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[Number 5.]



(BY AUTHORITY.)

LAW OF THE UNITED STATES, PASSED AT THE SECOND SESSION OF THE TWENTY-FIRST CONGRESS.

[PUBLIC—No. 1.]

AN ACT to change the time of holding the rule term of the circuit court for the district of West Tennessee.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be the duty of the District Judge of Tennessee to hold a term of the circuit court at Nashville, for the district of West Tennessee, on the first Monday in March, in each year, who shall have power to make all necessary rules and orders touching any suit, action, appeal, writ of error, process, pleadings, or proceedings, that may be pending in said circuit court, or that may have issued returnable to the circuit court to be holden on the first Monday in September next, preparatory to the hearing, trial or decision of such action, suit, appeal, writ of error, process, pleadings or proceedings; and all writs and process may hereafter be returnable to the said courts to be holden on the first Monday in March, in the same manner as to the sessions of the circuit courts directed by law to be held at Nashville on the first Monday in September of each year; and the writs and other process returnable to the said circuit court on the first Monday in September, may bear teste on the first Monday in March.

Sec. 2. And be it further enacted, That the said District Judge shall have the power to adjourn from day to day, or to any other period of time, more than three months before the September term of said court: *Provided*, That no final judgment be rendered at said term to be held by the District Judge, except by the consent of both parties.

ANDREW STEVENSON,  
Speaker of the House of Representatives.  
JOHN C. CALHOUN,  
President of the Senate.

APPROVED, 13th January, 1831.

ANDREW JACKSON.

[PUBLIC—No. 2.]

AN ACT to amend an act, entitled "An act to provide for paying to the State of Illinois three per centum of the net proceeds arising from the sales of the public lands within the same."

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That so much of the act, entitled "An act, to provide for paying to the State of Illinois three per centum of the net proceeds arising from the sale of the public lands within the same," approved the twelfth of December, eighteen hundred and twenty, as requires an annual account of the application, by the said State, of the said three per centum to be transmitted to the Secretary of the Treasury, be and the same is hereby repealed.

APPROVED, 13th January, 1831.

[PUBLIC—No. 3.]

AN ACT making appropriations for carrying into effect certain Indian treaties.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums be, and the same are hereby, appropriated for the service of the year one thousand eight hundred and thirty:

For the annual support of a school for the education of Indian youth, as stipulated for by the sixth article of the treaty of the fifth of August, one thousand eight hundred and twenty-six, with the Chippewa tribes of Indians, one thousand dollars;

For the payment of the annuity of two thousand dollars, and also the sum of two thousand dollars for education, as stipulated for by the third article of the treaty of the sixteenth October, one thousand eight hundred and twenty-six, with the Potawatamies, the annual sum of four thousand dollars;

For the annual support of a blacksmith and miller, and for furnishing annually one hundred and sixty bushels of salt, under the same treaty, one thousand five hundred and twenty dollars;

For the payment of the permanent and limited annuities provided for by the second article of the treaty with the Potawatamies, of the twentieth of September, one thousand eight hundred

and twenty-eight, annually the sum of three thousand dollars;

For tobacco, iron, steel, education, annuity to the principal chief, and employment of laborers, by same article, one thousand nine hundred and sixty dollars;

For payment of permanent annuity under the fourth article of the treaty with the Miamies, of the twenty-third of October, one thousand eight hundred and twenty-six, twenty-five thousand dollars;

For iron, steel, tobacco, and laborers by same article, one thousand one hundred dollars;

For support of the poor and infirm, and for education, under the sixth article of said treaty, two thousand dollars.

APPROVED, January 13, 1831.

[PUBLIC—No. 4.]

AN ACT for the benefit of school's in Lawrence county, Mississippi.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That one section of the public lands subject to private entry and sale in the State of Mississippi, be located for the use and benefit of schools in Lawrence county, in said State, in lieu of the sixteenth section sold and patented to Will Whitehead.

Sec. 2. And be it further enacted, That any person appointed by order of the Probate Court in and for the county of Lawrence, be, and he is hereby, authorized to locate the quantity of land named in this act, for the purpose above named.

APPROVED, January 13, 1831.

## THE INDIAN QUESTION.

A few weeks since we published an extract from the message of Mr. Adams in 1828, in which he recommended the course of policy now pursued by the administration in relation to the Indians, and which seems to have been selected by the partizans of Mr. Clay as their favorite hobby of opposition in the crusade against the President of the people. Speaking of the Indian pretensions to sovereignty within the limits of the states or territories, Mr. Adams says:

"This state of things requires that a remedy should be provided. A remedy which, while it shall do justice to those unfortunate children of nature, shall secure to the members of our confederacy the RIGHTS OF SOVEREIGNTY AND OF SOIL. As the outline of a project to that effect, the views presented in the Report of the Secretary of War, are recommended to the consideration of Congress."

Gen. Porter, in that part of his report where he refers to those who, by the aid of the money distributed by government to the Indians, have formed very comfortable establishments among them, we have no doubt has touched the secret spring which sets in motion the machinery of the political philanthropists who so lustily cry out "the poor Indians!" "the poor Indians!"—while a main object of the prime movers in this outcry against the present administration, for pursuing the very policy recommended by Messrs. Adams and Clay so lately as the close of the year 1828, and at that time approved by those who now condemn it, is to fleece these same "poor Indians" of the annuities allowed them by government. Look at the manner in which some of the leading political philanthropists treat the poor and indigent of their own towns and neighborhoods, and judge whether their pretended sympathy for the "poor Indians" is not rank hypocrisy; and whether they do not in reality possess the same sympathies for the Indians, and those only, that they feel for the Hottentots of Africa, or the monkeys of Brazil. Another object they have in view, is, if possible, to climb into office on the ruins of the present administration, if they can succeed in their efforts to render it unpopular with the people, so that the most cunning ones among them may get possession of good offices, and the leaders again riot on the public money, should they by any means get the control of the purse-strings of the nation.

We now ask the attention of the candid reader, to whatever political party or religious sect he may belong, to the annexed extract from the Report of the then Secretary of War, which in 1828 was recommended to the consideration of Congress by Mr. Adams.

National Republican.

Extract from Gen. Porter's Report, November 24th, 1828.

"While on the subject of Indian af-

fairs, I should feel that I did not discharge my whole duty, were I to neglect to call the attention of the Government to the expediency, if not the absolute necessity, of more clearly defining, by legislative enactments, the nature of the relations by which we are to stand allied to the Indian tribes: and, especially, to prescribe what, as between them and ourselves, shall be the reciprocal rights, both of property and government, over the vast tracts of country which they claim and inhabit.

"At the commencement of our present Government, these tribes, with few inconsiderable exceptions, occupied a country in the interior, far beyond the range of our population, and our relations with them were the simple ones which exist between remote and independent nations, or they were rather the relations of war, and most of our intercourse with them was carried on through the officers of the Army, stationed along our frontier posts; and it was, probably, to the posture in which we then stood in regard to them, that the War Department was first indebted for the Superintendency of Indian Affairs. Since that period, our white population in its rapid and irresistible progress to the west, has been sweeping past and around them; until now, a large portion of these tribes are actually embosomed within the organized and settled parts of our States and Territories. In the mean time, we have been entering into treaties with them, not of peace merely, but of property, of intercourse and trade; and have actually contracted between them and ourselves, most of the complicated relations which appertain to the municipal state, without, however, having fixed the boundaries of the authority by which these relations shall be controlled.

"While some of our citizens, who are the advocates of primitive and imprescriptible rights in their broadest extent, contend that these tribes are independent nations; and have the sole and exclusive right to the property and government of the territories they occupy, others consider them as mere tenants at will, subject, like the buffalo of the prairies, to be hunted from their country whenever it may suit our interest or convenience to take possession of it. These views of their rights and disabilities are equally extravagant and unjust; but the misfortune is, that the intermediate line has never been drawn by the Government. Nothing can be more clear to one who has marked the progress of population and improvement, and is conversant with the principles of human action, than that these Indians will not be permitted to hold the reservations on which they live within the States, by their present tenure, for any considerable period. If, indeed, they were not disturbed, in their possessions by us, it would be impossible for them long to subsist, as they have heretofore done, by the chase, as their game is already so much diminished, as to render it frequently necessary to furnish them with provisions, in order to save them from starvation. In their present destitute and deplorable condition, and which is constantly growing more helpless, it would seem to be not only the right, but the duty of the Government, to take them under its paternal care; and to exercise, over their persons and property, the salutary rights and duties of guardianship.

"The most prominent feature in the present policy of Government, as connected with these people, is to be found in the efforts that are making to REMOVE THEM BEYOND THE LIMITS OF THE STATES AND ORGANIZED TERRITORIES.

"A very extensive tract of country, lying to the west and north of the Arkansas Territory, remarkable for salubrity of climate, fertility of soil, and profusion of game, has lately been set apart for the colonization of the Indians. Liberal pecuniary inducements have been offered by Congress to emigrants, and many have already embraced the offer. But the ultimate success of this project has been greatly endangered, and may yet be defeated, by the operation of another prominent measure of the Government, which although suggested by the most humane motives, comes in direct conflict with the plan of colonization.

"The annual appropriation of \$10,000 to the purposes of educating Indian children, and teaching them the mechanic arts, has had the effect to draw to almost every Indian reservation, in addition to the agents and interpreters, a

considerable number of missionaries and teachers, with their families, who, having acquired, principally by the aid of this fund, very comfortable establishments, are unwilling to part with them by the removal of the Indians; and thus, we have found, that, while the agents specially employed by the Government for this purpose are engaged in persuading by profuse distributions of money and presents, the Indians to emigrate, another set of Government agents are operating, more secretly, but not with less zeal and effect, to prevent such emigration.

"These remarks are not intended as a personal reflection on the missionaries and teachers: much less on the pious and respectable patrons of these benevolent institutions, who, no doubt, are disposed to lend a ready support to every humane measure which the Government may think proper to adopt in favor of these depressed people; but are rather intended to show the natural and unavoidable tendency of the system itself to counteract the leading policy of the Government.

"If the project of colonization be a wise one, and of this, I believe, NO ONE ENTERTAINS A DOUBT, why not shape all our laws and treaties to the attainment of that object, and impart to them an efficiency that will be sure to effect it?

"Let such of the emigrating Indians as choose it continue, as heretofore, to devote themselves to the chase, in a country where their toils will be amply rewarded. Let those who are willing to cultivate the arts of civilization be formed into a colony, consisting of distant tribes or communities, but placed contiguous to each other, and connected by general laws, which shall reach the whole. Let the lands be apportioned among families and individuals in severality, to be held by the same tenures by which we hold ours, with perhaps some wholesome restraints on the power of alienations. Assist them in forming and administering a code of laws adapted to a state of civilization. —Let the \$10,000 appropriation be applied, with the new colony exclusively, to the same objects for which it is now expended; and add to it from time to time, so much of our other annual contributions as can be thus applied without a violation of public faith.

"In regard to such Indians as shall still remain within the States, and refuse to emigrate, let an arrangement be made with the proper authorities of the respective States in which they are situated for partitioning out to them, in severality, as much of their respective reservations as shall be amply sufficient for agricultural purposes. Set apart a tract, proportioned in size to the number of Indians, to remain in common as a refuge and provisions for such as may by improvidence waste their private property; AND SUBJECT THEM TO ALL THE MUNICIPAL LAWS OF THE STATE IN WHICH THEY RESIDE. Let the remainder of the reservation be paid for by those who hold the paramount right, at such prices as shall be deemed, in reference to the uses which Indians are accustomed to make of lands, reasonable; and the proceeds to be applied for the benefit of those of the tribe who emigrate, after their establishment in the colony, or to be divided between those who remain, as justice may require.

"It may, perhaps, be fairly doubted whether the \$10,000 appropriation (independently of its tendency to prevent emigration) produces, under the circumstances in which it is now expended, any useful results.—These schools, it is true, impart to a certain number of Indian youths so much information, and so far change their habits, as to inspire them with all the passions and desires, and particularly the passion for accumulating individual wealth, peculiar to a state of civilization; and then these half educated men are turned loose among their respective tribes, without any honorable means of satisfying the desires and wants which have been thus artificially created.—The lands of the tribe being common and unalienable, they have no motive to cultivate and improve them. There is no floating wealth to attract their ambition, and the only and usual means of gratifying their cupidity for money, is, by employing the advantages acquired by their education to appropriate to themselves more than their just share of the large contributions annually made by the Government: and in this way, they, with some few honorable exceptions, render, not only themselves,

but the very arts they have acquired obnoxious to the Nation at large.

"If, however, it should be deemed most expedient to continue to expend a portion of the \$10,000 fund on the Indians remaining within the States, the missionaries and teachers should be located on the tracts proposed to be set apart for the common use of each tribe; from whence the information they supply, and the arts they teach, might be advantageously applied by the adjoining Indians to the improvement of their separate property; and where they might also take charge of those Indians who may, by improvidence, have expended their private estates.

"It is, in my opinion, worse than useless to impart education and the arts to the Indians, without furnishing them, at the same time, with appropriate subjects on which to employ them.

"I have the honor to be, with great respect, your obedient servant,  
P. B. PORTER."

*The Bohon Upas Tree.* The poison called the Upas is used by the natives of Molucca and the neighbouring islands, and has always been an object of much curiosity, from the wonderful effects that have been ascribed to it by the Indians of those places. The tree, as described by Leschenault is large, rising to the height of 100 feet, and with a trunk 18 feet in circumference. It is found in fertile places, surrounded by other plants on which it has no sort of influence.—The juice of the trunk is of a bitter taste, and exudes copiously when an incision is made. The exhalations from the tree are similar to those which proceed from the poison sumack of our own country. Like the juice of the sumack, it produces on some constitutions a very troublesome effect, not only when handled, but when coming within the exhalations that proceed from it. Great irritation of the skin, and painful swellings are the consequence, while to others it is perfectly harmless. Leschenault employed a Javanese to procure flowering specimens from a tree; but before he had reached the top, he was affected with nausea and dizziness, and was obliged to descend; he continued sick several days. Another Javanese ascended the same tree, &c. procured the desired specimens without experiencing the least inconvenience. The various animals which inhabited the trees in the vicinity, were as frequently seen on its trunk as on any other, and birds were as often observed perched on its branches.

The natives of Java and the neighboring places prepare a poison from the juice of the Upas, with which they point their arrows. The juice is used as an ingredient in a mixture of several plants of acid properties, which are boiled together until the decoction is evaporated to a proper thickness. Then the effects are extremely powerful.

Med. Gaz.

*As it happens.*—A plasterer and his boy being employed to whitewash a house by the day, were so tedious, that tiring the patience of the owner, he one day asked the lad, in his master's absence, when he thought he would have done.—The boy bluntly replied, that his master was looking out for another job; and if he found one they should make an end of it that week.

*Obedy Orders.*—A brave veteran officer reconnoitering a battery which was considered impregnable, and which it was necessary to storm, lachonically answered the engineers, who were dissuading him from the attempt, "Gentlemen you may think what you please; all I know is that the American flag must be hoisted on the ramparts to-morrow morning, for I have the orders in my pocket."

The facetious editor of the Catskill Recorder "kind o' calculates that he must be a pretty considerable old man who lives to see Clay President, if not older."

N. Y. Eve. Post.

A correspondent informs us, that there is an old widow woman living down the Peninsula in Delaware, who has had seven husbands!—among which she has had a Hogg and a Hawk, and is left now a Chicken.

A snake having two distinct and perfectly formed heads was recently caught at Nashville, Tenn. He it now alive and active, and detained "in durance vile," for the pleasure of the curious.