

for, to be applied, first, to the discharge of any balance standing against said Smith on the books of the Treasury, & the residue to be paid to the legal representatives of Walter Smith, the sum of three thousand three hundred and thirty dollars and sixty-one cents.

To enable the Secretary of the Treasury to employ a suitable person to complete the Marine Hospital at Charleston, South Carolina, authorized by the act of twentieth May, one thousand eight hundred and thirty, four thousand three hundred and sixty dollars: Provided, nothing herein contained shall be construed to enlarge the said contract, or to release the contractor from his liability thereunder.

For the erection of Marine Barracks and Officers' quarters at the Navy Yard, Philadelphia, nine thousand dollars.

For the purpose of defraying the expenses of a survey of the waters of Narragansett Bay, to be made under the direction of the Secretary of the Navy, with a view to ascertain the practicability and expediency of establishing a Naval depot therein, five thousand dollars.

For enabling the President of the United States to obtain from the Norfolk Bridge Company, a release and conveyance to the United States, of the Bridge over the southern branch of the Elizabeth river, between the Navy Yard and the Dry Dock, and of the road leading from the same to the southwestern side of said Yard, the sum of sixteen thousand dollars: Provided, The Secretary of the Navy shall be satisfied that the said sum does not exceed the value of the same: And provided, That the Attorney General of the United States shall be satisfied of the validity of the title, and that the right thus acquired, will authorize the United States to remove the Bridge, and to enclose the road within the Navy Yard.

Sec. 2. *And be it further enacted*, That the Secretary of State be authorized, out of the sums appropriated to defray the expenses of taking the late Census, to pay those assistant Marshals, for their services, who have failed to receive compensation, from the delinquency of the principal Marshals.

A. STEVENSON,

Speaker of the House of Representatives.

J. C. CALHOUN,

Vice President of the United States,

and President of the Senate.

APPROVED, May 5th, 1832.

ANDREW JACKSON.

[PUBLIC NO. 44.]

AN ACT Supplementary to the "Act for the relief of certain surviving officers and soldiers of the revolution."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That each of the surviving officers, non-commissioned officers, musicians, soldiers and Indian spies, who shall have served in the continental line, or State troops, volunteers or militia, at one or more terms a period of two years, during the war of the revolution, and who are not entitled to any benefit under the act for the relief of certain surviving officers and soldiers of the revolution, passed the fifteenth day of May, eighteen hundred and twenty-eight, be authorized to receive, out of any money in the Treasury not otherwise appropriated, the amount of his full pay in the said line, according to his rank, but not exceeding in any case, the pay of a captain, in the said line; such pay to commence from the fourth day of March, one thousand, eight hundred and thirty-one, and shall continue during his natural life; and that any such officer, non-commissioned officer, musician, or private as aforesaid, who shall have served in the continental line, State troops, volunteers or militia, a term or terms in the whole less than the above period, but not less than six months, shall be authorized to receive out of any unappropriated money in the Treasury, during his natural life, each according to his term of service, an amount bearing such proportion to the annuity granted to the same rank for the service of two years, as his term of service did to the term aforesaid; to commence from the fourth day of March, one thousand eight hundred and thirty-one.

Sec. 2. *And be it further enacted*, That no person, receiving any annuity or pension under any law of the United States providing for revolutionary officers and soldiers, shall be entitled to the benefits of this act, unless he shall first relinquish his further claim to such pension; and in all payments under this act, the amount which may have been received under any other act as aforesaid, since the date at which the payments under this act shall commence, shall first be deducted from such payment.

Sec. 3. *And be it further enacted*, That the pay allowed by this act shall, under the direction of the Secretary of the Treasury, be paid to the officer, non-commissioned officer, musician or private, entitled thereto, or his or their authorized attorney, at such places and times as the Secretary of the Treasury may direct, and that no foreign officer shall be entitled to said pay, nor shall any officer, non-commissioned officer, musician or private, receive the same until he furnish the said Secretary satisfactory evidence that he is entitled to the same, in conformity to the provisions of this act; and the pay hereby allowed shall not be in any way transferable or liable to attachment, levy or seizure, by any legal process whatever, but shall insure wholly to the personal benefit of the officer, non-commissioned officer, musician or soldier entitled to the same.

Sec. 4. *And be it further enacted*, That so much of the said pay as accrued before the approval of this act, shall be paid to the person entitled to the same as soon as may be, in the manner and under the provisions above mentioned; and the pay which shall accrue thereafter shall be paid semi-annually, in the manner above directed; and, in case of the death of any person embraced by the provisions of this act, or of the act

to which it is supplementary, during the period intervening between the semi-annual payments directed to be made by said acts, the proportionate amount of pay which shall accrue between the last preceding semi-annual payment, and the death of such person, shall be paid to his widow, or if he leave no widow, to his children.

Sec. 5. *And be it further enacted*, That the officers, non-commissioned officers, marines, or marines, who served for a like term in the naval service, during the revolutionary war, shall be entitled to the benefits of this act, in the same manner as is provided for the officers, and soldiers of the army of the revolution.

APPROVED, June 7, 1832.

#### UNITED STATES BANK.

#### Remarks of Mr. Benton,

Of Missouri.

IN SENATE—Monday, May 29, 1832.

The bill for the renewal of the U. S. Bank being under consideration—Mr. WEBSTER spoke in explanation of his motion to amend, by authorizing Congress, at any time to restrict the Bank from issuing notes of a less denomination than — dollars; and he proposed to fill the blank with 10 dollars.

Mr. BENTON would propose 20 dollars. He was unwilling that any bank should issue a note for a less sum than 20 dollars, and especially the Bank of the United States. He wished the basis of circulation throughout the country to be in hard money. Farmers, laborers and market people ought to receive their payments in hard money. They ought not to be put to the risk of taking bank notes in all their small dealings. They are no judges of good or bad notes. Counterfeits are sure to fall upon their hands. In England all bank notes of less amount the £5 sterling, (about 25 dollars,) had been proscribed and put down, and that upon thorough experience of the evils of all small bank paper. The bank of England was originally limited to minimum notes of £20, (near 100 dollars,) they afterwards fell to one and two pounds after the suspension of specie payments in 1795. These one and two pound notes, corresponding with our 5 and 10 dollar notes, continued to circulate till a few years ago, when the evils resulting from them were found to be insufferable. They had expelled the specie from the country; they filled up and stopped all the channels of circulation. The banks issued them in profusion, even to the exclusion of larger notes, because they gained largely by the loss and destruction of these small ones. All the counterfeiters went to work upon them. Every farmer, tradesman, and day laborer was imposed upon with counterfeit notes, and poor people who received a counterfeit note, and offered again to pass it, were taken up for passers of counterfeit notes, and hung or transported to Botany Bay. The number of innocent and ignorant persons who thus suffered was prodigious. Humanity raised her voice in their favor; and to relieve them from danger, and to prevent the total expulsion of specie, it was necessary to abolish the small note circulation. It was more necessary in the United States than in England to suppress the circulation of small notes, on account of the extent of the country. Notes of the Bank of the United States circulated at immense distances from where they issued. Farmers knew nothing about the genuineness of these notes.—They could not know, for they hardly knew where they came from, much less who signed them. A specie circulation ought to be preserved for the farmers, laborers and market people; & the way to preserve it was to suppress the circulation of notes under \$20. Few men complain of receiving payments in silver which are under \$20. The whole laboring community, whose dealings are generally small, would rejoice to have silver, which they knew something about, instead of notes which may be counterfeit.

After some further debate Mr. BENTON'S motion was adopted, and the amendment agreed to.

Mr. MOORE then offered two amendments to the bill—the first, providing that the Bank shall not establish a branch in any State, without the assent of that State; the second, providing that the State shall have the power to tax the branches, in like manner with state Banks, and other property.

Mr. BENTON was in favor of both branches of the amendment; he was in favor of getting leave from the State before the branch was established, or getting leave for it to continue where it was already established, and for subjecting it to fair and *bona fide* taxation. He could not agree to objections which were urged against either branch of the amendment. It is said the State may refuse her assent to the establishment, or continuance, of the branch; and this is said in the same breath that we are also told, that these branches are a blessing to the States, and that they are all in favor of receiving them. What danger then that they will reject these blessings? If, on the contrary, they are curses, carrying off the hard

money of the States, governing their elections and interfering with their politics, the States ought to have a right to reject them if they pleased. Placed on either foot—a blessing or a curse, he [Mr. B.] contended that the people of the States were the best judges of the fact; and if they were admitted to be free people, capable of governing themselves, and taking care of their own affairs, they ought to be allowed to judge for themselves, and decide for themselves. He contended for the rights of the States to decide the question for themselves, and could not abandon that point without abandoning the fundamental idea of State sovereignty.

With respect to the second branch of the amendment—the right of the State to tax the branches—it was a right so plain and obvious, that gentlemen had to misunderstand, and misrepresent it, in order to make head against it. They treated it as a power to expel the branch from the State by exclusive taxation! Here the friends of the bank were caught on two hooks; if the branch was acceptable to the State, and a blessing to it, they would not expel it by taxation, if they could; and secondly, they could not so expel it, if they would; for the power of taxation was limited in the amendment to the same proportion that the State might tax her own banks, or the property of her own citizens. Thus she could not expel the United States Branch Bank by taxation without expelling her own banks if she had any, and her own citizens if she had not, at the same time. This defence, then, would not do. It was the intention of the amendment, and the words of the amendment, and would be the operation of the amendment, if it passed that it should be fair taxation. And would not that be just? Farmers, merchants, tradesmen, citizens of every calling had to pay taxes to the State; and why not tax the Bank? It is certainly the richest and the most able to pay. It certainly received the protection of the State, and ought to contribute to support the State. It certainly drew immense sums of money from the States of interest and exchange, and ought to make some compensation for these benefits. The stockholders are most of them non-residents; many of them aliens. They contribute no way to the support of the State; they neither fight for it in time of war, nor pay taxes to it in time of peace. Why should this be? Fight, we cannot make them! They are too rich to fight; they are too far off to be drafted and compelled even to furnish substitutes. Banks in every part of the Union now had to pay taxes. It was absurd, that a man by selling his property, and converting it into bank stock, and living on the dividends, should escape all taxes! It was out of the question that those most able to pay taxes, should pay none! That those who had most money to be protected by Government, should pay nothing for the support of the Government. Mr. B. said, that this exemption of the U. S. bank stock from payment of taxes was an old monarchial principle drawn from the bank of England charter, and put into that charter in the lowest stage of English liberty, the reign of Queen Anne, when the TORIES were in the zenith of their power, and did by Parliamentary legislation what the Supreme Court of the United States had here done by judicial interpretation. Mr. B. then read a section from the amended charter of the bank of England, passed in 1703, the 10th year of the reign of Queen Anne,—by which the bank of England stock was specifically and expressly exempted from taxation. In England, he said, it took the power of parliament to prevent the rich stockholders from being taxed; in the United States the federal court had saved the branches in the States: he trusted the American Congress would decide differently from the Parliament of Queen Anne's time, and leave for the States their natural right to make the rich contribute to the support of the Government.

The Clay papers are harping now on the propositions to reduce the Tariff, and declare open war on the propositions of Messrs. McLane and Adams. This is merely chaff to catch birds. The existing tariff is a tariff of revenue. The revenue is no longer wanted to the present extent—as a revenue tariff it operated as a direct tax on the people. The object now is to relieve the people of tax, by reducing the tariff down to the naked protecting principle. All our manufacturers will be protected under it—and that is all the people or the manufacturers want. The politicians want to drive the country into a civil war—Calhoun goes for nullification—Clay for division, war and famine—and the Administration goes for the rights of the people—the rights of the States—and the union of the Republic. We the people go with the Administration. *Trenton Emp.*

What might have been expected.—The Nullities and the Clay men are in close embrace—the five striped flag and the palmetto are entwined. And why should there not be an alliance between the disunionists of Hartford and those of Columbia? They having a common object naturally travel the same road—the road to ruin.—*Boston Sta.*

#### Indian War!

From the Jacksonville, Illinois, Patriot.  
LATEST NEWS FROM THE SEAT OF WAR.

On Friday last, we received intelligence, that a party of the Volunteers who had gone to drive the Indians from our frontiers, had an engagement on the 14th inst. and that 52 of our men were killed or missing. It will be seen by the following interesting letter from one of our fellow citizens, (M. McConnel, Esq.) that the number killed is not so great as was first apprehended. The express, who brought the first account, started from the camp on the morning after the action, before an opportunity had been given for all to find their way into head quarters, which accounts for the apparent inconsistency in the two statements. The information contained in this letter may be relied on as being correct, and the more so, as the whole has been corroborated by our townsmen, Mr. James Parkinson, Assistant Qr. Master, who left Head Quarters last Saturday on his way to St. Louis, with despatches from Gen. Atkinson. Mr. P. informed us, that when the army arrived on the battle ground, the sight presented to the eye, was far more shocking than could, with any propriety, be described. There were but three Indians found who were killed in the affray; but as the Indians are in the habit of secreting their own dead, slain in battle, a number might have been killed, and those found might have belonged to another tribe. He could not recollect the names of but a few of those who were killed; they all belong to the upper counties; among them was Major Perkins, of Tazewell, whose loss is much deplored; he has left a widow and eight children to mourn over the effects of war.

*Dickson's Ferry, on Rock River,*  
May 17th, 1832.

J. G. EDWARDS, Esq.

Dear Sir:—By way of fulfilling my promise, made to you when I addressed you from the mouth of this river, I now proceed to give you a brief account of the proceedings of the army since that time.

After leaving the old Sac town on the 10th inst. we passed and burnt the Prophet's village, took two *Pottawattamie* Indians prisoners, and after two days and half, very hard marching, we arrived at this place, where we found about two hundred and eighty men under the command of Colonel STILLMAN. These were principally citizens of Fulton and Tazewell, and other counties in that part of the State. It was near this place that we expected to meet with hostile Indians, and by one decisive blow, endeavor to put a termination to this troublesome affair. When near this place, we were met by some persons who informed our officers that no hostile Indians were to be found embodied in this vicinity, and that in all probability we would be unable to overtake the British band of Sac in this state. As this news passed down our lines, dissatisfaction and disappointment appeared evident on the countenances of all—both men and officers. They had wrought their minds up to the fighting point—the excitement was high, and expectation on tiptoe, and this news operated as a sudden and unexpected damper to their high wrought anticipations. We were ordered into camp, where we remained two days and a half, in very cold, stormy and disagreeable weather. During all this time dissatisfaction and disorder reigned in the camp; all were impressed with the idea, that we were doing no good, either for ourselves or country.

Things were in this situation on the night of the 14th instant, when, at about 2 o'clock, A. M. the whole camp was aroused by the retreating troops of Col. Stillman, who had been sent up Rock river, two days before, by the governor, to act as spies, and ascertain the true situation of the Indians. Some of these persons came into camp wounded, and all of them without their baggage and apparently very much alarmed. They reported that they had been attacked, routed and many of them cut off by the hostile band of Sac, about twenty-eight miles from this place, up Rock river. Orders were immediately given for us to prepare to march to the scene of action by the dawn of day. When this order was received, owing to some accident, the whole army was almost entirely without provisions; most of us had subsisted for two or three days on pickled pork and parched corn, and that rather scarce. We had no other provisions than that to carry with us into the enemy's country; and the length of our stay there was known to be altogether uncertain. Notwithstanding all this, the whole camp was in a few minutes, in a bustle of preparation; every man willingly packed up his small piece of pork, together with his arms and clothing, and by day-light the whole army was in full march up the country.

We moved on with all possible speed towards the spot where the affray took place; meeting occasionally, the wounded and others who had lost their horses, and had spent the night in endeavoring to get back to the main army. About five o'clock in the afternoon we arrived at Sycamore creek, the place of action; and here language is inadequate to describe the scene. Dead horses were the first objects which met our view; then the mutilated remains of the men, scattered in all directions, many with their heads taken off and scalped, others were ripped open, their hearts and bowels torn out, their arms, feet and hands taken off, and scattered over the prairie; their bodies torn and mangled in a shocking manner—many of the parts of different bodies were taken away which have not yet been found. All this presented a scene from which our citizens turned with horror, as being too shocking for humanity to behold.

We proceeded immediately to collect and bury the various parts of these mangled bodies, and then to search for the enemy.

We spent that night and the greater part of the next day with our arms in our hands, scouring the country, but the Indians had escaped. It appeared that they had left their village in haste, leaving their dead and part of their effects behind them. It was impossible for the army to follow them immediately, for want of provisions; we accordingly returned to this place last evening, where our stores have just arrived, and the troops again have wherewithal to satisfy their hunger.

There are two *Pottawattamie* Chiefs now in camp for the purpose of making some arrangements by which their tribe may co-operate with our army in expelling from the state, the hostile Sac. What the result of this negotiation will be, is yet uncertain. It is reported that the savages are embodying all their forces about sixty miles from this place, up Rock river, where it is expected we will follow them in a few days; from which place, being aware of the anxiety our friends feel to hear from us, if I have an opportunity, you shall again hear something of what is passing among us.

M. MC CONNEL.

P. S.—It is impossible for me to give you the precise number of the killed and wounded on either side, as it is not yet ascertained; we found and buried ten white men, and several Indians. Neither can I give you any certain information how or by whom the battle commenced, as the reports handed in, by the persons, differ in many points.

#### THE INDIAN WAR.

St. Louis papers of the 2d inst. state, that the Illinois militia, under Gen. White-side, were disbanded and had returned home, their term of service having expired. "About 200 volunteered to remain in the fortifications at Otaway until the new levies should arrive." It is said Gov. Reynolds had called out 3000 additional troops. The Governor and his Aid had arrived at St. Louis, in the Carolina—and it was said he was proceeding home to expedite the marching of troops to the seat of war. Gen. Atkinson was still at Dixon's Ferry, on Rock river. The regular troops at Cantonement Leavenworth and Fort Winnebago had been ordered to join Gen. Atkinson, and it was supposed they would reach Dixon's Ferry on the 16th inst.

It is stated that the Sioux and Menomines, with a thousand warriors, were anxious to join the whites, and to revenge the wrongs they have suffered from the hostile Indians. Their aid was, at first, declined, but will now be accepted. It was believed that the Indians would gather strength in consequence of their success in the commencement of the struggle, and the subsequent inactivity of the whites. Intelligence was daily received at St. Louis, of murders and massacres on the defenceless frontier; and these outrages will be continued "until the frontier is cleared of the enemy."

*Louisville Ad.*

LATE NEWS FROM THE INDIAN WAR! A friend has placed in our hands a copy of the "Beardstown Chronicle—Extra," from which we extract the following news.

*Beardstown, Ill., May 26.*

Through the politeness of a friend we are favored with the last number of the Sangamo Journal—brought to hand by private conveyance, SIX DAYS in anticipation of the mail—from which we are enabled to give the names of all but one of the unfortunate sufferers in the late conflict with the Indians on Sycamore creek:

Capt. James Adams, Maj. Isaac Perkins, — Mandenball and — Crisps, of Tazewell county; — James Milton, of Macon county; — Doughty, of Peoria county; John Walters, Bird Ellis and — Fariss, of Fulton county; — Draper, of McLean county.

*Copy of a letter from R. Holmes U. S. Acc't, dated Crozier's Landing, Illinois River, May 23, 1832.*

DEAR SIR: I am happy to inform you, that since the defeat of Maj. Stillman's party, many of those supposed to be killed have come into camp, leaving only 13 as the loss on that occasion, 11 of whom have been found dead and been buried; the two remaining are still missing, and it is feared they also are killed, lying where they have not yet been found. Mr. Horn left the army the morning after the battle, and at that time the missing amounted to 52, but after his absence they were coming in for three days, having lost their horses, and been themselves lost, until the number was reduced as I have stated.

The bodies, when found, were cut and mangled in the most shocking manner; their hearts were cut out; their hands and limbs severed from their bodies, besides other acts of indignity perpetrated on them, too outrageous and indecent to be named. There is one exception to the above; a young man was found dead, with his head partly cut off, embraced by a dead Indian. The man had been tomahawked and the Indian shot through the body. It is thought that the young man, after shooting the Indian, had no longer the means of defence, and that the Indian had strength enough to tomahawk him; but in the act of cutting off his head, died, embracing his enemy in the last convulsive grasp of life.

The alarm and distress on the frontier, cannot be described; it is heart-rending to see the women and children in an agony of fear, fleeing from their homes and hearths, to seek what they imagine is a short respite from death. They are, I trust, however, safe from this point down; but these above, north and east, if they are not already massacred, are in imminent