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[NO. 22.]

## U. States' Laws.

(BY AUTHORITY.)

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

[PUBLIC—No. 66.]

AN ACT to provide for the further compensation of the Marshal of the District of Rhode Island.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Marshal of the district of Rhode Island shall be entitled to receive, in addition to the compensation now allowed by law, an annual salary of two hundred dollars payable quarterly, out of any money in the Treasury, not otherwise appropriated.

ANDREW STEVENSON  
Speaker of the House of Representatives  
JOHN C. CALHOUN,  
President of the Senate.  
APPROVED, March 2, 1831.

ANDREW JACKSON.

[PUBLIC—No. 67.]

AN ACT for the relief of certain holders of certificates issued in lieu of lands injured by earthquakes in Missouri.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the legal owners of any certificates of new location issued under the act of seventeenth February, one thousand eight hundred and fifteen, for the relief of persons whose lands were injured by earthquakes in Missouri, which may have been located upon lands, any part of which has been adjudged to any person or persons as a right of pre-emption, shall be authorized to locate such warrants, upon such lands as are liable to entry at private sale, *Provided*, That previous to making such new location, the legal owners aforesaid shall relinquish to the United States all claim to the previous location, *And provided further*, That such locations shall be made and patents issued therefor, under the same regulations, and restrictions, as if the locations had been made under the provisions of the second section of the act of the twenty-sixth April, one thousand eight hundred and twenty-two, entitled "An act to perfect certain locations and sales of the public lands in Missouri."

Sec. 2. *And be it further enacted*, That this act shall remain in force for the term of eighteen months from the passage thereof.

APPROVED, March 2, 1831.

[PUBLIC—No. 68.]

AN ACT declaring the assent of Congress to an act of the General Assembly of the State of Ohio, hereinafter recited.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the United States shall be, and is hereby, given to an act of the General Assembly of the State of Ohio, entitled "An act for the preservation and repair of the United States road," passed the fourth day of February, in the year of our Lord one thousand eight hundred and thirty-one, which act is in the words and figures following, to wit:

"Be it enacted by the General Assembly of the State of Ohio, That, whenever the consent of the Congress of the United States to this act shall be obtained, the Governor of this State shall be, and he is hereby, authorized to take under his care, on behalf of this State, so much of the road commonly called the National Road, within the limits of this State, as shall then be finished, and also, such other sections or parts thereof as may thereafter be progressively finished within the limits aforesaid, whenever the same shall be completed; and he shall be, and is hereby authorized to cause gates and toll-houses to be erected on said road, at such finished parts thereof as he shall think proper, for the purpose of collecting tolls, as provided by the fourth section of this act: *Provided*, The number of gates aforesaid shall not exceed one on any space or distance of twenty miles."

Sec. 2. That a superintendent shall be appointed by the Governor, whose duty shall be to exercise all reasonable vigilance and diligence in the care of the road committed to his charge; to contract for, and direct the application of the labor, materials, and other things necessary for the preservation, repair, and improvement thereof; he shall pay for the same out of such sums as the Governor shall furnish him for that purpose, subject to such responsibility and accountability as the said Governor shall dictate; and shall con-

form to such instructions, as the Governor shall prescribe for his conduct, in all particulars relative to his said trust: he may be empowered to suspend the functions of any toll gatherer for alleged misconduct, till the pleasure of the Governor shall be known, and to fill the vacancy thereby occasioned during such interval; and it shall be his duty to give information of the facts in such case to the Governor, without any unnecessary delay; the said superintendent shall hold his office during the pleasure of the Governor, who shall allow him a reasonable compensation for his services.

Sec. 3. That the Governor, be, and he is hereby, authorized to appoint the necessary collectors of tolls, and to remove any of them at his pleasure; and also, to allow them, respectively, such stipulated compensation as he may deem reasonable; it shall be the duty of each and every toll-collector to demand and receive, at the gate or station assigned to him by the Governor, the tolls prescribed and directed by the fourth section of this act; and to pay monthly into the treasury, according to the directions they may receive from the Treasurer of the State, all the moneys so collected by said collectors, that shall remain after deducting their compensation aforesaid; the said collectors shall be governed, in all respects relative to their office, by such regulations as the Governor shall ordain, in order to ensure a due responsibility, and faithful discharge of their duties.

Sec. 4. That, as soon as the said gates and toll houses shall be erected, it shall be the duty of the said toll-collectors, and they are hereby required, to demand and receive for passing the said gates the tolls and rates hereafter mentioned; and they may stop any person riding, leading, or driving any horses, cattle, sulkey, chair, piñon, cart, chaise, wagon, sleigh, sled, or other carriage of burden or pleasure, from passing through the said gates, until they shall respectively have paid for passing the same; that is to say, For every space of twenty miles in length on said road, the following sums of money, and so in proportion for every greater or lesser distance, to wit: For every score of sheep or hogs, ten cents; for every score of cattle twenty cents; for every led or drove horse, three cents; for every mule or ass, led or driven, three cents; for horse every rider, six and one-fourth cents; for every sled or sleigh drawn by one horse or ox, twelve and one-half cents; for every horse or ox in addition, six and one-fourth cents; for every deer, horn, sulky, chair, or chaise, with one horse, twelve and one-half cents; for every horse in addition, six and one-fourth cents; for every chariot, coach, coachman, stage, or phaeton, with two horses, eighteen and three-fourth cents; for every horse in addition, six and one-fourth cents; for every other carriage of pleasure, under whatever name it may go, the like sum, according to the number of wheels and horses drawing the same; for every cart or wagon whose wheels do not exceed the breadth of two and one-half inches, twelve and one-half cents; for each horse or ox drawing the same, six and one-fourth cents; for every cart or wagon whose wheels shall exceed two and one-half inches in breadth, and not exceeding four inches, six and one-fourth cents; for every horse or ox drawing the same, three cents; and for every other cart or wagon whose wheels shall exceed four inches, and not exceeding five inches in breadth, four cents; for every horse or ox drawing the same two cents; and all other wagons or carts whose wheels shall exceed six inches in breadth, shall pass the said gates free and clear of all tolls: *Provided*, That nothing in this act shall be construed so as to authorize any tolls to be received or collected from any person passing to or from public worship, or to or from any muster, or to or from his common business on his farm or wood land, or to or from a funeral, or to or from a mill, or to or from his common place of trading or marketing, within the county in which he resides, including their wagons, carriages, and horses or oxen drawing the same: *Provided also*, That no toll shall be received or collected for the passage of any stage or coach conveying the United States mail, or horses bearing the same, or any wagon or carriage laden with the property of the United States, or any cavalry or other troops, arms or military stores

belonging to the same, or to any of the States comprising this Union, or any person or persons on duty in the military service of the United States, or of the militia of any of the States.

Sec. 5. That the moneys so collected shall constitute a fund, to be denominated the United States' Road Fund; and so much thereof as may be paid into the Treasury agreeably to the provisions above recited, shall be subject to the order of the Governor, who shall pay out of said fund the salary of the superintendent, and the expenses incident to the superintendence and collection, other than those particularly provided for in this act, and shall cause the remaining net proceeds of the revenue collected as above mentioned to be applied solely and exclusively to the preservation, repair, and improvement of said road, and to no other purpose whatever.

Sec. 6. That directors shall be set up at proper and convenient situations, to caution all conductors or drivers of carriages on the road aforesaid, that they shall at all times pass on the left of each other, under the penalty of five dollars for every offence; and there shall also be set up at some conspicuous place at each gate, a board, on which shall be legibly painted the rates of toll, as is provided for in this act.

Sec. 7. That, if any of the toll-collectors shall unreasonably delay or hinder any passenger or traveller at any of the gates, or shall demand or receive more toll than is by this act established, he shall, for each and every such offence, forfeit and pay to the party aggrieved the sum of ten dollars.

Sec. 8. That, if any person shall purposely and maliciously deface, or otherwise injure any of the mile stones, parapet walls, culverts, or bridges, or any of the masonry whatsoever, or any of the gates or toll houses of and belonging to the said national road in this State, as the same is now constructed, or may hereafter be constructed, every person so offending shall, upon conviction thereof, be fined in a sum not more than five hundred dollars, or be imprisoned in the dungeon of the jail of the county, and be fed on bread and water only, not exceeding twenty days or both, at the discretion of the court.

Sec. 9. That, if any person shall purposely fill, choke, or otherwise obstruct any of the said drains, valleys, gutters, or culverts of said road, now made, or hereafter to be made, or shall connect any private road or cartway with the said national road, without making at the point of connection a stone culvert, or paved valley, or other good and sufficient fixture, so as to secure a free passage for the water along such said drain, where such private road or cartway connects with the said national road, or if any person shall purposely and wilfully travel upon such parts of said national road as are or may be in an unfinished state, against the consent of the superintendent appointed by the United States, or by this State, or shall remove any of the beacons placed upon the said road so in an unfinished state as aforesaid, for the diverting of the travel on and from said road, every person so offending shall, upon conviction thereof, be, for every such offence, fined in a sum not less than one nor more than ten dollars.

Sec. 10. That if any person shall stand his wagon and team, or either of them, over night, upon the pavement of said road, now made, or which may hereafter be made, or shall at any other time stand a wagon and team, or either of them, upon the said pavement, for the purpose of feeding, or if he shall in any other manner purposely and wilfully obstruct the travel upon said road, every person so offending shall, upon conviction thereof, for every such offence, be fined in a sum not less than one nor more than five dollars.

Sec. 11. That if any person shall fast lock or rough lock either of the wheels of any wagon, coach, chaise, gig, sulkey, carriage, or other two or four wheeled vehicle, while travelling upon the pavement of said road, as now made, or which may hereafter be made, (excepting however, such parts of said road as may be at the time of such locking, covered with ice,) every person so offending shall, upon conviction thereof, be fined in any sum not less than one nor more than five dollars.

Sec. 12. The supervisors of roads and highways through whose districts the said national road does now or may hereafter pass, are hereby severally

authorized and required at the connection with, or intersection of, any State, county or township road, which now is or hereafter may be established under the laws of this State within their respective districts, to build and keep in repair a good and sufficient stone culvert or paved valley, or other good and sufficient fixture, in such manner as to admit of a free passage for the water along the side drain or drains of said national road at the connection or intersection aforesaid, and according to the grade thereof, as established by the United States' superintendent of said national road.

Sec. 13. That, for the purpose of carrying into effect the provisions of this act, the Governor is hereby authorized to draw on the State Treasury for any sum of money not exceeding two thousand dollars, to be paid out of any money in the Treasury not otherwise appropriated: *provided*, Said sum shall be refunded to the State Treasury out of the proceeds of the road fund created by the provisions of this act, so soon as the same shall be collected.

Sec. 14. That all fines, penalties and forfeitures incurred under the provisions of this act, shall be recovered by indictment in the court of common pleas of the county where the offence was committed, or by action of debt, in the name of the state of Ohio, for the use of the road fund established by this act, which action of debt may be brought before any justice of the peace, or other court having jurisdiction thereof in the county where the offence was committed, or such fine, penalty or forfeiture was incurred; and it shall be the duty of the superintendent, toll gatherers and of any other person who will complain of the same, to prosecute all offences against the provisions of this act.

Sec. 15. That it shall be lawful for the General Assembly, at any future session thereof, without the consent of Congress, to change, alter, or amend this act: *provided*, That the same shall not be so changed, altered or amended as to reduce or increase the rates of toll hereby established, below or above a sum necessary to defray the expenses incident to the preservation and repair of said road, to the erection of gates and toll houses thereon, and for the payment of the fees or salaries of the superintendent, the collectors of tolls and of such other agents as may be necessarily employed in the prosecution and repair of the same, according to the true intent and meaning of this act.

Sec. 16. That any person or persons shall have the privilege of paying at either of the said gates, at the rates specified in this act, the amount of toll for any distance which such person or persons may desire to travel on said road, & receive a certificate thereof from the collector of tolls at such gate, which certificate shall be a sufficient voucher to procure the passage of such person or persons through any other gate or gates named in said certificate: *Provided*, That a printed form of such certificates shall be furnished by the superintendent to be appointed under the provisions of this act to each collector of tolls, and shall be countersigned by such superintendent and otherwise so devised as to prevent fraud or imposition, and no certificate shall be considered as valid under this section unless such certificate shall be authenticated as aforesaid.

Sec. 17. That the act, entitled "An act for the preservation of injuries to the national road in Ohio," passed February eleventh, eighteen hundred and twenty-eight, be, and the same is hereby repealed: *Provided however*, That all actions, & prosecutions which may now be pending shall be prosecuted to final judgment and execution, and all offences committed before the taking effect of this act shall be prosecuted and punished in the same manner as if the above mentioned act was not repealed.

APPROVED, March 2, 1831.

The Boston Centinel and other papers speak of the Jackson party as divided. What constitutes division? Did the treason of Benedict Arnold divide the American party of the revolution? Did the defection of Callender divide the democratic party in 1802? Did the desertion of Poindexter & Jarvis divide the republican party of New Hampshire in 1831? If so, then is the Jackson party now divided, by the open hostility of some half dozen individuals who have been the secret foes of President Jack-

son ever since the organization of his administration. It is no new thing for individuals to desert their party, but instead of dividing, they generally leave it in a stronger and more healthy state; it is like pruning the decayed and rotten limbs from a tree, where they were useless, and where they were infecting and carrying the more healthy and vigorous parts. Such pruning has the Jackson party received in the recent lopping off of certain aspirants, who were attempting to infuse their rottenness and corruption into the healthful operations of the government. They have fallen of their own weight—but their fall has created no divisions. It is only a separation of a few withered limbs from the healthful and flourishing tree of democracy. N. H. Pat.

Lampas of horses.—As the season of the year is now approaching, when some people commerce of the most cruel and barbarous practice, ever retained by any people, pretending to be civilized—viz: that of burning off the lampas from the mouths of young horses, we cannot refrain from making a few remarks upon that subject.

We are sensible, that some of our most enlightened readers will say, that this article should appear under the head of *Vulgar Errors*; but yet we have what we consider a reasonable excuse for not putting it there—most of the articles which have been placed under that head, in our paper, are rather innocent delusions, than partaking of the barbarous; rather superstitious rites and ceremonies appertaining to property, than any retained usages of the dark ages of barbarity. At what time or with what people this practice originated, we will not pretend to say but there is one nation, who should either discontinue the practice, or else say less, of the general diffusion of useful information: that is America.

The idea that the enlargement of that part of the roof of a horse's mouth is a disease, has long been exploded by all veterinary surgeons. All horses are subject to it, between the ages of three and five, more or less; and in many cases this soft spongy enlargement descends to a level with the fore teeth, yet upon examining it, there will not be found any marks of tenderness or inflammation indicating disease; & if left to the operations of nature, will disappear and the horse will have a sound and healthy mouth; not to speak of the danger of bleeding the horse too freely by opening the palatine artery, the manner of performing the operation, is shocking to the feelings of humanity, as well as painful to the animal. It is uncalled for and must be considered a piece of wanton cruelty. Genesee Farmer.

The Oregon Territory, Columbia River, &c.—We have conversed with Capt. Dominis, of the brig Whybee, which arrived last week from the Pacific Ocean, who informs us that in February 1829 he entered Columbia River, & remained until April. He revisited the river also in August, 1830. He describes the climate as delightful, free from the vicissitudes of heat and cold experienced on the Atlantic side of N. America. In August the heat was not near so great as with us; and through the winter, he saw no snow, nor was there any ice seen in the river. He is of opinion that two crops of potatoes, and of different kinds of grain, could be raised without any difficulty. The navigation at the mouth of the Columbia is rather dangerous, as there are breakers upon a Bar, where there is 4 1-2 fathoms at low water, and indeed the British Hudson's Bay company lost two brigs there, one in 1829 and the other in 1830; but from the mouth, for about 120 miles, as far as the Great Falls, the river is deep enough for the largest merchant vessel.

About 80 miles from the mouth of the Columbia the river, Wallameth enters it, a large river which is navigable to about 20 miles from its mouth, where there are Falls of 20 feet, and a most eligible site for manufactories. From its source it runs a N. W. course to the Columbia. A smaller river called the Conlez, empties into the Columbia from the North about 20 miles below the Wallameth. The soil on these rivers, not far from the mouth of the Columbia, he represents to be of the best quality, especially around the Wallameth; the whole country is well watered, as Capt. D. learnt from hunters, and abounding with extensive forests of hard wood. There is also a fine growth of hard timber on the upper

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