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[Number 5.



(BY AUTHORITY.)

LAWS 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, ap-

peal, 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 held on the first Monday in Sep-

tember next, preparatory to the hear-

ing, trial or decision of such action,

suit, appeal, writ of error, process,

pleadings or proceedings; and all writs

and process may hereafter be returna-

ble to the said courts to be held 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 Sep-

tember 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 Illi-

nois three per centum of the nett pro-

ceeds arising from the sale of the pub-

lic lands within the same," approved

the twelfth of December, eighteen hun-

dred 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 thou-

sand 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 black-

smith and miller, and for furnishing an-

nually one hundred and sixty bushels

of salt, under the same treaty, one thou-

sand 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 Sep-

tember, 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 schools 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 partisans 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 rather hypocritical; 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 impracticable 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 alienation. Assist them in forming and administering a code of laws adopted 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