case the period is short within which the statement must be completed, I can safely incur the expense of employing other persons to aid me."

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*Extract of a letter from Edward N. Dickerson, clerk of the district court of the United States for the New Jersey district, dated Paterson, January 8, 1846.*

"The propositions laid down in the blank accompanying the letter require much investigation and time to solve. In this district there are between seven and nine hundred bankrupt papers, and, in all those schedules, not one which will not require to be added up and collated from a mass of confusion; and so likewise in regard to the per centage and costs.

"The task is certainly a Herculean one to undertake, and quite equal to the Augean feat of the giant. If, however, the government will pay enough for it, I will do it; but I look at it with many fears, so badly have the papers been filed and kept by the officers and attorneys in the hurry of that memorable law.

"For a list of names and amounts I have heretofore refused to receive \$150 from a person who wanted them to publish, and I considered it worth \$300 to furnish that item alone of this inquiry.

"It occurs to me that it would be well to fix some amount as the compensation to clerks for each separate search of papers, so that the pay may be equally divided *pro rata*.

"If the information now asked by government for the whole number of applications were asked by an individual for one single bundle of papers, the fees, under rules, would be \$1 40, equal to one hundred and forty dollars for every hundred names."

*Extract of a letter from William Field, clerk of the district court of the United States for the Arkansas district, dated March 11, 1846.*

"I have had a tedious job in making examinations, additions, calculations, &c. I shall make out my account for the service and have it certified and allowed by the court, and you will be pleased to suggest how and by whom I am to be paid."

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*Extract of a letter from John Mussey, clerk of the district court of the United States for Maine district, dated Portland, March 16, 1846.*

"The time necessarily consumed in obtaining the results has been greater than I could have wished, but I am satisfied it could not have been lessened consistent with the 'careful and thorough execution of the task' required by the circular."

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*Extract of a letter from Jno. H. Hanna, clerk of the district court of the United States, district of Kentucky, dated Frankfort, February 20, 1846.*

"Under an apprehension that from the time which has elapsed between the receipt of your letter and the completion of the business, you might suppose it was unnecessarily delayed, I have thought it proper to observe that a clerk (with my occasional aid) has been constantly employed during the time, upon this business. Every case—and some of them very voluminous—had to be specially examined, and in hundreds of them the lists of assets and creditors were not added up, which greatly increased the labor."

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*Extract of a letter from William Field, clerk of the district court of the United States for the district of Arkansas, dated Little Rock, May 16, 1846.*

"I have had certified by the district judge my account for furnishing you the abstract in bankrupt cases from this court, under a resolution of Congress, which amounts to \$416 52. I will thank you to inform me, at your earliest convenience, when and how I am to be paid."

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*Extract of a letter from Fra. Hopkinson, clerk of the district court of the United States in and for the Eastern district of Pennsylvania, dated Philadelphia, April 27, 1846.*

"In sending my return on bankruptcy, called for by your circular of 13th December last, I omitted to mark upon it the amount of expense incurred in making up that report. I therefore now enclose to you my ac-



count, remarking that four persons were assiduously employed upon it for more than one month."

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*Extract of a letter from John Winder, clerk of the district court of the United States for the district of Michigan, dated Detroit, May 25, 1846.*

"I have the honor to enclose an abstract or statement of applicants under the bankrupt law of 1841, made in obedience to your circular dated December 13, 1845.

"My account for services in preparing this statement is also enclosed. You will render an essential service to the worthy clerks of the different districts of the United States by having the means provided for their payment at as early a day as is practicable."

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*Extract of a letter from H. Y. Gray, clerk of the district court of the United States for the district of South Carolina, dated Charleston, S. C., April 8, 1846.*

"It is mentioned in the instructions from your department to me that no appropriation has been made for recompense to clerks for this work, but that there probably will be an appropriation at some future day by Congress. If you, sir, can expedite me in this consummation, I will be much indebted to you.

"The general result on the face of the statement gives no idea of the labor of arriving at it. I have been personally occupied with it more than two whole months, and also had a clerk to aid me for one month. Probably the per diem fee of the clerk for his attendance upon court (which is \$5) might furnish a fair standard of compensation.

"Please, sir, to excuse my requests, if they are impertinently addressed to your department."

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*Extract of a letter from George S. Hampton, clerk of the supreme court, Iowa Territory, dated Iowa city, July 7, 1846.*

"As the district courts in this Territory, as well as the supreme court, claimed and exercised jurisdiction in bankrupt cases, to give you the desired information I immediately addressed a circular (a copy of which I herewith enclose, marked A) to the several clerks of district courts in the several counties of this Territory, and also copied for each county a tabular form from the one sent to me, and sent to them. The information I requested of them has come in but slowly, and from six counties I have received no return. The information which you will find in the tabular statement is the best, and all that I at this time am able to furnish."

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*Extract of a letter from S. E. Sprague, clerk of the district court of the United States for the district of Massachusetts, dated Boston, July 7, 1846.*

"There have been employed in this duty two clerks the greater part of the time, and sometimes three, and at others four, since the receipt of the above circular, and it has been completed at the earliest possible day consistent with a careful examination and a satisfactory report upon the matters inquired of.

"The sum of one thousand dollars is not deemed more than a just compensation for this service.

"I would respectfully suggest that payment might be made out of the surplus fees which have been paid into the treasury by my predecessor, and which accrued from the bankrupt business of this district, and which, I believe, amounted to about nine thousand dollars."

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"I certify that from the nature of the questions, and the examinations necessary to be made in order to answer them, and from information given me by the clerk and those employed by him, I am satisfied that the labor of making the report referred to in the foregoing communication has been as great as therein stated; and in my opinion the sum of one thousand dollars would not be more than a reasonable compensation for the service rendered."

PELEG SPRAGUE,  
*Judge of the U. S. for Mass. district."*

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*Extract of a letter from William Pope, clerk of the district court of the district of Illinois, to the Hon. Robert Smith, M. C., dated Springfield, June 14, 1846.*

"The statement will not exhibit the amount of labor required in its preparation, as only the aggregate amounts are given; but the fact is, it occupied myself and one other person nearly three months in its preparation, and it was by far the most troublesome job I ever undertook. The bankrupts, in making out their schedules, seldom ever added up the total amount of their debts, or the value of their property; and in about one-third of the cases, instead of using figures to express the amounts, they wrote them out at full length, which made it necessary to transcribe them in figures in order to sum up the total amounts; and in 1,592 cases you can well imagine this was no slight undertaking. In my account I have charged for 65 days' work for two persons, at \$4 per day each.

"If Mr. Buchanan thinks this charge too high, please ascertain what he considers a reasonable charge, and inform me; and inform me also what else I have to do before the account is paid. It is important to me to get the money speedily, for the reason I have before stated. The charge I do not consider unreasonable, considering the vexatious nature of the business."

*Extract of a letter from William Pope, clerk of the district court of the United States for Illinois district, dated Clerk's office district court United States, Illinois.*

"The work has occupied two persons sixty-five days. I have made out a bill against the government, and charged \$4 per day for each person, making \$520 for the job, which I consider a reasonable charge. I desire no more than an adequate compensation for the labor performed. The bill accompanies this letter."

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*Extract of a letter from John L. Hayes, clerk of the United States court for the district of New Hampshire.*

"As it was known that the preparation of this statement would be very laborious, it was deferred, from a reluctance to incur the expense of employing a clerk specially to complete it.

"The number of creditors, the aggregate of debts, and the aggregate amount of property, were only to be found out by an examination of the papers in each case in bankruptcy. As the schedules containing the amount of debts and property surrendered were not footed, much labor was required to examine fully all the files in the office, and add up all the columns. It was necessary for me to employ a clerk who had formerly been employed in my office, and was thoroughly acquainted with the papers, specially for this business."