

INDIANA PALLADIUM.

By D. V. Culley & V. M. Cole.

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

VOL. X.]

LAWRENCEBURGH, (IA.) SATURDAY, AUGUST 30, 1834.

[NO. 33.]



LAW OF THE U. STATES.

[BY AUTHORITY.]

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

[Public. No. 70]

AN ACT granting pensions to certain persons therein named.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and directed to pay to the several persons herein named, a pension at the rate of, and commencing at the time, set to each person's name, respectively, and to continue during their natural life; to

Francis Jacobs, at the rate of eight dollars per month, commencing on the first day of January, eighteen hundred and thirty-two.

Bazlee Porter, at the rate of eight dollars per month, commencing on the first day of January, eighteen hundred and thirty-three.

William Hunt, at the rate of eight dollars per month, commencing on the first day of January, eighteen hundred and thirty-two.

Alfred Baldwin, at the rate of eight dollars per month, commencing on the first day of January, eighteen hundred and thirty.

Sec. 2. And be it further enacted, That the name of Hugh Lusk, be placed on the invalid pension roll, at the rate of six dollars per month, to commence on the first day of March, eighteen hundred and twenty-nine.

JNO. BELL,

Speaker of the House of Representatives.

M. VAN BUREN,

Vice President of the United States and President of the Senate.

APPROVED, June 30th, 1834.

ANDREW JACKSON.

[Public. No. 71.]

AN ACT authorizing the construction of a bridge across the Potomac, and repealing all acts already passed in relation thereto.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the act entitled "An act providing for the purchase by the United States of the rights of the Washington Bridge Company in the District of Columbia and for the erection of a public bridge on the site thereof," which passed the fourteenth day of July eighteen hundred and thirty-two, and the act entitled "An act in relation to the Potomac bridge," which passed the second day of March eighteen hundred and thirty-three, be, and the same are hereby repealed, except so much of the former as authorized the purchase of the rights of the Washington Bridge Company.

Sec. 2. And be it further enacted, That the Secretary of the Treasury be, and he is hereby authorized and required, to contract for the reconstruction on the site of the present bridge across the river Potomac, of a bridge on the plan of that originally constructed there by the Washington Bridge Company; provided that the draw at the southern channel of the river be not less than sixty-six feet, and at the northern channel than thirty-five feet; that a space or spaces not exceeding in all, one thousand six hundred and sixty feet of the shoal or shoals, over which the present bridge passes, may be filled up by a solid embankment, in part, if convenient of earth obtained by dredging the river channel; And provided also, That the entire cost of the said embankment, and such reconstruction shall not on the whole exceed one hundred and thirty thousand dollars—which sum is hereby appropriated thereto, out of any money in the Treasury not hitherto appropriated.

Sec. 3. And be it further enacted, That the claims of Orange H. Dibble for labor, materials, or any other expenses upon the said bridge be ascertained by the Secretary of the Treasury as nearly as the same can be done, and be laid before Congress at its next session for its examination. And the Secretary of the Treasury is hereby directed to pay him in the mean time such sum as will reimburse to him the actual loss incurred by him, in making preparation for the construction of the said bridge: provided the amount paid shall not exceed twenty thousand dollars, and said payment to be made out of any money in the Treasury not otherwise appropriated.

APPROVED, June 30th, 1834.

[Public. No. 72.]

AN ACT to authorize the sale of lots in the town of St. Marks, in Florida.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to direct the register and receiver of the Tallahassee land district to make sale at public auction of one-fourth of the lots in the town of St. Marks, in the Territory of Florida, according to the plan of the Surveyor General of said Territory, as soon as practicable after the passage of this act, upon giving two months' public notice of the said sale.

Approved, 30th June, 1834.

[Public. No. 73.]

AN ACT supplementary to the act to amend the several acts respecting copy rights.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all deeds or instruments in writing for the transfer or assignment of copy rights being proved or acknowledged in such manner as deeds for the conveyance of land are required by law to be proved or acknowledged in the same State or district, shall and may be recorded in the office where the original copy right is deposited and recorded; and every such deed or instrument shall at any time hereafter, be made and executed, and which shall not be proved or acknowledged and recorded as aforesaid, within sixty days after its execution, shall be judged fraudulent and void against any subsequent purchaser or mortgagee for valuable consideration without notice.

Sec. 2. And be it further enacted, That the clerk of the District court shall be entitled to such fees for performing the service herein authorized and required, as he is entitled to for performing like services under existing laws of the United States.

APPROVED, June 30th, 1834

[Public. No. 74.]

AN ACT to provide for rebuilding the frigate Congress

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of one hundred and eighty-one thousand dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to rebuild the frigate Congress; and no part of said sum shall be carried to the surplus fund, notwithstanding any general provision in any other act to the contrary.

APPROVED, June 30th, 1834.

[Public. No. 75.]

AN ACT granting pensions to several persons therein named.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, to the several persons hereinafter named, the amount of pension to each one respectively set, commencing at the times severally named, and to continue each one during his natural life, to wit:

Manuel Cresy, at the rate of eight dollars per month, commencing on the first of January, eighteen hundred and thirty-one.

Joseph Trimble, at the rate of eight dollars per month, commencing on the first of January, eighteen hundred and thirty-two.

Levi Brown, at the rate of eight dollars and sixty-six cents per month, commencing on the first of January, eighteen hundred and thirty-one.

Martin Parker, at the rate of eight dollars per month, commencing January first, eighteen hundred and thirty.

William Collins, at the rate of eight dollars per month, commencing January first, eighteen hundred and thirty-three.

Joseph Chamberlain, at the rate of seventeen dollars per month, commencing on the first day of January, eighteen hundred and thirty-two.

Francis Duering, at the rate of eight dollars per month, commencing on the first day of January, eighteen hundred and thirty.

APPROVED, June 30th, 1834.

[Public. No. 76.]

AN ACT authorizing the Secretary of the Navy to make experiments for the safety of the steam engine.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Navy be, and he is hereby authorized and empowered to examine and test the steam engine devised by Benjamin Phillips, of Philadelphia, and to said Phillips, and such other persons as he may deem proper to make the experiment.

Sec. 2. And be it further enacted, That a discretionary power be vested in the Secretary of the Navy to examine and test such other improvements in the same line, as may hereafter be presented, and for that purpose to employ such person or persons as he may deem proper; and that he report to Congress as soon as may be, the result of any experiment made in pursuance of this act.

Sec. 3. And be it further enacted, That, for the purpose of carrying this act into execution, the sum of five thousand dollars, out of any money in the Treasury, not otherwise appropriated, be, and is hereby, appropriated, and placed at the disposal of the Secretary of the Navy.

APPROVED, June 30th, 1834.

[Public. No. 77.]

AN ACT to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers.

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 United States west of the Mississippi, and not within the States of Missouri and Louisiana, or the Territory of Arkansas, and also, that part of the United States east of the Mississippi river, and not within any State to which the Indian title has not been extinguished, for the purposes of this act, be taken and deemed to be the Indian country.

Sec. 2. And be it further enacted, That no person shall be permitted to trade with any of the Indians (in the Indian country) without a license therefor from a superintendent of Indian affairs, or Indian agent, or sub-agent, which license shall be issued for a term not exceeding two years for the tribes east of the Mississippi, and not exceeding three years for the tribes west of that river. And the person applying for such license shall give bond in a penal sum not exceeding five thousand dollars, with one or more sureties, to be approved by the person issuing the same, conditioned that such person will faithfully observe all the laws and regulations made for the government of trade and intercourse with the Indian tribes, and in no respect violate the same. And the superintendent of the district, shall have power to revoke and cancel the same, whenever the person licensed, shall, in his opinion, have transgressed any of the laws or regulations provided for the government of trade and intercourse with the Indian tribes, or that it would be improper to permit him to remain in the Indian country. And no trade with the said tribes shall be carried on within their boundary, except at certain suitable and convenient places, to be designated from time to time by the superintendents, agents, and sub-agents, and to be inserted in the license. And it shall be the duty of the persons granting or revoking such licenses, forthwith to report the same to the Commissioner of Indian Affairs, for his approval or disapproval.

Sec. 3. And be it further enacted, That any superintendent, or agent may refuse an application for a license to trade, if he is satisfied that the applicant is a person of bad character, or that it would be improper to permit him to reside in the Indian country, or if a license, previously granted to such

applicant has been revoked, or a forfeiture of his bond decreed. But an appeal may be had from the agent or the superintendent, to the Commissioner of Indian Affairs; and the President of the United States shall be authorized, whenever in his opinion the public interest may require the same, to prohibit the introduction of goods, or of any particular article, into the country belonging to any Indian tribe, and to direct all licenses to trade with such tribe to be revoked, and all applications therefor to be rejected; and no trader to any other tribe shall, so long as such prohibition may continue, trade with any Indians of or for the tribe against which such prohibition is issued.

Sec. 4. And be it further enacted, That any person, other than an Indian who shall attempt to reside in the Indian country as a trader, or to introduce goods, or to trade therein without such license, shall forfeit all merchandise offered for sale to the Indians, or found in his possession, and shall moreover forfeit and pay the sum of five hundred dollars.

Sec. 5. And be it further enacted, That no license to trade with the Indians shall be granted to any persons except citizens of the United States: Provided, That the President shall be authorized to allow the employment of foreign bootmen and interpreters, under such regulations as he may prescribe.

Sec. 6. And be it further enacted, That if a foreigner shall go into the Indian country without a passport from the War Department, the superintendent, agent, or sub-agent of Indian affairs, or from the officer of the United States commanding the nearest military post on the frontiers, or shall remain intentionally therein after the expiration of such passport, he shall forfeit and pay the sum of one thousand dollars; and such passport shall express the object of such person, the time he is allowed to remain, and the route he is to travel.

Sec. 7. And be it further enacted, That if any person other than an Indian shall, within the Indian country, purchase or receive of any Indian, in the way of barter, trade, or pledge, a gun, trap, or other article commonly used in hunting, any instrument of husbandry or cooking utensils of the kind commonly obtained by the Indians in their intercourse with the white people, or any other article of clothing, except skins or furs, he shall forfeit and pay the sum of fifty dollars.

Sec. 8. And be it further enacted, That if any person other than an Indian, shall, within the limits of any tribe with whom the United States shall have existing treaties, hunt, or trap, or take and destroy, any peltries or game, except for subsistence in the Indian country, such person shall forfeit the sum of five hundred dollars, and forfeit all the traps, guns, and ammunition in his possession, used or procured to be used for that purpose, and peltries so taken.

Sec. 9. And be it further enacted, That if any person shall drive, or otherwise convey any stock of horses, mules, or cattle, to range or feed on any land belonging to any Indian or Indian tribe, without the consent of such tribe, such person shall forfeit the sum of one dollar for each animal of such stock.

Sec. 10. And be it further enacted, That the Superintendent of Indian Affairs, and Indian agents and sub-agents, shall have authority to remove from the Indian country all persons found therein contrary to law; and the President of the United States is authorized to direct the military to be employed in such removal.

Sec. 11. And be it further enacted, That if any person shall make a settlement on any lands belonging, secured, or granted by treaty with the United States to any Indian tribe, or shall survey or attempt to survey such lands, or designate any of the boundaries by marking trees, or otherwise, such offender shall forfeit and pay the sum of one thousand dollars. And it shall, moreover, be lawful for the President of the United States to take such measures, and to employ such military force, as he may judge necessary to remove from the lands as aforesaid any such person as aforesaid.

Sec. 12. And be it further enacted, That no purchase, grant, lease, or other conveyance of lands, or of any title or claim thereto, from any Indian nation or tribe of Indians, shall be of any validity in law or equity, unless the same be made by treaty or convention entered into pursuant to the constitution. And if any person employed under the authority of the United States, shall attempt to negotiate such treaty or convention directly or indirectly, to treat with any such nation or tribe of Indians, for the title or purchase of any lands by them held or claimed, such person shall forfeit and pay one thousand dollars. Provided nevertheless, That it shall be lawful for the agent or agents of any State who may be present at any treaty held with Indians under the authority of the United States, in the presence, and with the approbation of the commissioner or commissioners of the United States appointed to hold the same, to propose to, and adjust with the Indians, the compensation to be made for their claim to lands within such State which shall be extinguished by treaty.

Sec. 13. And be it further enacted, That if any citizen or other person residing within the United States or the territory thereof, shall send any talk, speech, or message, or letter to any Indian nation, tribe, chief, or individual, with an intent to produce a contravention or infraction of any treaty or other law of the United States, or to disturb the peace and tranquility of the United States, he shall forfeit and pay the sum of two thousand dollars.

Sec. 14. And be it further enacted, That if any citizen or other person, shall carry or deliver any such talk, message, speech, or letter, to or from any Indian nation, tribe, chief, or individual, from or to any person or persons whatsoever, residing within the United States, or from or to any subject, citizen, or agent of any foreign power or State, knowing the contents thereof, he shall forfeit and pay the sum of one thousand dollars.

Sec. 15. And be it further enacted, That if any citizen, or other person, residing or living among the Indians, or elsewhere within the territory of the United States, shall carry on a correspondence, by letter or otherwise, with any foreign nation or power, with an intent to induce such foreign nation or power to excite any Indian nation, tribe, chief, or individual, to war against the United States, or to the violation of any existing treaty, or in case any citizen or other person shall alienate, or attempt to alienate, the confidence of any Indian or Indians, from the Government of the United States, he shall forfeit the sum of one thousand dollars.

Section 16. And be it further enacted, That where, in the commission, by a white person, of any crime, offence, or misdemeanor, within the Indian country, the property of any friendly Indian is taken injured, or destroyed, and a conviction is had for such crime, offence, or misdemeanor, the person so convicted shall be sentenced to pay to such friendly Indian to whom the property may belong, or whose person may be injured, a sum equal to twice the just value of the property so taken, injured, or destroyed. And if such offender shall be unable to pay a sum at least equal to the just value or amount, whatever such payment shall fall short of the same, shall be paid out of the Treasury of the United States: Provided, That no such Indian shall be entitled to any payment, out of the Treasury of the United States, for any such property, if he, or any of the nation to which he belongs, shall have sought private revenge, or attempted to obtain satisfaction by any force or violence: And provided, also, That if such offender cannot be apprehended and brought to trial, the amount of such property shall be paid out of the Treasury, as aforesaid.

Section 17. And be it further enacted, That if any Indian or Indians, belonging to any tribe in amity with the United States, shall, within the Indian country, take or destroy, the property of any person lawfully within such country, or shall pass from the Indian country into any State or Territory inhabited by citizens of the United States, and there take, steal, or destroy, any horse, horses, or other property belonging to any citizen or inhabitant of the United States, such citizen or inhabitant, his representative, attorney, or agent, may make application to the proper superintendent, agent, or sub-agent, who, upon being furnished with the necessary documents and proofs, shall, under the direction of the President, make application to the nation or tribe to which said Indian or Indians shall belong, for satisfaction; and if such nation or tribe shall neglect or refuse to make satisfaction, in a reasonable time, not exceeding twelve months, it shall be the duty of such superintendent, agent, or sub-agent, to make return of his doings to the commissioner of Indian Affairs, that such further steps may be taken as shall be proper, in the opinion of the President, to obtain satisfaction for the injury; and, in the mean time, in respect to the property so taken, stolen, or destroyed, the United States guarantee to the party so injured, an eventual indemnification: Provided, That, if such injured party, his representative, attorney or agent, shall, in any way, violate any of the provisions of this act, by seeking or attempting to obtain private satisfaction or revenge, he shall forfeit all claim upon the United States for such indemnification: And provided, also, That, unless such claim shall be presented within three years after the commission of the injury, the same shall be barred. And if the nation or tribe to which such Indian may belong, receive an annuity from the United States, such claim shall, at the next payment of the annuity, be deducted therefrom, and paid to the party injured, and, if no annuity is payable to such nation or tribe, then the amount of the claim shall be paid from the Treasury of the United States: Provided, That nothing herein contained shall prevent the legal apprehension and punishment of any Indians living so offended.

Section 18. And be it further enacted, That the superintendents, agents, and sub-agents, within their respective districts, be, and are hereby, authorized and empowered to take depositions of witnesses touching any depredations within the purview of the two preceding sections of this act, and to administer an oath to the deponents.

Section 19. And be it further enacted, That it shall be the duty of the superintendents, agents, and sub-agents, to endeavor to procure the arrest and trial of all Indians accused of committing any crime, offence, or misdemeanor, and all other persons who may have committed crimes or offences within any State or Territory, and have fled into the Indian country, either by demanding the same of the chiefs of the proper tribe, or by such other means as the President may authorize: and the President may direct the military force of the United States to be employed in the apprehension of such Indians, and also in preventing or terminating hostilities between any of the Indian tribes.

Sec. 20. And be it further enacted, That if any person shall sell, exchange, or give, barter, or dispose of, any spirituous liquor or wine to an Indian, (in the Indian country,) such person shall forfeit and pay the sum of five hundred dollars; and if any person shall introduce, or attempt to introduce, any spirituous liquor or wine into the Indian country, except such supplies as shall be necessary for the officers of the United States and troops of the service, under the direction of the War Department, such person shall forfeit and pay a sum not exceeding three hundred dollars; and if any superintendent of Indian affairs, Indian agent, sub-agent, or commanding officer of a military post, has reason to suspect, or is informed, that any white person or Indian is about to introduce, or has introduced, any spirituous liquor or wine into the Indian country, in violation of the provisions of this section, it shall be lawful for such superintendent, Indian agent, or sub-agent, or military officer, agreeably to such regulations as may be established by the President of the United States, to cause the boats, stores, packages, and places of deposit of such person to be searched, and if any such spirituous liquor or wine is found, the goods, boats, packages, and peltries of such persons shall be seized and delivered to the proper officer, and shall be proceeded against by libel in the proper court, and forfeited, one-half to the use of the informer, and the other half to the use of the United States; and if such person is a trader, his license shall be revoked and his bond put in suit. And it shall moreover be lawful for any person in the service of the United States, or for any Indian, to take and destroy any ardent spirits or wine found in the Indian country, except military supplies, as mentioned in this section.

Sec. 21. And be it further enacted, That if any person whatever shall, within the limits of the Indian country, set up or continue any distillery for manufacturing ardent spirits, he shall forfeit and pay a penalty of one thousand dollars; and it shall be the duty of the superintendent of Indian affairs, Indian agent or sub-agent, within the limits of whose agency the same shall be set up or continued, forthwith to destroy and break up the same, and it shall be lawful to employ the military force of the United States in executing this duty.

Sec. 22. And be it further enacted, That in all trials about the right of property in which an Indian

may be a party on one side, and a white person on the other, the burden of proof shall rest upon the white person, whenever the Indian shall make out a presumption of title in himself from the fact of previous possession or ownership.

Sec. 23. And be it further enacted, That it shall be lawful for the military force of the United States to be employed in such manner and under such regulations as the President may direct, in the apprehension of every person who shall or may be found in the Indian country, in violation of any of the provisions of this act, and him immediately to convey from said Indian country, in the nearest convenient and safe route, to the civil authority of the territory or judicial district in which said person shall be found, to be proceeded against in the due course of law; and also, in the examination and seizure of stores, packages, and boats, authorized by the twentieth section of this act, and in preventing the introduction of persons and property into the Indian country contrary to law; which persons and property shall be proceeded against according to law: Provided That no person apprehended by military force as aforesaid, shall be detained longer than five days after the arrest and before removal. And all officers and soldiers who may have any such person or persons in custody, shall treat them with all the humanity which the circumstances will possibly permit; and every officer or soldier who shall be guilty of mistreating any such person while in custody, shall suffer such punishment as a court martial shall direct.

Sec. 24. And be it further enacted, That for the sole purpose of carrying this act into effect, all that part of the Indian country west of the Mississippi river, that is bounded north by the north line of lands assigned to the Osage tribe of Indians, produced east to the State of Missouri; west, by the Mexican possessions; south, by Red river; and east, by the west line of the Territory of Arkansas, and the State of Missouri, shall be, and hereby is, annexed to the Territory of Arkansas; and that, for the purpose aforesaid, the residue of the Indian country west of said Mississippi river shall be, and hereby is, annexed to the judicial district of Missouri; and for the purpose aforesaid, the several portions of Indian country east of the said Mississippi river, shall be, and are hereby, severally annexed to the Territory in which they are situate.

Sec. 25. And be it further enacted, That, so much of the laws of the United States as provides for the punishments of crimes committed within any place within the sole and exclusive jurisdiction of the United States, shall be in force in the Indian country: Provided, The same shall not extend to crimes committed by one Indian against the person or property of another Indian.

Sec. 26. And be it further enacted, That if any person who shall be charged with a violation of any of the provisions or regulations of this act, shall be found within any of the United States, or either of the Territories, such offenders may be there apprehended, and transported to the Territory or judicial district having jurisdiction of the same.

Sec. 27. And be it further enacted, That, all penalties which shall accrue under this act, shall be sued for and recovered in an action of debt, in the name of the United States, before any court having jurisdiction of the same, (in any State or Territory in which the defendant shall be arrested or found,) the one half to the use of the informer, and the other half to the use of the United States, except when the prosecution shall be first instituted on behalf of the United States, in which case the whole shall be to their use.

Sec. 28. And be it further enacted, That when goods or other property shall be seized for any violation of this act, it shall be lawful for the person prosecuting on behalf of the United States to proceed against such goods, or other property, in the manner directed to be observed in the case of goods, wares, or merchandise brought into the United States in violation of the revenue laws.

Sec. 29. And be it further enacted, That the following acts and parts of acts shall be, and the same are hereby, repealed, namely: An act to make provision relative to nations for Indians, and to their visits to the seat of Government, approved May thirteen, eighteen hundred; an act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, approved March thirty, eighteen hundred two; an act supplementary to the act passed thirtieth March, eighteen hundred and two, to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers, approved April twenty-nine, eighteen hundred and sixteen; an act for the punishment of crimes and offences committed within the Indian boundaries, approved March three, eighteen hundred and seventeen; the first and second sections of the act directing the manner of appointing Indian agents, and continuing the "Act establishing trading houses with the Indian tribes," approved April sixteen, eighteen hundred and eighteen; an act fixing the compensation of Indian agents and factors, approved April twenty, eighteen hundred and eighteen; an act supplementary to the act entitled "An act to provide for the prompt settlement of public accounts," approved February twenty-four, eighteen hundred and nineteen; the eighth section of the act making appropriations to carry into effect treaties concluded with several Indian tribes therein mentioned, approved March three, eighteen hundred and nineteen; the second section of the act to continue in force for a further time the act entitled "An act for establishing trading houses with the Indian tribes, and for other purposes," approved March three, eighteen hundred and nineteen; an act to amend an act entitled "An act to regulate trade and intercourse with the Indian tribes, and to preserve peace on the frontiers," approved thirtieth of March, eighteen hundred and two, approved May six, eighteen hundred and twenty-two; an act providing for the appointment of an agent of the Osage Indians west of the State of Missouri and Territory of Arkansas, and for other purposes, approved May eighteen, eighteen hundred and twenty-four; the third, fourth and fifth sections of "An act to enable the President to hold treaties with certain Indian tribes, and for other purposes," approved May twenty-five, eighteen hundred and twenty-four; the second section of the "Act to aid certain Indians of the Creek nation in their removal to the west of the Mississippi," approved May twenty, eighteen hundred and twenty-six; and an act to authorize the appointment of a sub-agent to the Winnebago Indians on Rock river, approved February twenty-five, eighteen hundred and thirty