

INDIANA PALADIUM.

By David V. Cullley.

Terms—\$3 PER YEAR.....33¢ PER CENT. DISCOUNT MADE ON ADVANCE, OR 16¢ ON HALF YEARLY PAYMENTS

VOL. VIII.]

LAWRENCEBURGH, (IA.) SATURDAY, APRIL 28, 1832.

[NO. 15.]

United S. Laws.

(BY AUTHORITY.)

LAWS OF THE UNITED STATES PASSED AT THE FIRST SESSION OF THE TWENTY SECOND CONGRESS.

[PUBLIC No. 12.]

AN ACT explanatory of the act entitled "An act for the relief of the officers and soldiers of the Virginia line and Navy, and of the Continental Army, during the Revolutionary war," approved thirteenth of May, one thousand eight hundred and thirty.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of the act, entitled "An act for the relief of certain officers and soldiers of the Virginia Line and Navy, and of the Continental Army, during the Revolutionary war," approved thirteenth of May, one thousand eight hundred and thirty, shall not be construed to extend to any land Warrants heretofore issued, which have been located, surveyed, or patented, on the lands reserved and set apart for the satisfaction of the Military Bounty Lands, due to the Officers and Soldiers of the Virginia Line upon Continental establishment, or for the satisfaction of the Officers and Soldiers of the Continental Army.

SEC. 2. And be it further enacted, That the provisions of the third section of the act entitled, "An act to extend the time for locating Virginia Military Land Warrants, and returning surveys thereof to the land office," approved twentieth May, one thousand eight hundred and twenty-six, be, and the same is hereby continued in force for seven years, from and after the first day of June, one thousand eight hundred and thirty-two; and the proprietors of any location, survey, or patent, contemplated by the aforesaid sections may avail themselves of the provisions of the said section in the cases therein enumerated.

A. STEVENSON,

Speaker of the House of Representatives.

J. C. CALHOUN,

Vice President of the United States,

and President of the Senate.

APPROVED, March 31, 1832.

ANDREW JACKSON.

[PUBLIC No. 13.]

AN ACT to add a part of the Southern to the Northern District of Alabama.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all that part of the country lying within the limits of Alabama, and now in the occupancy of the Cherokee and Chickasaw tribes of Indians, shall be added to, and constitute a part of the Northern Judicial District of Alabama, instead of the Southern District of said State, as now arranged.

APPROVED, March 31, 1832

[PUBLIC No. 16.]

AN ACT to authorize the Judges of the courts of the United States to take bail of the claimants of property seized, and perform other acts in vacation.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in any cause of admiralty and maritime jurisdiction, or other case of seizure, depending in any court of the United States, any Judge of the said court, in vacation, shall have the same power and authority to order any vessel, or cargo, or other property, to be delivered to the claimants, upon bail or bond, under the statute, as the case may be, or to be sold when necessary, as the said court now has in term time, and to appoint appraisers, and exercise every other incidental power necessary to the complete execution of the authority herein granted; and the said recognizance of bail or bond, under such order, may be executed before the clerk, upon the party's producing the certificate of the collector of the district, of the sufficiency of the security offered; and the same proceedings shall be had in case of said order of delivery, or of sale, as are now had in like cases when ordered in term time: Provided, That upon every such application, either for an order of delivery or of sale, the collector and the attorney of the district shall have reasonable notice in cases of the United States, and the party of counsel in all other cases.

APPROVED, April 5th, 1832.

[PUBLIC No. 17.]

AN ACT providing for the organization of the Ordnance Department.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act, the Ordnance Department shall consist of one Colonel, one Lieutenant Colonel, two Majors, and ten Captains, and as many enlisted men as the public service may require, not exceeding two hundred and fifty.

SEC. 2. And be it further enacted, That the Secretary of War be authorized to select from the Sergeants of the line of the Army, who shall have faithfully served eight years in the service, four years of which in the grade of non-commissioned officer, as many ordnance Sergeants as the service may re-

quire, not to exceed one for each military post; whose duty it shall be to receive and preserve the ordnance, arms, ammunition, and other military stores, at the post under the direction of the commanding officer of the same, and under such regulations as shall be prescribed by the Secretary of War, and who shall receive for their services five dollars per month, in addition to their pay in the line.

SEC. 3. And be it further enacted, That the first section of the act passed on the eighth of February one thousand eight hundred and fifteen, entitled "An act for the better regulation of the Ordnance Department," and so much of the second section of the act, entitled "An act to reduce and fix the military peace establishment of the United States," passed the second of March, one thousand eight hundred and twenty-one, as provides for one supernumerary Captain to each regiment of artillery, to perform ordnance duty, and so much of the fourth section of the same act as merges the Ordnance Department in the artillery, and reduces the number of enlisted men, be, and the same are hereby, repealed: Provided, That nothing contained in this act shall be so construed as to divest the President of the United States of authority to select from the regiments of artillery such number of Lieutenants as may be necessary for the performance of the duties of the Ordnance Department.

SEC. 4. And be it further enacted, That all officers and enlisted men authorized by this act, shall be subject to the rules and articles of war, and that the officers shall receive the pay and emoluments now allowed to, or which may hereafter be allowed Artillery officers.

APPROVED, April 5, 1832.

From the N. Yew Journal Commerce.

LATE AND IMPORTANT FROM MEXICO.

We are indebted to a friend for the subjoined extract of a letter, from which it will be seen that a battle has been fought between the contending parties in Mexico, and Santa Anna defeated.

Vera Cruz, March 7, 1832.

A heavy battle has been fought between Santa Anna's party and the government troops about 7 leagues from this city, in which the former were completely routed, and lost many men, a large number being taken prisoners. The loss on the other side is no doubt very great, as they did not pursue the remains of Santa Anna's army, who fled for Vera Cruz. Santa returned to the city with a very slight wound. We have had no news from Mexico for a number of days. Many conjectures are afloat as to the cause. Some suppose that city has also revolted. The Ship Congress has arrived from New York in 18 days.

Extract of another letter, dated

Havana, March 18.

Letters from Vera Cruz inform me that Santa Anna, animated by his success on the 23d of February, made a second sortie at the head of 1000 men, and directed his march towards the plains of Solome, where he encountered the troops of the government under General Corderon on the 3d of March, who was ready to receive him.

Santa Anna, impatient of delay, attacked them with impetuosity, and was received with firmness by the government troops. No quarters were given on either side. The battle lasted from 10 in the morning to 4 P. M. when Santa Anna being defeated, was obliged to retire to Vera Cruz, where he arrived with only two men. His loss is computed at 300 killed including Colonel Landores, and 500 prisoners, including 45 officers. On the 4th they arrived at Vera Cruz 150 fugitives. The inhabitants were waiting from hour to hour, for the arrival of the Conquerer that they might open their gates and receive him. The 9th regiment has been put to the sword, and the 4th also has had a large part of it destroyed.

P. S. March 19.—It is rumored that Gen. Santa Anna has been for three days off St. Antonio, in a brig which has at length disappeared. So you may perhaps expect him soon in the United States.—His flight is very proper, for he had no troops to defend him.

DECREE OF THE GOVERNMENT.

The following decree was issued by the Federal Government on the 22d Feb.

The Vice President of the Mexican States, in exercise of the supreme executive power, to the inhabitants of the Republic. Be it known, that the General Congress has decreed the following.

Art. 1. The Government will declare closed to foreign commerce, and to that of coasting vessels, every port of the Republic which is or shall hereafter be occupied by rebellious troops, giving notice, in each case, when any port has become subject to this order, and taking such measures as may be necessary for the information of Captains of vessels bound to it.

2. The embargo will continue so long as the occupation by rebellious troops shall continue; and when it has ceased, notice of the same will be given by the government.

[The second and third sections, in the present state of things, are not important. They relate to the collection of duties.] Palace of the Federal Government, Mexico, Feb. 22, 1832.

ANTONIO RUSTAMANTE.

From the Cincinnati Gazette.

THE CASE OF THE MISSIONARIES.

The newspapers teem with speculations, suggestions and surmises, as to the probable consequences of the recent decision of the Supreme Court of the United States in the case of the Missionaries. One alleges, that the mandate to release them has been issued to the Marshal, and supposes he will refuse to execute it, or will resign. Another says, that President Jackson has declared that the sentence of the law must be executed. A third asserts, that the President has declared he will not assist its execution, and talks about impeachment. A fourth hints, that the Supreme Court have indicated that if their judgment is set at naught, they will never meet again. All this is not only idle, it is mischievous. Very sensible men, who are not lawyers, may talk a great deal of nonsense upon legal subjects. When they do so, legal men should set them right. I am surprised this has not been done, in the matter here referred to.

The mandate issued by the Supreme Court, in the case of the Missionaries, is not and cannot be directed to the Marshal. It is addressed to the Georgia Court, in which the sentence was rendered. It is the common ordinary process issued, when the Supreme Court reverses the judgment of an inferior court. Exactly the same kind of process will issue, to the U. States Circuit Court for Ohio, in the case of the City of Cincinnati and E. White.—It informs the Georgia Court that its judgment is reversed and annulled, and it directs that the prisoners be set at large. In common cases, the Georgia Court would receive the mandate, cause it to be recorded, and comply with its directions. This is the plain course of duty, in a Government of laws. But the Georgia Court may refuse to pursue this course. The Court of Appeals of Virginia once refused to pursue it, and the proceedings that followed were these: The party interested, applied, at the next term of the Supreme Court, for redress: that Court entered into no conflicts with the Court of Appeals of Virginia. It issued process directed to the Marshal of Virginia, to put the party in possession of the property adjudged to be his right, by the Supreme Court: the Marshal obeyed, and there the matter ended.

If the Georgia Court refuses to respect the mandate, that refusal does not defeat its validity and effect—neither does it call for any action on the part of the President. In fact, it makes no occasion for him to act. Several modes of seeking further redress are open to the counsel for the missionaries. One of them is, that pursued in the Virginia case. Let the matter rest until the next Supreme Court, and then apply to that Court for the proper writ addressed to the Marshal of Georgia commanding him to set the prisoners at liberty. If he refuse to obey this writ, then the next measure is to proceed against him by attachment. In case of such refusal, it would, perhaps, be the legal duty of the President to remove the Marshal and appoint one that would act; but his omitting to do so, could hardly be held an impeachable offence. If the Marshal take upon himself to execute the process, and the officers of Georgia resist, it then becomes his duty to call for aid upon the citizens of the state, as state officers call for assistance when resisted, in the execution of legal process. If he cannot obtain this assistance, then it is his duty to represent the matter to the President; and it is the President's duty to call out the military power of the Union, to enforce the execution of its laws.

There is another mode of proceeding which may bring the contest to this crisis in less time. The reversal of the Georgia judgment totally takes away its validity. It is of no more effect than if it had never been rendered. The missionaries are illegally confined, as if no accusation had ever been preferred against them or sentence passed upon them. Their counsel may therefore apply to the U. States District Judge of Georgia, or to the U. States Circuit Judge for that district, for a writ of habeas corpus. This writ must be granted, and those judges being concluded and bound by the decisions of the Supreme Court of the U. States must, and no doubt would, order the prisoners to be discharged. Process to insure their discharge would be issued to the Marshal, and then the same predicaments occur as already stated. But until the state officers of Georgia refuse to respect the decisions, until a Marshal has refused to act, or until he is resisted in acting, and unable to command assistance to enforce obedience, the President has nothing to do. It becomes him to remain silent, until called upon to express his opinions and intentions, and it is most likely he has pursued this course.

MILITIA.—A bill has been reported in Congress for organizing the Militia of the United States. It provides that the enrolled militia shall consist of free white male citizens between the ages of 21 and 30; to be armed and equipped by the government; allows young men of 18 to form voluntary corps with consent of parents, and after 9 years service, will be entitled to a discharge in the same manner as if they had attained the age of 30.

France.—The following horrid occurrence, is said to have taken place in a lonely house at the Camp de Lune, arrondissement of St. Menchould.

The account is extracted from the *Echo de l'Est*.—A person, of the department of the Marine, who had about him a sum of 800 francs was arrested, towards the close of the day, in a forest, by a fellow who demanded his purse or his life. "My purse is light," said he, "six francs is all it contains."—"Give them," said the robber and pass on your way." The traveller was scarcely out of the woods, when, perceiving a light in the fields, and afraid of being attacked by other thieves, he thought it prudent to direct himself to a lonely house and ask for refuge. He there found a woman alone, to whom he related what had happened to him, not forgetting to add, that by his presence of mind, he had saved his 800 francs. The woman readily consented to give him a bed, and conducted him to a back-room. Her husband who, was no other than the thief of the forest, came in soon after, & she told him what he already half knew. The worthy couple immediately laid a plan to assassinate their guest, which was fortunately overheard by the traveller, who armed himself with a heavy stick, and resolutely awaited his murderers. The husband seizing a large kitchen knife, and the woman a hatchet, went straight to the stranger's room. The door was barricaded; they broke it open, a conflict ensued in the dark, in which the stranger by a blow with his stick, felled the husband to the earth. The woman concluding that it was the traveller whom she heard fall, struck several blows with her hatchet on the head of her victim, and thus accomplished the death of her husband. Justice is inquiring into the circumstances; but if these facts be exact, Divine justice has already avenged society.

From the N. Y. Courier & Enquirer.

THE COMET.

The expected comet in June next, has produced considerable sensation from the fact that some German astronomers have prognosticated that its approach will be so near to the earth, and its well known velocity so great, as to produce an awful shock, if not utterly to destroy the great globe itself and all that inhabit it. The celebrity which German philosophers have acquired as skillful mathematicians, profound astronomers, and acute observers of the heavenly bodies, has tended to create great alarm among the weak, and some apprehension even in persons of stronger minds. The idea that the world is to be destroyed by fire—that the great deluge was produced by a comet—together with signs, prognostics, and calculations—with prophesying divination, war and pestilence, earthquakes and famine—all lead to some foreboding or fearful apprehensions. For our part, we can indulge in no such feeling, nor can we see any more cause of alarm than that to which we are daily subjected by all "the ills that flesh is heir to." The Mussulmen (or Infidels, as they are called by many) say on all occasions, "God is great." So we say; and all his works are governed by fixed laws, and subjected to no sudden or capricious revolution. Those who have faith need not be alarmed—those who are fit to live, and whose works are those of truth and clarity, should say with the Mussulmen, "God is great," and not be afraid of what is to come.

From the earliest and darkest periods of history, eclipses of the sun and comets have created alarm and forebodings among all classes of the superstitious and ignorant, who, unable to account for their existence, have naturally conceived the phenomena to be precursor of destruction and evils to the human race, and felt that alarm which even at this day partially exists.

But comets have appeared and disappeared—eclipses have occurred—tempests and hurricanes have carried desolation in their track—pestilence has walked at noon day, yet the world still exists, the laws of nature continue fixed and unalterable, and matter and space remain the same since the token of peace appeared in the Heavens.

"The unwearied sun from day to day
Doth his Creator's power display;
And all the planets, as they roll,
Doth spread his truth from pole to pole."

The existence of comets have long been a subject of speculation among philosophers and astronomers. What they are, and for what purposes they exist, continue unknown.

Brähie, the great Danish mathematician, discovered, by acute observation and correct calculation, that the comet of 1537 was at a greater distance from the earth than the moon, consequently could answer no earthly purpose, and was too remote to create apprehension. Newton, Dr. Halley, and the French and German philosophers made many interesting experiments and calculations on the comets, from which it was inferred that the orbits of comets were like those of planets, eclipses, having the sun in one focus—that some have retrograde

movements in the opposite way of the planets—that some had passed within a third of the distance between the earth and the sun—that their appearance is about 76 years apart—and that that of 1456, 1531, 1607, and 1682, were re-appearances of the same comet, making its circuit of revolution round the sun once in 75 or 76 years. Dr. Halley was convinced that comets were regular & permanent bodies, obeying the general law of matter, and calculated that the comet would re-appear in 1757 or 1758. He died in 1742, and in Dec., 1758, the comet re-appeared. At the time this correct calculation was made, its perihelium distance and magnitude was also known. The distance between the earth and sun is calculated at 95,000,000 miles—the mean distance of the comet is 1705,250,000 miles—its least distance 55,000,000. Hence we see that comets belong to the solar system, and are not amenable to the attraction of any body not belonging to this system. This is the case with the comet of 1759, which has re-appeared four times, and is expected the present year. The Encke comet has made the most noise among astronomers since its appearance in 1818. Professor Encke was successful in showing that the comet of 1818, would re-appear in 1822, 1825, and 1828. If comets can have no influence on planets passing so much nearer to them than to the earth, we have no cause of alarm on this "mundane sphere." What matter they are composed of we cannot know, but there is matter by seeing the nucleus through a telescope. If it is light or fire, it may be a collection drawn from the sun, concentrated in the nucleus, and drawn out as the tail expands—thin, fibrous and vaporous, moving with great velocity at an immense distance from the earth, portending no harm to its inhabitants, and in fact not in itself necessary to the creation of a moment's uneasiness.

From Liberia.—The ship James Perkins, which sailed from Norfolk on the 8th December last, with emigrants for the American colony at Monrovia, returned to that port on the 29th ultimo, via Isle of May. Three died during the voyage, an elderly and weakly woman and two children. The balance of the colonists, after recovering from the sea sickness produced by the usual roughness of the weather, continued in fine health. Their conduct throughout the voyage was of the most orderly and becoming character. The Captain, says the Beacon, represents the colony as enjoying excellent health, and exhibiting the pleasing spectacle of an industrious, contented and thriving population, and that in the 12 days of his stay there, he did not hear from any one a desire to return. Good order, the fruit of good government, was every where manifest, and the military were a numerous and fine looking body of men. The commerce of this prosperous colony was in an improving and flourishing condition.

N. C. Star.

A YOUNG HERO.—The following extraordinary circumstances occurred about a fortnight ago, in the family of Mr. Eagle, a respectable farmer living at the junction of Frenchtown and Red Lion roads, about eight miles from this city. Mr. Eagle and his wife had gone from home to spend the night, leaving in the house his son, of about 12 years of age, a nephew of the same age, a daughter of about 8 years of age, and a negro boy and girl: the boy about 20 years of age. In the evening, when the children were about retiring for the night, the black boy came into the room and manifested the most brutal intentions towards the little girl; took up a loaded musket which was in the room, and threatened the boys with instant death if they interfered. The boys, who both displayed remarkable presence of mind and intrepidity throughout the whole affair, contrived to secure the musket, and forced the young ruffian from the room. After securing the door, the boys retired to their bed, and the little girl to hers, in the same room. They had been but a short time in bed, when the negro returned to the door, and with violent threats and imprecations began to force it with a heavy instrument, with which he broke through the panel, and was making his way into the room, when young Eagle, who had the musket along side of his bed, and was coolly watching the operation, took deliberate aim at the villain, and shot him through the breast, of which wound he died in a few hours. A Coroner's inquest was held upon the body, and found the facts as we have related them.

Del. Jour.

Cigar Smoking has of late years become very fashionable in London, as well as in many other parts of the Empire. John Bull is not so very knowing as to the quality and flavour of the leaf, as well as we are—at least it would seem so, for it is stated as a well authenticated fact, that the greater and more common part of the cigars vended in the kingdom, and sold at from 8s to 13s the hundred, are prepared from the cabbage leaf soaked in a strong solution of tobacco water.