

PENSION REGULATIONS.

Letter from the Secretary of War,
In relation to the execution of the "Act supplementary to the act for the relief of certain surviving officers and soldiers of the revolution.

War Department, June 15, 1832.

Sir:—In answer to your letter of this date, I have the honor to observe, that the act of Congress of March 18 1818, entitled "An act to provide for persons engaged in the land and naval services of the United States in the revolutionary war," made provision for placing upon the pension roll all commissioned officers, non commissioned officers, musicians and private soldiers, and all officers in the hospital and medical staff, who served in the war of the revolution.—The construction given to this clause by this department was, that the specific enumeration of "officers of the hospital and medical staff," excluded from the benefit of the act all other officers of staff not holding commissions in the army. Because if the words "all commissioned officers," &c. extend to the whole staff of the army, there was no necessity to insert a particular provision for any branch of the staff. And such a provision, when inserted, would embrace only the particular class described,—Officers of the line only, were, therefore supposed to be included in the first description. It is, however clear to me, that, had the law contained no particular enumerating clause, the general provision, "all commissioned officers," would have included all the officers of the line and staff of the revolutionary army.

I allude to this subject here, that the reasons of the difference in the construction put by this department upon the act of 1818, and that which it appears to me, should be put upon the act of the present session of Congress, entitled, "An act supplementary to an act for the relief of certain surviving officers and soldiers of the revolution," may be apparent. The benefit of the latter act is extended to each of the surviving officers, &c. who shall have served in the continental line or state troops, volunteers or militia, &c. without any clause necessarily, or by construction, limiting its operations. It is, therefore, my opinion, that all the officers, whether of the line or staff, of every description, are embraced in this provision.

With respect to the evidence which should be required of the applicants, there is a manifest difference between the regular troops and militia. Of the former, there are rolls in this office, more or less perfect, and where a person's name is found upon them, no other testimony is or should be required. Where the name is not thus found, the presumption is, that the applicant did not render the service stated, and the defect must be supplied by other testimony. The certificate of a commissioned officer, if one can be obtained, is required. But if it cannot, then the corroborating statement of two credible witnesses must be produced. Not that these witnesses should both certify from their own personal knowledge to the actual service of the applicant; but, that they should, by direct or indirect circumstantial evidence, confirm the account given by himself. These principles have regulated the department heretofore, and they appear to me to be founded in reason and justice. When, however, the rolls are known to be imperfect, considerable relaxation should be followed; and, under these circumstances, and as the difficulty of procuring testimony gradually increases, the regulations have recently been relaxed, particularly with respect to the nature of the circumstances required to be shown.

The case of Militia service is, however, different. There are no rolls of militia in this department, except those of the state of New Hampshire. There can, therefore, arise no presumption against the applicant, to be met by stronger evidence, than under other circumstances, would be required; and time has so reduced the number of those veterans, &c. of the witnesses of their services and sufferings, that to demand of them positive proof, independent of their own statements would be to deprive many of them of the benefit of the act. My impression is, that the applicant should produce the best evidence in his power. If he has no living or documentary evidence of his services, he should transmit as detailed a statement, under oath, as he can prepare, showing the time, place, and manner of his employment, the corps to which he belonged, and such circumstances connected with the subject, as he may be able to recollect, and as will serve as a guide to an examining officer, in his investigation of the justice of his claim. To this should be added the certificate, under oath, of at least two respectable persons, whose character can be established, at the department, stating the general impressions of the neighborhood, where the applicant resides, or has resided, that he was engaged in the revolutionary war. I imagine that there are few or none of the survivors, whose claims to

this character are not recognized in the vicinity where they live.

These are my impressions, hastily written, in answer to your letter. I have the more confidence in them, as they are fortified by the opinion of Mr. Edwards, in whose experience and judgment I place great confidence. And I think the committee will agree, that they pursue a just medium between a latitudinous construction, which would throw the doors of the Treasury open to all who were willing to fabricate documents which would insure them the benefit of this act, and such a rigid administration, as would render nugatory to the provisions of the law.

I have the honor to be, sir,
Very respectfully, your obd't serv't

LEWIS CASS.

Hon. SAMUEL A. FOOT,
Chairman of the Com. on Pensions in the Sen.

POTTAWATAMIE TREATY.—MESSRS. JENNINGS, DAVIS and CRUM, Commissioners appointed on the part of the United States, to treat with the Indians, for a cession of their lands in Indiana, Illinois and Michigan, have concluded a Treaty with the Pottawatamie Indians, which extinguishes their national title to all lands within the limits of Indiana, and to all lands lying south of Grand river in Michigan, and east of the river La Plein in Illinois, embracing a tract of most valuable country, and containing between six and seven millions of acres.

It has long been an object of the greatest solicitude to extinguish the Indian title in Indiana, and by this very extensive and advantageous treaty that object has been effected to an extent beyond the most sanguine expectations of the public. With the exception of some few reserves, limited in their character, the undisputed sovereignty of the soil within the geographical limits of Indiana, will now be placed under state jurisdiction; the Territory of Michigan will soon be enabled to take her rank as a state in the confederacy, and the fine and fertile region of western Illinois, be opened to the enterprise of emigrants.

The annuities are small and limited from fifteen to twenty years, and the consideration given for the lands is such as to entirely satisfy the Indians, without burthening the government. There can be little doubt but that the Senate will unhesitatingly ratify the Treaty, and that Congress will take speedy measures to survey and bring the lands into market.

The Miamies are now perfectly surrounded by the lands of the government, and their whole possessions consist only of a few inconsiderable reserves.

Indiana Democrat.

BANK ROBBERS.

According to notice, William Moore, alias Devon and Samuel McPherson, committed upon a charge of being concerned in robbing the North Western Bank of Wheeling, Va. were brought before Judge King, on Monday afternoon; Peter A. Brown, and Robert M. Lee, Esqrs. acting for defendants, and Augustus H. Richards, esq. for the Commonwealth.

A few days ago, when the prisoners had a hearing before the Mayor, they denied knowing each other, or having ever seen the note passed by one of the company. A person named Peter Van Tassel was committed to the Debtors Apartment, in order that he might be used as evidence against the others.

Van Tassel—sworn—Deposed that upon the election morning he met Moore in the street, and accosted him by name; Moore did not at first recognize him, as it had been some time since they met. McPherson was not with him. Moore advised witness to go on to the west, if he wished to make money, saying that this was no place for him to live, adding that if witness was short of money, he would furnish him with fifty dollars to go to New Orleans. While conversing, Mr. McPherson came in, and witness was introduced; Moore said McP. was his partner and told him his intention of assisting witness to money. McPherson replied "that is right." McPherson and witness went to the theatre that night, and he passed the next day with them. McP. and Moore kept their clothes in the same trunk. On Thursday they made arrangements to go to New York, and Mr. McP. gave witness a \$1000 note on the U. S. Branch Bank at New Orleans, and requested him to get it changed, half of which he said belonged to Moore, and witness was to have the fifty dollars promised him—he was to join them at the Arch street wharf. Witness presented the note at several Banks, and it was refused; finally it was exchanged by a broker in Third street, and when witness returned to Arch street, he could not find the prisoners, and walked down town, where Mr. Blayney arrested him.

High constable Blaney—sworn—Deposed, that on Thursday last, a gentleman called upon him and imparted his suspicions respecting a person who proved to be McPherson, and described appearance; and in less than an hour, witness had arrested him, and brought him before the Mayor, and in ten minutes after Moore was arrested in the vicinity of the office, and in about two hours witness had arrested Van Tassel, at the corner of Shippin and Fourth streets, and found 920 of the \$1000 note upon him, the other \$80 having been disposed of to purchase clothes, in a suit of which he was then disguised.

When the evidence was closed, the Judge gave it as his opinion that the prisoners were culpable beyond a doubt, and remanded them back to prison until demanded by the authorities of the state of Virginia.

Philadelphia Chronicle.

Mr. Palmer (Anti-Masonic) has been elected to the Gubernatorial chair of the State of Vermont, by a majority of two votes.

SAC AND FOX TREATY.

Abstract of a treaty between the U. States and the Sac and Fox tribes of Indians concluded at Rock Island, September 21st, 1832:—

Article 1—Cedes certain lands to which the Sac and Foxes have title, to the United States, with certain exceptions thereafter made. Boundaries of said cession, to wit: Beginning on the Mississippi river at the point where the Sac and Fox northern boundary line is established by the 2d article of the treaty of Prairie du Chien, of the 15th July, 1830, strikes said river; thence up said boundary line to a point fifty miles from the Mississippi, measured on said line; thence in a right line to the nearest point on the Red Cedar of Iowa, forty miles from the Mississippi river; thence in a right line to a point on the northern boundary of the State of Missouri, fifty miles, measured on said boundary from the Mississippi river; thence by the last mentioned boundary to the Mississippi river, and by the western shore of the said river to the place of beginning. The aforesaid tribes agree to remove from the ceded lands by the 1st of June in the year 1833.

Art. 2. Reservation of four hundred square miles for the use of the aforesaid tribes, from the boundary line crossing the Iowa river so as to include in the reservation an equal extent on both sides of the aforesaid river, and to include Ke-o-kuck's principal village.

Art. 3. For said cession, \$20,000 to be paid annually (the first payment next September) for 30 years.

Art. 4. The United States to maintain, for the Sac and Foxes, and within their limits, additional black and gunsmith shops, with tools, iron, and steel—to make an allowance for 40 kegs of tobacco, and 40 barrels of salt, yearly.

Art. 5. The United States to pay Farmham and Davenport, \$40,000 without interest, on account of said tribes, and in full of all demands against said tribes by Farmham and Davenport traders at Rock Island.

Art. 6. Cedes to Antoine Le Clair, at the request of said tribes a section of land opposite Rock Island, and one section at the end of the first rapids, above said Island.

Art. 7. Alludes to the delivery already made of prisoners taken by the U. States in a late war with the Sac and Fox tribes, to said tribes, and the United States promise to use their influence to obtain and deliver up other prisoners taken from the Sac and Foxes by the Sioux—but certain prisoners now in confinement are to be held as hostages for the future good conduct of the late hostile bands.

Art. 8. No separate band or village, under a Chief or Warrior of the late hostile bands, to be allowed in the Sac and Fox nation.

Art. 9. Guarantees peace and friendship between the parties.

Art. 10. The United States give as presents to the aforesaid tribes, in addition to presents already made, 35 beef cattle, 12 bushels of salt, 30 barrels of pork, and 50 barrels of flour, and will deliver in the month of April next, 500 bushels of Indian corn.

Art. 11. Presents to be made to the tribes on their pointing out the position, or positions, of certain mines supposed to be more valuable than lead or iron.

Art. 12. Treaty to take effect when ratified by the President, by the advice and consent of the Senate.

Done at Fort Armstrong, Rock Island, Ill. this 21st Sept. 1832.

WINFIELD SCOTT,
JOHN REYNOLDS.

SAC—Nine signatures.

FOXES—Twenty-four signatures.

In presence of 43 witnesses.

Fatal Encounter. A rencounter took place in Cheraw, S. C. on the 8th Oct. between Dr. Wm. C. Ellerbe and Dr. M'Queen, which resulted in the death of the former. The circumstances are said to be briefly these: Dr. Ellerbe came to town to an election, and used a good deal of abusive language to Dr. M'Queen, who did all in his power to avoid him. Dr. E. however, followed him up, and struck him with a cow skin, when they closed, and both falling out of a store door, Dr. E. struck his head on a bar of iron, and received a wound of which he died the next day. Dr. M'Q. is regarded as entirely faultless in the affair. The combatants were first cousins. N. C. Star

Hop, Step, and Jump.—One of the most astonishing feats of this kind ever heard of in the annals of gymnastics, was performed lately at the Innerleithen Border Games, by Mr. James Denholm. At a running hop, step, and jump, he cleared, upon level ground, not less than forty-five feet nine inches. Fifty years may elapse before such another feat is accomplished. Indeed, we never heard of any thing like it, if we except the matchless leaping feats of Ireland and Professor Wilson, the latter of whom, a good many years ago, performed upon a dead level, fifteen yards and a half at a hop, step, and jump. Ireland's exploit did not exceed the Professor's but a few inches, but Ireland was allowed to be the best leaper that ever was known.

Glasgow Courier.

HARVEY BIRCH.—Among the applicants for pensions under the law passed at the last session of congress, is Anthony Glenn, the supposed hero of the Spy, who is now eighty-one years of age. His affidavit sets forth his many and various services, none of which, separately, nor all collectively, entitled him to a pension under former acts. It is to be hoped that he will meet with no difficulty in obtaining the pittance at length granted, for the want of proper evidence. But we believe, in this respect, the law is liberal, and does not require very strict proof.

The following is an account of the Receipts and Expenditures of the county of Dearborn, for the period commencing 10th of November 1831, and ending 8th of November, 1832.

EXPENDITURES.

For this sum paid the Associate Judges	\$20 50
For this sum paid Commissioners	104 00
For this sum paid Grand Juries	96 00
For this sum paid Traverse Jurors	237 25
For this sum paid attorneys defending pauper criminals	10 00
For this sum paid attorney defending county	8 00
For this sum paid Sheriff Spencer, extra services	16 00
For this sum paid Sheriff Gregg, do do	38 65
For this sum paid Sheriff Dils, do do	17 50
For this sum paid Clerk, do do	70 00
For this sum paid Books & Stationery for Clerk, Recorder & Treasurer's offices	39 88
For this sum paid Commissioner perpetuating Testimony of lost Records	16 25
For this sum paid Constables attending circuit court	48 25
For this sum paid Coroner and Juries of Inquest	49 98
For this sum paid Listers of Taxable Property	130 00
For this sum paid Jailor boarding prisoners	45 29
For this sum paid for repairs of Jail and Ironing prisoners	35 06
For this sum paid Values of Town Lots	48 15
For this sum paid for fire-wood and incidental expenses of circuit & other courts	30 01
For this sum paid for Stove and Stove Pipe for court house	32 80
For this sum paid for costs of suit against the county	2 06
For this sum paid for rent of Clerk's office, eighteen months	37 50
For this sum paid for printing county orders and advertising election	17 50
For this sum paid School Commissioner	2 00
For this sum paid returning Judge of Election	1 00
For repairs to Stray Pen	3 00
For this sum paid Jeremiah Phinney erecting privy for court house	55 81
For overcharges on Duplicate	19 14
For this sum paid Treasurer per centage for receiving and paying out	106 63
For furniture for sheriff's office	6 50
For this sum paid for support of the poor	619 23

\$2027 45

RECEIPTS.

By amount of Duplicate	\$2743 50
By amount of Store Licenses received and to be received	288 46
By amount of Tavern Licenses	34 63
By amount of Grocery Licenses	238 23
By Jury Fees collected by Clerk and paid over	13 50
By Jury Fees to be collected	90 00

\$3408 32

877 72

1286 05

Leaving in the County Treasury, when the Revenue of the present year

is paid in

Attest—JAMES DILL, Clerk.

8th November, 1832.

MARK McCACKEN, President.

ever, it was not until the 5th inst. that the *Gaceta Extraordinaria* was published—not to inform, but to delude the people, by stirring to lessen the importance of the victory obtained by the troops under Flores, at the *Tublon de los Gómez*. The truth is, that Government does not know what to do, or where to turn. The robbery intended to be committed by order of Marquez, had nigh caused a revolution here. Such was the fermentation evinced by all classes, that the Government found itself obliged not to lay hands on the money in the Mint, belonging to merchants or others.

"I am sorry to tell you that our friend Santander was taken ill at Cucuta; but they write us that it is more of a political complaint than any serious disease. I believe he is heartily tired of us; for since his return, he has witnessed nothing but an immense field of anarchy. Perhaps the private correspondence will be detained, as Marquez is fearful that the true state of affairs, if known at Cartagena, would produce a revolution.—On this account I defer writing until the express goes, which Doctor — sends to Manpox to-morrow night.

Mexico.—A vessel arrived at New Orleans on the 5th inst. from Tampico, bringing advices to the 15th September. The papers state that the Conducta had arrived at Tampico with a million and a half of dollars, which was shipped—four hundred thousand of it for their port, on board the schooners Thomas, Eliza, and Emperor. The balance destined to Europe. It was rumored in Tampico, that the government troops, under Bustamante, had been defeated by Gen. Moctezuma. If this rumor be true, that country will again be restored to quiet in a short time.

N. Y. Courier.

From the Jamaica Despatch, Sept. 27.

IMPORTANT FROM SOUTH-AMERICA.

Cartagena, 16th Sept., 1832.

I hasten to inform you, by the schooner Dart, which