

Indiana Palladium.

EQUALITY OF RIGHTS IS NATURE'S PLAN—AND FOLLOWING NATURE IS THE MARCH OF MAN.—BARLOW.

Volume IV.]

LAWRENCEBURGH, INDIANA; SATURDAY, JULY 19, 1828.

[Number 28.]

BY AUTHORITY.

LAWS OF THE UNITED STATES PASSED AT THE FIRST SESSION OF THE TWENTIETH CONGRESS.

[PUBLIC—No. 47.]

AN ACT to amend and explain an act, entitled "An act confirming an act of the Legislature of Virginia incorporating the Chesapeake and Ohio Canal Company, and an act of the State of Maryland for the same purpose."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assent already given by the United States to the charter of the Chesapeake and Ohio Canal Company, by an act of Congress, entitled "An act confirming an act of the Legislature of Virginia, entitled an act incorporating the Chesapeake and Ohio Canal Company; and an act of the State of Maryland confirming the same, shall not be impaired by any change of the route of said Canal, from or above the town of Cumberland, on the river Potomac, or the distribution thereof into two or more sections, at any time hereafter, or any change in the dimensions of that part of the present Eastern section, extending from Cumberland, or mouth of Will's Creek, to the mouth of Savage, at the base of the Allegheny, or any substitution which the interest of the Chesapeake and Ohio Canal Company may, in the opinion of the Company, require to be made, of inclined planes, railways, or an artificial road for a continued Canal, through the Allegheny mountain, in any route which may be, by the Company, finally adopted therefor, between the town of Cumberland and the river Ohio.

Sec. 2. And be it further enacted, That, to obviate any possible ambiguity that might arise in the construction of the second section of the act of Congress aforesaid, the authority, by that act designed to be given to the States of Maryland and Virginia, or to any Company incorporated by either or both of those States, to extend a branch from the said Canal, or to prolong the same, from the termination thereof, by a continuous canal, within, or through the District of Columbia, towards the territory of either of those States, shall be deemed and taken to be as full and complete, in all respects, as the authority granted, by that act, to the Chesapeake and Ohio Canal Company to extend the main stem of the said Canal, within the said District; or the authority reserved to the Government of the United States to provide for the extension thereof, on either or both sides of the river Potomac, within the District of Columbia; *Provided*, That nothing herein contained shall impair the restriction in the charter of the Chesapeake and Ohio Canal Company, designed to protect the Canal from injury, by the prolongation thereof, or by any branch therefrom.

Sec. 3. And be it further enacted, That the act of the Legislature of Maryland which passed at their December session, of one thousand eight hundred and twenty-seven, entitled "An act further to amend the act incorporating the Chesapeake and Ohio Canal Company, be, and the same is hereby confirmed, so far as the assent of Congress may be, deemed necessary thereto.

A. STEVENSON,
Speaker of the House of Representatives.
S. SMITH,
President of the Senate, pro tempore.
Approved—23rd May, 1828.

JOHN QUINCY ADAMS.

[PUBLIC—No. 48.]

AN ACT to establish a Southern Judicial District in the Territory of Florida.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be established another Judicial District in the Territory of Florida, to be called the Southern District, embracing all that part of the Territory which lies south of a line from Indian river on the east, and Charlotte harbor on the west, including the latter harbor; which said court shall exercise all the jurisdiction within said district, as the other Superior Courts, respectively, exercise within their respective districts, and shall be subject to all the laws which govern or regulate the same; and there shall be appointed for said district a Judge: and he is hereby authorized to appoint a Clerk for said court. There shall also be appointed an attorney and Marshal, who shall exercise all the duties, give the same bond and security, and be entitled to the same salaries, fees, and compensation, that is now al-

lowed by law to Attorneys and Marshals in other districts in the territory.

Sec. 2. And be it further enacted, That the stated sessions of said court shall be held on the first Mondays of May and November annually, at Key West; and such other intermediate sessions, from time to time, as the Judge in his discretion may think advisable and necessary. The Judge shall reside at the Island of Key West, and shall be entitled to receive as a salary for his services two thousand dollars per annum, to be paid quarterly, out of any moneys in the Treasury not otherwise appropriated.

Sec. 3. And be it further enacted, That whenever, in any case concerning wrecked property, or property abandoned at sea, the Judge aforesaid shall have determined the rate of salvage to be allowed to salvors, it shall be his duty, unless the salvage decreed shall have been adjusted, without recourse to vessel and cargo, to direct such proportion of salvage to be paid to the salvors in kind; and that the property saved shall be divided accordingly, under the inspection of the officers of the court, and before it shall have been taken out of the custody of the Revenue officers.

Sec. 4. And be it further enacted, That whenever it shall be ascertained, to the satisfaction of the Judge of said court, that any of the property saved, is from its character, not susceptible of being divided in the manner proposed, or that there are articles in the cargo of a perishable nature, it shall be his duty to direct a sale of the same, for the benefit of all concerned.

Sec. 5. And be it further enacted, That the property remaining, after separating the portion adjudged to the salvors, shall not be removed from such store as may be used for public purposes, nor disposed of in any other way, within nine months, unless by the order of the owners, or of their authorized agents; and that the duties accruing upon such property may be secured at any port in the United States, where the owners may reside.

Sec. 6. And be it further enacted, That no vessel shall be employed as a wrecker, unless under the authority of the Judge of said Court; and that it shall not be lawful to employ on board such vessel, any wrecker who shall have made conditions with the captain or supercargo of any wrecked vessel, before or at the time of affording relief.

Approved—23d May, 1828.

[PUBLIC—No. 49.]

AN ACT in addition to an act, entitled "An act concerning discriminating duties of Tonnage and Impost;" and to regulate the duties on Prussian vessels and their cargoes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon satisfactory evidence being given to the President of the United States, by the government of any foreign nation, that no discriminating duties of tonnage or impost are imposed or levied in the ports of the said nation, upon vessels wholly belonging to citizens of the United States, or upon the produce, manufactures, or merchandise, imported in the same from the United States, or from any foreign country, the President is hereby authorized to issue his proclamation, declaring that the foreign discriminating duties of tonnage and impost, within the United States, are, and shall be, suspended and discontinued, so far as respects the vessels of the said foreign nation, and the produce, manufactures, or merchandise imported into the United States in the same, from the said foreign nation, or from any other foreign country; the said suspension to take effect from the time of such notification being given to the President of the United States, and to continue so long as the reciprocal exemption of vessels, belonging to citizens of the United States and their cargoes, as aforesaid, shall be continued, and no longer.

Sec. 2. And be it further enacted, That no other or higher rate of duties shall be imposed or collected on vessels of Prussia, or of her Dominions, from whencesoever coming, nor on their cargoes, howsoever composed, than are, or may be, payable on vessels of the United States and their cargoes.

Sec. 3. And be it further enacted, That, the Secretary of the Treasury be, and he is hereby, authorized to return all duties which have been assessed, since the fifteenth day of April, one thousand eight hundred and twenty-six, on Prussian vessels, and their cargoes, beyond the amount which would have been payable on vessels of the United States, and

their cargoes; and that the same allowances of drawback be made on merchandise exported in Prussian vessels as would be made on similar exportations in vessels of the United States.

Sec. 4. And be it further enacted, That so much of this act as relates to Prussian vessels, and their cargoes, shall continue and be in force during the time that the equality for which it provides shall in all respects, be reciprocated in the ports of Prussia and her Dominions; and if, at any time hereafter, the said equality shall not be reciprocated in the ports of Prussia, and her Dominions, the President may, and he is hereby, authorized to issue his proclamation, declaring that fact, and thereupon so much of this act as relates to Prussian vessels, and their cargoes, shall cease and determine.

Approved—24th May, 1828.

[PUBLIC—No. 50.]

AN ACT declaring the assent of Congress to an act of the State of Alabama.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the assent of Congress be, and hereby is, granted, to the operation of an act of the General Assembly of the State of Alabama, passed on the tenth day of January, one thousand eight hundred and twenty-seven, entitled "an act to incorporate the Cahawba Navigation Company."

Approved—24th May, 1828.

[PUBLIC—No. 51.]

AN ACT to incorporate the Trustees of the Female Orphan Asylum in Georgetown, and the Washington City Orphan Asylum in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John I. Smith, William G. Ridgely and Daniel Bussard, and their successors in office, duly elected or appointed in the manner hereinafter directed, be, and they are hereby made, declared and constituted a corporation and body politic in law and in fact, to have continuance forever, by the name, style, and title of "The Trustees of the Female Orphan Asylum of Georgetown, in the District of Columbia."

Sec. 2. And be it further enacted, That William Hawley, John P. Van Ness, Nathan Towson, Obadiah B. Brown, and James Larned, and their successors in office, to be appointed as is hereafter directed, are hereby made, declared and constituted a corporation and body politic in law, and in fact, to have continuance forever, under the name, style, and title of "The Washington City Orphan Asylum."

Sec. 3. And be it further enacted, That all and singular the lands, tenements, rents, legacies, annuities, rights, privileges, goods, and chattels, heretofore given, granted, devised or bequeathed to either of said Asylums, or to any person or persons for the use thereof, or to have been purchased for, or on account of the same, be, and they are hereby, vested in, and confirmed to, the said corporations respectively, and that they may purchase, take, and receive, and enjoy any lands, tenements, rents, annuities, rights or privileges, or any goods, chattels of other effects, of what kind or nature soever, which shall, or may hereafter be given, granted, sold bequeathed or devised unto either of them, by any person or persons, bodies politic or corporate, capable of making such grant, &c. to dispose of the same: *Provided*, That the clear annual income of property to be acquired by either of said corporations, shall at no time exceed the sum of three thousand dollars.

Sec. 4. And be it further enacted, That the said corporations respectively, by the name and style aforesaid, be, and shall be hereafter, capable, in law and equity, to sue and be sued, within the District of Columbia, and elsewhere, in as effectual a manner as other persons or Corporations can sue or be sued, and that they shall adopt and use a common seal, and the same to use, alter or exchange at pleasure, to appoint a Treasurer and Secretary, and such other officers as they may deem necessary and proper, to assign them their duties, and fix their compensation, and to remove any or all of them, and appoint others, as often as they shall think fit, and to make such bye laws as may be useful for the government of the said Asylums, and not inconsistent with the laws of the United States, or the laws in force in the District of Columbia, and the same to alter, amend or abrogate at pleasure.

Sec. 5. And be it further enacted, That

there shall be an annual meeting of the contributors to the Orphan Asylum of Georgetown, on the first Monday in June, in every year, at which they shall appoint a first female directress, a second female directress, and ten female managers, who shall have power to superintend and manage the internal affairs of the Asylum, and to fill vacancies in their own Board, and any vacancy that may happen by death or otherwise among the Trustees, and to serve until their successors are duly appointed; and a majority of the said Trustees shall be a quorum, and authorized to act.

Sec. 6. And be it further enacted, That the present managers of the Washington City Asylum, called by the article of association "a Board of Trustees," may continue in office, discharging the duties of the same, until the second Tuesday in October next, at which time, and on the same day in each year thereafter, said corporation, by those who from their bye laws may be qualified to vote, shall be regulated, and the officers thereof appointed, agreeably to the provisions of this act; that is to say, there shall be appointed a first, and second female directress, and also fifteen female managers; and these directresses and managers, a majority of whom shall be necessary to do business, at such time and place as they may direct, shall appoint a Treasurer and Secretary, and such other officers; and also perform such other duties as the bye laws may direct: *Provided*, No bye law shall be enacted inconsistent with any law now existing in the District of Columbia.

Sec. 7. And be it further enacted, That when any destitute male or female child may be received into the Asylum, with the approbation of the parent, guardian or friends who may have the care of said child, they shall not thereafter be at liberty to withdraw or leave the Asylum, without the consent of the Directors, until, if a male, he shall attain the age of twenty-one years, or if a female the age of eighteen years; but, up to the periods and ages aforesaid, they shall remain subject to the direction of the Asylum, or those to whom, by said Asylum, they may be bound, unless by consent given by those directing the Institution they may be exonerated from service previous to attaining the respective ages.

Sec. 8. And be it further enacted, That any vacancy which from death, resignation or otherwise, may happen in any the offices or places of said Asylum, shall be supplied or filled after the mode to be prescribed in their bye laws; and also in pursuance of said bye laws, power shall be possessed to alter and amend the same from time to time, and to remove and appoint to office whenever it shall be deemed advisable to do so.

Approved—24th May, 1828.

[PUBLIC—No. 52.]

AN ACT making appropriations for Custom Houses and Ware Houses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and he hereby is, authorized to cause to be selected, and purchased, a suitable site for a Custom House and Ware House, at Newport, in Rhode Island, and to cause a safe and convenient building to be erected thereon, for the transaction of Custom House business, and for the safe keeping of the records thereof, and of the property in the custody of the Government; and that a sum not exceeding ten thousand dollars be, and the same is hereby appropriated, for the purposes aforesaid, out of any money in the Treasury, not otherwise appropriated.

Sec. 2. And be it further enacted, That the Secretary of the Treasury be and he is hereby, likewise authorized to cause to be purchased a suitable site for a Custom House and Ware House in the city of Mobile, in the State of Alabama, and to have erected a safe and convenient building, or to purchase a proper site with a suitable and convenient building already erected thereon, for the transaction of Custom House business, and for the safe keeping of the property in custody of the Government; and that a sum not exceeding eight thousand five hundred dollars be, and the same is hereby appropriated, for the purpose aforesaid, out of any money in the Treasury not otherwise appropriated.

Sec. 3. And be it further enacted, That the Secretary of the Treasury be and he hereby is authorized to cause to be put in proper repair, and to be used for a Custom House, a certain brick Store, in Newburyport, Massachusetts, once the property of Abner Wood and David

Wood, junior, but now belonging to the United States; and that a sum not exceeding three hundred dollars be and the same is hereby appropriated, for the purpose aforesaid, out of any money in the Treasury not otherwise appropriated.

Sec. 4. And be it further enacted, That the Secretary of the Treasury is hereby authorized and directed to cause a suitable site to be selected and purchased for a Custom House and Ware House at Portland, in Maine, and to cause a safe and convenient building to be erected thereon, for the transaction of Custom House business, and for the safe keeping of the records thereof, and of the property in the custody of the Government; and that a sum not exceeding twenty thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes aforesaid.

Approved—24th May, 1828.

[PUBLIC—No. 53.]

An Act to continue in force, for a limited time, and to amend an act entitled, "An act to enable claimants to lands within the limits of the State of Missouri and Territory of Arkansas, to institute proceedings to try the validity of their claims."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act approved the twenty-sixth of May, eighteen hundred and twenty-four, entitled "An act to enable claimants to lands within the limits of the State of Missouri and Territory of Arkansas, to institute proceedings to try the validity of their claims," shall be, and the same hereby is continued in force; that is to say, for the purpose of filing petitions in the manner prescribed by that act, to and until the twenty-sixth day of May, in the year one thousand eight hundred and twenty-nine, and for the purpose of enabling the claimants to obtain a final decision on the validity of their claims in the Courts of Missouri and Arkansas, respectively; the said claims having been exhibited within the time aforesaid; the said act shall be continued in force to, and until, the twenty-sixth day of May, in the year one thousand eight hundred and thirty, and no longer; and the Courts having cognisance of said claims shall decide upon and confirm such as would have been confirmed under the laws, usages, and customs of the Spanish Government, for two years, from and after the twenty-sixth day of May, one thousand eight hundred and twenty-eight, and all the claims authorized by that act, to be heard and decided, shall be ratified and confirmed to the same extent that the same would be valid if the country in which they lie had remained under the dominion of the sovereignty in which said claims originated.

Sec. 2. And be it further enacted, That so much of the said act as subjects the claimants to the payment of costs in any case where the decision may be in favor of their claims, be, and the same is hereby repealed, and the costs shall abide the decision of the cause as in ordinary causes before the said court; and so much of the said act as requires the claimants to make adverse claimants parties to their suits, or to show the court what adverse claimants there may be to the land claimed of the United States, be also hereby repealed. And the confirmations had by virtue of said act, and the patents issued thereon, shall operate only as relinquishment of title on the part of the United States, and shall in no wise, affect the right or title, either in law or equity, of adverse claimants of the same land.

Sec. 3. And be it further enacted, That where any claim, founded on concession, warrant, or order of survey, shall be adjudged against and rejected, the claimant or his legal representatives, by descent or purchase, being actual inhabitants and cultivators of the soil, the claim to which shall have been rejected, shall have the right of pre-emption, at the minimum price of the public lands, as soon as the land shall be surveyed and subdivided by the United States, of the quarter section on which the improvement shall be situate, and so much of every other quarter section which contains any part of the improvement, as shall be within the limits of the rejected claim.

Approved—24th May, 1828.

The editor of the Albany Argus has received a letter from Washington, which says that an order has gone forth to Gen. Scott, for his dismissal in the event of his refusal to obey the orders of Gen. Macomb.