EASTERN-SHORE WHIG AND PEOPLE'S ADVOCATE.

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POETRY.

From the Christian Keepsake for 1838.

THE MOURNER'S COMFORT.

BY ARCHDEACON SPENCER.

"Blessed are they that mourn, for they shall be comforted"—MATT. IV, 5.

Sweet, falls the shower on Sharon's leaves,
Sweet, sighs the gale o'er India's billow,
Sweet, floats the forms which fancy weaves
Around her poet's dreaming pillow,
Sweet, is the virgin-treasured kiss,
When lips with lips unchanging meet,
Sweet, the first throb of bridal bliss,
The untold hope of passion sweet.

Sweet to the exile's widow'd ear
The notes of home remember'd long;
And sweet to speak, and sweet to hear,
The music of his native tongue—
Sweet, from the gheber's perfumed urn,
Their sunward way his offerings find,
Sweeter the prodigal's return,
Sweetest the Christian's will resigned.

Bright is the wild wave's sparkling foam,
Bright blooms the fruit in Seville's grove,
Bright glows the cheerful hearth of home,
Brighter the eye of answered love,
Bright the Peruvian's golden chain,
Bright in Brazilian mines the gem,
Brighter Herodias's gorgeous train,
Brightest the Baptist's diadem.

Lovely the form of absent friend,
Lovely the maiden's spell-traught name,
Lovely the pled e the distant send,
Lovely the go d man's humble fame,
Lovely the unconquer'd patriot's bier,
Lovely the ground by martyr trod,
Lovelier the Christ's millennial year,
Loveliest the eternal sight of God.

Mighty Brittania's guarded coast,
Mighty the Gaul's imperial lord,
Mighty the proud Assyrian host,
Mightier the slaying angel's sword;
Mighty the monarch prophet' song,
Mighty the unrespecting grave,
Mightier the soul that knows no wrong,
Almightiest He that died to save.

Dear are the mother's accents mild,
Dear the responsive infant's smile,
Dear is the father's only child,
And dear the promise void of guile;
Dearest the sacrifice of prayer,
From hearts subdued and spirits broken!

Weep then—thy Saviour bids thee weep!
As all have wept—ot woman born,
While seraphs in their glory keep,
A blessed watch o'er them that mourn.

NEWFOUNDLAND, 1819.

CHANGELESS LOVE.

BY Z. BARTON STOUT.

What though of lengthening years they tell,
Of youth's first flash of brightness past!
Age hath no power to bread the spell
Which love around my soul has cast.

The witching smile, the eye's soft light,
Alone had never won my heart;
But innate worth, which pure and bright
Grows lovelier still as years depart.

Then time! speed on—from year to year—
No trace thou leaves behind can move;
On virtues, thou canst not impair,
My soul has fixed her changeless love.

Why do night and day resemble two banks stopping payment from the same cause?—Because, the one breaks when the other fails.

The French Chamber of Deputies contains 178 functionaries of various kinds—Among the members are seven ex ministers, 52 advocates, 12 of whom have been magistrates, 1 ex peer of France, 41 ex functionaries, 21 military men, 15 bankers, 57 merchants, 15 iron masters, 4 litterary men, 5 agriculturists, 4 landed proprietors, 3 notaries, 2 physicians and 1 soldier. 18 deputies are members of the Institute.

'I never shot a bird in my life,' said one to another. 'I never shot at any thing in the shape of a bird except a squirrel, and that I killed with a stone—when it fell from a tree into the river, and was drowned,' was the reply. [New Orleans Commercial Herald.

The above is a tougher, but we tell a better and a truer one, perpetrated in this city by a Yankee. 'That ar' dog (pointing to a large white one) aint got a bit of black about him, except his ears, and they're brown,'—Phil. Ledger.

AGE OF EARLY RISERS.

The following is a catalogue of above 20 early risers Their age has been mentioned when it was known. The average age, so far as ascertained, is about 70

Franklin was an early riser. He died at the age of 84 years.

President Chauncey, of Harvard college, made it his constant practice to rise at four o'clock He died at 81.

Fuseli, the painter, rose with or before the sun. He died at 81.

Wesley rose at three or four o'clock, and slept but six hours. He died at 88.

Buffon, the celebrated naturalist, says he was indebted to the habit of early rising for all his knowledge and the composition of all his works. He studied fourteen hours a day. Died at 81.

Frederick the Great rose at three or four o'clock.

Samuel Bard, M. D. of Hyde Park, rose at daylight in summer, and an hour before in winter (say about five) through life. Died at 79.

Dr. Priestly was an early riser. He died at 71.

Parkhurst rose at five in the summer and six in the winter. Died at 74.

Bishop Jewel rose at four o'clock.

Bishop Burnet commenced rising at four while at college, and continued the practice through a long life. Died at 72.

Sir Matthew Hale rose at four or five.—Died at 67,

Dr. Adam rose at five, and for a part of the year at four. He died at 68.

Paley, though naturally indolent, began early to rise at five, and continued the practice through life. Died at 63.

Bishop Horne was an early riser. Died at 62.

Walter Scott was an early riser. Died at 61.

Brougham is said to rise at four. He is now about 58.

Stanislaus I. of Poland, always retired at nine and rose at three. Died at 86.

Alfred the Great, it is believed, rose at four. Died at 52.

Napoleon was a very early riser. Died at 52.

Sir Thomas More, in his Utopia, represents the Utopians as attending public lectures every morning before day break. He himself rose at four. He was beheaded at the age of 55. [*Library of Health.*

CONGRESSIONAL.

INDEPENDENT TREASURY BILL.

SPEECH OF MR. WRIGHT,
OF NEW YORK.

In Senate January 31, 1838—Upon the bill "to impose additional duties, as depositaries, upon certain public officers, to appoint Receivers General of public money, and to regulate the safe-keeping, transfer, and disbursement, of the public moneys of the United States."

Mr. WRIGHT said he regretted that it would be necessary for him to impose a more severe tax upon the time and patience of the Senate, than he had ever before been compelled to impose, since he had been honored with a seat in the body. He had hoped, therefore, that he should have been able to reach the subject at an earlier hour in the morning; but, as it was, he would endeavor to conclude with the sitting of the day.

He said he entered upon the debate with a painful consciousness of his inability to do justice to the position he held in reference to the measure upon the table. The discussion of it must involve questions of the highest importance in politics, of the most pervading interest in finance, and, as he thought, of equal magnitude in the morals of government. These questions were to be discussed, deliberated upon, and decided by the Senate; and upon him had fallen the duty of opening such a debate before that high tribunal.

Could he call to his aid talents, experience, learning, powers of argument, and perspicuity of language, such as were possessed and at the command of many of the distinguished Senators whom he knew he must meet in opposition to the bill, he should feel a gratifying confidence that he could contend successfully, and could triumphantly refute every objection.—As it was, he was consoled by the reflection that he should be followed in the debate by other Senators equally able and equally distinguished, and who would only have occasion to ask of him that he should not injure a cause which must rest its defence with them. He would most cheerfully promise them that he would not intentionally throw obstacles in their way; and he would entreat the Senate to judge of the bill from its provisions, which he considered sound and salutary, and not from the weakness they would not fail to discover in his attempt to support them.

Justice to himself required another preliminary remark. But a few months had passed since they were engaged there in the discussion of this same measure, or rather, perhaps he should say, of a measure precisely similar in its great leading features. In that discussion he had taken a part; and if he should be found upon this occasion repeating ideas, and urging arguments, which he had then advanced, the reason and his apology must be sought in the identity of the subjects, and not in a disposition on this part to trouble the Senate now with remarks to which they had once done him the honor to listen.

He said the bill was based upon two great leading principles, and that all its provisons, detailed and numerous as they were, became necessary, in the judgment of the committee, to carry those principles successfully into practice. These principles were—

FIRST. A practical and *bona fide* separation between the public treasure, the money of the people, and the business of individuals and incorporations, and especially between this money and the business of banking.

SECOND. A gradual change of the currency to be received in payment of the public dues, from that authorized to be received by the resolution of Congress of 1816, to the legal currency of the United States.

The material details of the bill, applicable to each of these objects, it would be his duty to notice; and as the task must be tedious and uninteresting to him, and much more so to the Senate, he would abridge it as much as justice to the measure would permit.

As applicable to the first object, the bill commenced with the establishment of offices and vaults, at designated points, for the safe keeping of the public money. The first section defined and established the Treasury of the United States, and placed it under the care and charge of the Treasurer of the U. States; and, singular as it had appeared to him, and as he thought it would appear to most of the constituents of every Senator, this was the first attempt, so far as his researches had enabled him to discover, to establish by law a National Treasury. Should this bill pass, and this section be retained, he was confident it would be the first act of the Congress of the United States which had given, not a name, but "a local habitation," to this most important institution. As the object of the bill is to place the funds of the Government hereafter under the control of the public Treasury, and not of private banking institutions, it seemed to the committee peculiarly proper that its first enactment should be to define and establish that Treasury.

The second section constituted the mint at Philadelphia, and the branch mint at New Orleans, also places for the deposite and safe keeping of the public money collected at those places, or transferred to them by the direction of the Secretary of the Treasury. The treasurers of the mints respectively were assigned to the charge and custody of the moneys there deposited.

The third section directed the preparation of suitable offices and vaults in the custom-houses now erecting at New York and Boston, for the deposite and safe keeping of the public money at those points, and for the use of the officers to have the custody of those moneys; and the fourth section provided for the erection of two independent offices and vaults, for the same purpose; the one to be located at Charleston, in the State of South Carolina, and the other at St. Louis, in the State of Missouri.

It would not require any remark from him to satisfy the mind of every Senator of the propriety of selecting the seat of Government as the place of location for the National Treasury, or that the points he had named upon the Atlantic coast, as well as New Orleans, were places where so important portions of the public revenue were collected, and from which so great a share of the public disbursements were now, in fact, made, or could be made with increased convenience to the Treasury, and to the public creditors, as to render them all proper places for the location of offices for the safe keeping of the public money, in case any such offices were to be provided at the public expense, owned by the Government, and kept in the charge of its officers. Another reason also existed, and which was conclusive with the committee, as to the selection of Washington, Philadelphia, New Orleans, New York and Boston. Public buildings of a fire proof character were already erected, or now being erected, at the public expense, and for the public use, at all those places, in which sufficient rooms, offices and vaults, for the purpose contemplated, could be secured without any material addition to the expense incurred, and to be incurred, upon the buildings. It was also his duty to inform the Senate that, since the bill was reported, the committee had learned that the Government now owned a custom house at Charleston, and that the information possessed at the Treasury Department authorized the belief that suitable rooms for offices could be had in that building, thus rendering it necessary to construct a vault only, instead of an independent office, as the bill contemplated, at that place. He had prepared an amendment to the bill, to make it conform to this state of facts, which he would send to the Chair before he resumed his seat.

As to the selection of St. Louis some diversity of opinion might exist; but the committee had fixed upon that place, because, from all the information they had been able to collect, they believed it to be the point from which the principal part of our heavy disbursements upon the western frontier were made They were informed that a very large proportion of the money paid, and to be paid, annually, to the Indians west of the Mississippi, and the principal part of the disbursements at the various military posts upon the western frontier, were received by the various disbursing officers at this town, and that, therefore, large accumulations of public money were rendered necessary at this point, to meet these payments. This seemed to them to require an office for safe keeping, and an officer or agent of the Government, of some kind, there; and the place was selected more, perhaps, in consequence of the heavy disbursements made from, than the amount of collections at it.—Still their information was, that the money collected at many of the western, and especially the northwestern, land offices could be more conveniently transferred to, and accumulated at, that point than at any other upon that frontier.

The fifth section of the bill, he said, provided for the appointment of four additional salary officers, and which, in the draft of the bill, the committee had, to distinguish them from the receivers of public money at the various land offices, denominated "receivers general of public money." These officers were to be appointed by the President, by and with the advice and consent of the Senate, as other officers of like importance were appointed; were to hold their offices for the same terms of four years; and were to be located, one at New York, one at Boston, one at Charleston, and one at St. Louis, to take the charge of the offices and vaults for the safe-keeping of the public money at those points respectively, and of the money placed therein.

He was well aware that this was a feature of the bill not calculated to be popular, upon a slight examination, and that it was not palatable to some of the friends of the measure generally. It was not his purpose to discuss this provision at large, in this place, as the course he had marked out for himself would require that he should again recur to it; but a few remarks upon the necessity of some provision of the sort were called for here. It was indispensably necessary to the operations of the Treasury, that it should have agencies of some description at these points. The collections and disbursements at them all made this imperative, and if it was designed to discontinue the banks as fiscal agents, some other must be substituted. This would be apparent to all, merely from recurring to the names of the places, and to their importance as commercial towns. It was true that, in the bill reported by the committee, at the extra session of Congress in September, no provision was made for this addition to the existing officers of the Treasury Department. The duties now proposed to be assigned to these new officers, were by that bill, devolved upon the respective collectors of the customs at the places named; but it was then stated to the Senate by himself, in his place, that this and many other matters of detail were purposely omitted, that the bill then reported might be made as simple as possible, and embody the great principles intended to be secured by it; knowing, as the committee did know, the strong desire and determination of both Houses of Congress to limit that session within the shortest possible period which the public business would allow. They believed that these details, including as well the provisions of the sections before noticed, as the one now under discussion, and others which follow, would be calculated to protract discussion, delay action, and thus, either extend the session, or prevent the final passage of the bill. They were then convinced that the recommendations of the President and Secretary of the Treasury, as to the appointment of these additional officers, would have to be carried out, but, in the then almost suspended state of our foreign trade, they did not believe that the operations of the Treasury would suffer for the want of them during the very short vacation which was to intervene between that and the present session of Congress; and it was then intimated that the defects in that bill could be supplied now.

The inquiries which the committee have since made, not only at the Treasury Department, but at some of the places named, have proved to their entire satisfaction that this addition of officers will be required; that the collectors of the customs at these places, or certainly at some of them, are already charged with more onerous and responsible duties than any one man, whatever may be his industry and capacity for business, can well discharge; and that, at the port of New York at least, those duties would justly bear division, were it not that, from their nature and character, they cannot be divided. The same must be nearly the truth at Boston, and cannot vary very materially from it at Charleston and St. Louis. The Secretary of the Treasury supposes that the receipts and disbursements of the money ordinarily collected and disbursed at each of these points, will occupy the full time of one competent business man; and will any one suppose that duties so onerous and so responsible can be added to those at present to be performed by the collectors of the customs? Will any one desire that such duties and responsibilities should be confided to a mere clerk in the office of the collector? He thought not. Then the provision, or some one of a similar character, was indispensable, and its rejection would endanger the safety of the public money, embarrass the operations of the Treasury, and put in jeopardy, if not defeat, the successful action of the whole system.

The sixth section of the bill was, in substance, the first section of the bill reported by the committee at the extra session; the only alterations being those required to make it conform to the provisions which were before it, and which he had already noticed. It declared what officers of the Government should be depositaries, embracing, in addition to those named in the former sections, collectors of the customs, receivers of public money at the land offices, postmasters, and some other classes, and assigned generally the duties to be performed by them in this capacity.

He would now pass to section ten, which required but a single remark. It conferred a general power upon the Secretary of the Treasury to transfer the money in the hands of any depositary to the custody and keeping of any other depositary, as occasion might require. This provision was necessary, as well to give the Department control over its own affairs, as to enable it to consult the safety of the public money, and the calls of the public service. If money accumulate, at any given point, to an amount which, from the smallness of the officer's bond, or from any other cause, the Secretary shall have reason to fear is, or may be, unsafe, he should be authorized to transfer it, or any portion of it, to a place of safety. If money accumulate at points where it is not wanted for disbursement, he should have the same authority to transfer it to a point where it is so wanted. If a depositary be located at a place remote from any bank, and any office of safe-keeping, similar authority will be required to transfer his collections for deposite. These, and many other occasions, will arise for the exercise of this power to make transfers.

The twelfth, thirteenth, and fourteenth sections, contained provisions to authorize special deposites of public money for safe-keeping, at all places where there was no office for the safe-keeping belonging to the Government. The only parts of the sections which it would be material for him to notice, were those which defined the character of the deposites. They are made strictly special, and a broad discretion is given to the Secretary of the Treasury as to the measures he will adopt to secure to them that character. In case he shall think it wise to do so, he is authorized to provide iron safes to be placed in the vaults of the banks, for the exclusive keeping of the public money, and so constructed that they may be under the joint control of the bank and the depositing officer, so that neither can gain access to the money without the consent and aid of the other. A further condition is, that nothing but gold and silver, and paper issued upon the authority of the United States, and made, by law, receivable in payment of the public dues, shall be offered for deposite by the depositaries, or received on deposite by the banks. It is further provided, that all deposites shall be carried up on the books of the bank to the credit of the officer making the deposite, and not to the credit of the Treasurer of the United States; that neither the Treasurer, nor the Secretary of the Treasury, shall draw upon the bank for disbursements or transfers; and that the money deposited shall not be withdrawn from the bank, by the officer to whose credit it stands, without an order from the Secretary of the Treasury for the payment. A commission upon the money deposited is proposed to be allowed to the banks for their trouble and risk, but as the committee had no information as to the rate of commission which it would be safe for Congress to fix as a *maximum*, and not incur the danger of so limiting this compensation as to induce the banks to refuse the deposites altogether, they have reported the bill in blank in this respect.

These provisions, it would be seen, were very close; and it had been suggested, as well by some of the friends, as by the opponents of the bill, that they were so close as to render it possible if not probable, the banking institutions would reject them on that account, upon the ground that they carried upon their face a distrust of the solvency and responsibility of the institutions, or of the integrity of their officers and managers, or both. He would detain the Senate a few moments to examine these objections and, first, if he understood the matter, and the law of the case, the idea of distrust as to the solvency and responsibility of the bank arising from these provisions, seemed to him to be a forced and unnatural inference. If such an idea could grow out of any part of them, it must be that part giving to the Secretary of the Treasury a discretion to furnish safes for the exclusive keeping of the public money, to be under the joint control of the bank and an officer of the Government. This would constitute the deposite entirely special; and as he understood the law, the bank would not be responsible for such a deposite beyond the obligation of ordinary care and vigilance in its safe-keeping. In the incidents of property, responsibility, and risk, there was scarcely a resemblance between a deposite of this character, and general open deposite. In the latter, the property is changed the moment the deposite is made. The money becomes the absolute property of the bank as much as its own capital and the Government receives its credit, or promise to pay, in its certificate of deposite, in exchange for money. No matter, then, how the money be lost, if it be lost, the indebtedness of the institution upon its certificate is not changed thereby, nor can it be discharged by any act of the debtor others than payment. In such deposites, therefore, the solvency and responsibility of the bank becomes the first subject of inquiry and examination for the depositor. Not so in cases of special deposites. There the property is not changed; the specific thing deposited remains the property of the depositer. If it be money, it would be a violation of the law, and rules of the deposite, for the bank to exchange it, for any purpose, for the same amount of money of an exactly similar character. It is the indemnity of the article, and the property in it which gives it the character of a special deposite; and if that article be converted by the bank, although instantly replaced by an exactly similar article in every respect, the identity and property are both gone, and the option of the depositor alone must determine whether his indemnity shall be the responsibility of the institution or the article tendered in exchange. Hence the different liabilities of the bank in the two cases. In the first, it purchases the money with its credit which it is unconditionally liable to pay; in the second, it derives no property from the deposites, and is a simple bailee, with or without compensation, as its contract of deposites shall determine; but, in either case only liable in case of ordinary care and vigilance in the safe-keeping of the thing entrusted to its keeping.

In the provisions for the special deposites provided for, therefore, the Government only propose to hire the security of the vaults and safes of the banks, for the keeping of its money, and the ordinary care and vigilance of its officers, in guarding it while there. Beyond these, it has nothing to do with the capital, solvency, responsibility of the institutions. How, then, can it be supposed that the provisions are intended to carry distrust upon their face against the solvency and responsibility of the banks? If the vaults be safe, and the integrity of the officers, their vigilance and care, tried and known, an insolvent bank is as safe a place for a special deposite as a solvent one, a bank unable to pay its debts, as a bank abundant in its means beyond its liabilities. Either can keep as safely and faithfully the property of another, placed in its vaults, while the creditors of neither can avail themselves of a special deposite, whatever it may be, without the assent and aid of the officers of the institution. How unnecessary, therefore, to declare distrust upon the face of a law, when almost all interest in the just grounds for that feeling is put at rest by the nature and character of the deposit to be made? And how unnatural to infer such distrust from language which does not necessarily convey it, when the character of the contract proposed to be made does not require the inference.

It was further alledged that the provisions conveyed imputation against the integrity of the officers and managers of the banks, and that, therefore, they would not contract with the Secretary of the Treasury for the deposites proposed. Was this a fair construction of the provisions of the bill? Was it an improper or ungenerous distrust of the integrity of those who had the management of these institutions, and the care and custody of the property placed in their charge, to set guards over their conduct? What did the bill propose in reference to the officers who were to be entrusted with the safe keeping of the public money? They were required not only to give bonds for the faithful performance of their trust, but a breach of that trust, in the use of the money for investments, loans, or in other manner whatsoever, was declared a crime which would subject the perpetrator to indictment and infamous punishment; to protracted personal imprisonment, and to a fine equal to the money embezzled; and consequently, to perpetual disgrace and infamy. Was this a suggestion, upon the face of these provisions, of distrust of the honesty and integrity of these officers? Was every honest and honorable citizen of the country bound to reject these officers; when tendered to them because the law under which they must act, in providing penalties for their misconduct, or guard against it, conveyed to the public a distrust of their integrity? Had any statesman ever supposed that, in naming penalties and punishments in a law for violations of official duty or official trust, he was drawing out imputations against the integrity and trustworthiness of the officers who were to hold places under it? He could not so suppose. He could not subscribe to this doctrine; and he would ask if incorporations, incorporeal existences, were to be treated more delicately, in our legislation, than that class of citizens who would be selected by the President, and approved by the Senate, for high and responsible public trusts? All must answer no, and so answering, all must concede that there was no foundation for this objection to the provisions. Incorporations could not be subjected to indictment and punishment, as there was no real person upon whom the punishment could be inflicted. This check could not be imposed upon their officers and agents, because it would be impossible to determine who was guilty in form only, and who in fact, when every act must be that of an agent who may have no discretion. If, then, physical restraints are interposed as to these institutions, to accomplish the ends which are reached by penal enactments in the case of natural persons, is the offence to delicacy of feeling, the affront to honor or integrity, greater in the former case than in the latter? He could not see that it was; and he must think that both of these objections displayed a degree of over-wrought sensibility towards the banking institutions of the country which their sagacious managers would see should not govern their conduct.

There was a single other view of this subject which he must present, and he would pass on to other provisions of the bill. It was the intention of the committee, who drew and reported the bill, to make these deposites strictly special; to prevent the banks from any use of the money deposited; and he believed the provisions to which he had referred, if faithfully executed, would accomplish that intention. If the banks should receive the money, under this understanding, and with an intention on their part to carry it out in good faith, what would be their true interest in the matter? Would it not be to have their power to use the money placed beyond question? To have physical disabilities interposed between them and that portion of the public treasure committed to their charge? Observation and experience must, already, have taught them that the distrustful eye of public opinion follows the public treasure, and, unless the most efficient guards are provided by the Government, and assented to by the banks, will not the most injurious suspicions of a breach of their trust be likely to rest upon them? Ought they not, for their own indemnity, to desire that the use of these moneys should be placed beyond their power? And will they not have some just reason to apprehend that objections on their part may give rise to suspicions as to their disposition faithfully to execute the trust in conformity with its intentions?

The fifteenth and sixteenth sections provided checks upon the various depositaries constituted by the bill. The first authorized the Secretary of the Treasury to appoint special agents, whenever he may find it necessary, to inspect the books, accounts, money on hand, and other business of any depositary. The principal object of this section, as he understood that object, was to enable the Secretary, whenever the returns of the officer, information communicated by third persons, or any other information, should authorize a suspicion that all was not right with any one of the officers entrusted with the safe keeping of public money, to appoint some competent citizen, as a special agent, to present himself, unexpectedly, with authority to examine the official transactions of the officer, to detect and correct error, if error should be found to exist; to expose fraud and bring the officers to punishment, in case dishonesty should be detected; and to justify innocence, if suspected without foundation. It was true, the section made these examinations compulsory, at long intervals of one year, in cases where the amounts collected usually exceed a just proportion to the amount secured by the bond of the officer; but this part of the section he considered of much less importance than that he had before noticed. He considered its principal utility to exist in the authority to appoint an agent unknown to the officer, and who might come upon him in an unprepared state. If the agent were to be one permanently appointed, and publicly known, one whom the officer might watch and guard himself against, he should consider it not worth retaining. He was aware that, in its present shape, it was objectionable to some of the friends of the bill; and, with this exposition, he submitted its adoption or rejection to the sense of the Senate. It was an exact transcript of a section contained in the bill which passed the body at the extra session, and as it was inserted upon the suggestion of the head of the Treasury Department, he presumed the suggestion had proceeded from a similar provision contained in the laws which regulate the Post office Department, and which had been of great use in detecting frauds connected with the extended operations of that Department; but should it be thought that such a provision would not be beneficial, as connected with this bill, he should not consider its removal as materially marring the system intended to be constituted.

The sixteenth section made it the duty of the surveyors of the customs, naval officers, registers of the land offices, directors of the mints, and some other officers, at the expiration of each quarter, to examine into, and report to the Secretary of the Treasury, the state of the accounts, and money on hand, of the depositaries in their districts, or immediate connection. These were checks obtained through the instrumentality of existing officers; were wholly without expense to the public; would evidently be of material service, as guards upon the depositaries, and as contributing to a uniformity and system in the keeping of the accounts of those officers, and he presumed would meet with no objection from any quarter.

He would pass now to the twentieth section, which required every officer, charged with the keeping of public money, to keep an accurate account of the kinds of money received and paid out; the object of which was to prevent these officers, without detection, from receiving and paying out to the public creditors a depreciated currency, and also from making exchanges of the currency received, in a manner which should be injurious to the public interests, or to the rights of those who might receive payments from the officer; of demands against the Government. The same section also declares that any use of the money in his hands by any depositary, by way of investment in any kind of property or merchandise, or of loan with, or without interest, or in any way whatsoever, shall be a high misdemeanor, for which the officer convicted thereof, shall be imprisoned for a term of not less than two, nor more than 5 years, & shall pay a fine equal to the amount of the money so used. He believed this was a new feature in the legislation of Congress. He had not found any case where a law imposed criminal punishment for the misuse or misapplication of money by a public officer; but still he believed the provision sound in principle, and that it would prove salutary in practice. He had examined very superficially the legislation of other countries upon this point, and he found that many of the nations of Europe, from which we had copied most of our public laws, made this act a felony, with much more severe punishment than is here proposed. He had heard no objection against this feature of the bill from any quarter of the House, and he hoped there would be none.

The twenty-first section might not be considered by some as peculiarly appropriate to this bill; but he trusted to be able to satisfy the Senate that it connected itself with its provisions in a very important manner, and ought to form a part of it. The section made it the duty of the Secretary of the Treasury, when there should be an amount upon deposite to the credit of the Treasurer beyond the sum of four millions of dollars, to invest such surplus in stocks of the United States, or of some one of the States, bearing an interest, and transferrable at the pleasure of the holder, by delivery or assignment; but it prohibited the Secretary from becoming a subscriber to, or purchaser of, any new stocks about to be issued by any State, and thus prevented him from

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