

one: *Provided, however,* That such repeal shall not affect any rights acquired, or punishments, penalties, or forfeitures incurred under either of the acts or parts of acts, nor impair or affect the intercourse act of eighteen hundred and two, so far as the same relates to or concerns Indian tribes residing east of the Mississippi: *And provided, also,* That such repeal shall not be construed to revive any acts or parts of acts repealed by either of the acts or sections herein described.

Sec. 30. And be it further enacted. That until a Western Territory shall be established, the two agents for the Western Territory, as provided in the act for the organization of the Indian Department, this day approved by the President, shall execute the duties of agents for such tribes as may be directed by the President of the United States. And it shall be competent for the President to assign to one of the said agents, in addition to his proper duties, the duties of superintendent for such district of country or for such tribes, as the President may think fit. And the powers of the superintendent at St. Louis, over such district or tribes as may be assigned to such acting superintendent shall cease: *Provided,* That no additional compensation shall be allowed for such services.

APPROVED, June 30th, 1834.

(Public, No. 79.)

AN ACT in addition to the "act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes," approved March third, eighteen hundred and twenty-five.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever any criminal convicted of any offence against the United States shall be imprisoned, in pursuance of such conviction, and of the sentence thereupon, in the prison or the Penitentiary of any State or Territory, such criminal shall in all respects, be subject to the same discipline and treatment, as convicts sentenced by the Courts of the State or Territory, in which such prison or penitentiary is situated; and while so confined therein, shall also be exclusively under the control of the officers having charge of the same, under the laws of the said State or Territory.

APPROVED, June 30th, 1834.

(Public No. 80.)

AN ACT increasing the salaries of the judges of the United States for the Territories of Michigan, Arkansas, and Florida.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there shall be allowed and paid annually, to each of the judges of the United States for the Territories of Michigan, Arkansas, and Florida, the sum of three hundred dollars, in addition to the salaries now allowed by law to the said judges, respectively.

Sec. 2. And be it further enacted, That this act shall take effect from the first day of January, eighteen hundred and thirty-four, and that the several sums authorized to be paid, shall be paid out of any money in the Treasury not otherwise appropriated.

Sec. 3. And be it further enacted, That the increased salary allowed by this act shall only be paid to such judges in the Territories of Florida and Arkansas, as are not now allowed the extra compensation under the act of May 1828 providing for the adjudication of land claims, and shall take effect as to the remainder when the extra pay aforesaid shall no longer be paid.

APPROVED June 30th, 1834.

(Public, No. 81.)

AN ACT making compensation for certain diplomatic services, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there be allowed and paid to W. H. D. C. Wright, to supply the deficiency of a former appropriation in payment of the balance found due to him in the adjustment of his accounts, and for his diplomatic services at the court of Brazil, after the death of Mr. Tudor, and before the arrival of Mr. Brown, the sum of five thousand and thirty-seven dollars.

Also, to the State of Maine, to reimburse the expense of supporting certain American-citizens in prison at Fredericton, in New Brunswick, seven hundred and seventy-five dollars.

Also, to John Adams Smith, Nathaniel Niles, and J. C. Pickett, Secretaries of Legation, a compensation for their services as Charges d'Affaires, at the rate of four thousand five hundred dollars per annum, during the time that they were actually left in charge of the affairs of the Legations to which they were attached, deducting therefrom the amount already paid to them as Secretaries of Legation; the aforesaid sums to be paid out any money in the Treasury not otherwise appropriated.

To James C. Pickett, Secretary of Legation, left in charge of the affairs of the United States at Bologna on the termination of the mission of Mr. Moore, one quarter's salary for the expense of his return to the United States, five hundred dollars.

APPROVED, June 30th, 1834.

(Public No. 82.)

AN ACT repealing certain acts of the Legislative Council of the Territory of Florida.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That all such acts or parts of acts passed by the Legislative Council of the Territory of Florida, as may impose a higher or greater tax on the slaves or other property of non-resident citizens than is imposed on the slaves or other property of resident citizens of said Territory, be, and the same are hereby repealed, and declared null and void.

Sec. 2. And be it further enacted, That if any person shall attempt to enforce any of the acts or parts of acts passed by the Legislative Council of the Territory of Florida as aforesaid, by demanding or receiving any tax, imposition or assessment authorized or prescribed thereby, such person shall, on conviction thereof, be punished by a fine not exceeding two hundred dollars, or by imprisonment not exceeding six months, or either or both of said punishments.

Sec. 3. And be it further enacted, That the county of Leon in the Territory of Florida shall be authorized to elect two additional members to the Legislative Council on the first Monday in September next, and it shall be lawful for the Legislative Council to designate by law the election districts in such manner as to ensure an equality of representation to each.

APPROVED, June 30th, 1834.

The following is indeed "a change of measures." Married, at Washington, on the 17th instant, Mr. Josiah Peck, to Miss Amelia Bushel.

Adzooers, bobs, and wedding cakes!

What change of MEASURES marriage makes!

Quick as a thought, at Hymen's beck,

A Bushel's changed into a Peck.

CIRCULAR
To Registers and Receivers of the United States' Land Offices, by order of the Secretary of the Treasury.

GENERAL LAND OFFICE, July 22, 1834

Gentlemen: Annexed is a copy of an act of Congress, approved 19th June, 1834, entitled "An act to revive the act entitled 'An act to grant pre-emption rights on the public lands,' approved May twenty-ninth, one thousand eight hundred and thirty," together with a copy of the former act.

1st. The recent act provides "that every settler or occupant of the public lands, prior to the passage of this act, who is now in possession and cultivated any part thereof in the year 1833, shall be entitled to all the benefits and privileges provided by the act entitled 'An act to grant pre-emption rights to settlers on the public lands,'" approved May 29th, 1830, and the said act is hereby revived and shall continue in force two years from the passage of this act, and no longer, to-wit, to the 29th June, 1836.

2d. The fact of *cultivation* in eighteen hundred and thirty-three and that of *possession* of the land applied for on the nineteenth June, eighteen hundred and thirty-four, must be established by the affidavit of the claimant, supported by such corroborative testimony of disinterested witnesses as shall be satisfactory to you both. The evidence must be taken by a Justice of the Peace, *in the presence of the Register and Receiver*, whenever convenient, and be in answer to such interrogatories, to be propounded by them, as may be best calculated to elicit the truth; and when not convenient for the witnesses to attend before the Register and Receiver, the evidence is to be taken by a Justice of the Peace, and be in answer to such interrogatories to be propounded by him as shall be best calculated to elicit the truth.

The credibility of the testimony is to be certified by the Justice of the Peace, and by such other persons of the neighborhood as can certify the same.

3d. Possession on the 19th June, 1834, and cultivation in 1833, are both essentially necessary to the conferring of the pre-emption privilege, the absence of either of which requisites will vitiate the claim. The building of a *mill* is a "possession," but without actual cultivation, it does not confer the privilege under the law. The extent and nature of the *cultivation* are points concerning which the law is silent. The cultivation of a crop of grain, eaten roots, or other vegetables of ordinary culture in the peculiar section of country, is to be regarded as sufficient as respects the requisite of "cultivation," together with the ordinary fence or other suitable enclosure; or, when no crop or product has been taken from the land, and it shall appear to your satisfaction that the claimant has in good faith, made the usual preparations for a crop; as, when he shall have cleared ground and enclosed the field, and ploughed the soil preparatory to the ensuing seed-time, and with intent to sow or plant, such shall be regarded and taken as a sufficient cultivation to entitle him to the benefit of the act.

The erection of a dwelling house for the purposes of habitation, will be regarded as a requisite of "possession."

4th. The provisions of the act are not available to any person or persons who shall fail to make the proof and payment required, before the day appointed for the commencement of the sale of lands including the tract or tracts on which the right of pre-emption is claimed; nor can the right of pre-emption extend to any land which is reserved from sale by act of Congress, or by order of the President, or which by law may have been appropriated for any purpose whatsoever.

5th. Should any tract of land, subject to private entry at the date of the act, be entered at ordinary private sale, and a pre-emption claim be duly established thereto within the term of two years from the date of the act, the former entry is null and void, and the Register and Receiver are hereby required to make *monthly reports* of all such interfering sales, designating the tract, date of sale, name of purchaser, quantity of acres, and purchase money; also, name of pre-emption & date when satisfactory proof of pre-emption, was admitted. On such reports, or orders for pre-payment will be issued.

6th. Where a person inhabits one quarter section and cultivates another, he shall be permitted to enter the one or the other, at his discretion, provided such occupant shall designate within six months from the passage of this act, (viz. from 19th June, 1834,) the quarter section of which he claims the pre-emption, and file in the office of the Register a relinquishment of the right of entry to the other: but in all cases where these six months will expire before the date of the public sale of the township including such claim, the designation and relinquishment must be made prior to the day of such sale.

7th. Where an improvement is situated in different quarter sections, the claimant is entitled to enter such two adjacent legal sub-divisions, viz. the east and west half quarters as will include his improvement.

8th. Where an improvement is situated on a fraction containing less than the quantity of a quarter section, such fraction must be taken in *lieu of an entire quarter section*. Should the fraction contain more than the quantity of a quarter section, the claimant will be permitted to take according to the legal sub-divisions of such fraction, so as to include his improvements and obtain the quantity of one hundred and sixty acres as nearly as practicable, without any further sub-division.

In cases where two or more persons are settled on the same quarter section the two first actual settlers who cultivated in 1833, and had possession on 19th June, 1834, are entitled to the right of pre-emption. If an equal division of such quarter by a north and south, or east and west line will not secure to each party his improvements, they must become joint purchasers and patentees of the entire quarter section; if otherwise, it will be divided so as to secure to the parties, respectively, their improvements. In either case the said settlers shall each be entitled to a pre-emption of eighty acres of land, elsewhere, in said land district, so as not to interfere with other settlers having a right of preference.

9th. You are requested to make monthly reports of those cases where two persons obtain a pre-emption on the same quarter section.

10th. Transfers of pre-emption rights prior to the issuing of patents, will not be recognised.

11th. The act of 29th May, 1830, applied only to lands to which the Indian title was extinguished at that date. Hence the right of pre-emption to lands to which the Indian title was extinguished subsequent to that date, can be claimed only in virtue of cultivation in 1833, and possession on 19th June, 1834.

12th. In making your usual returns to this office, you will in all cases of purchases under this act, designate them by marking on the returns, the certificate of purchase and receipt—thus, "Pre-emption, Act of 1834." Separate returns and a distinct series of numbers for pre-emption "receipts" and "certificates" are not admissible.

13th. Inasmuch as the ordinary private entry of

lands subject thereto at the date of the act, must be permitted to proceed at the hazard of interfering with the pre-emption claims which may be established within the two years allowed by the act, it is indispensably necessary, by way of precaution, to require each applicant at private sale, to file with his written "application," an affidavit to the following effect, to wit:

"I do solemnly swear (or affirm) that since the first day of January, 1834, viz. on or about the day of _____, I personally inspected the tract of land designated in the annexed application, viz. the _____ quarter of section No. _____ in township No. _____ of Range No. _____, in the District of _____ lands subject to sale at _____, and that there was not, at that time, any person residing thereon, or cultivating the same; and I do not believe that any pre-emption right exists thereto, either under the act of 29th May, 1830, or that of 19th June 1834."

In case the party applying to purchase did not personally inspect the tract, he may be permitted to file, in the above form, the oath, or affirmation, of any person who alleges to have made such personal inspection; and in all cases, you must be satisfied of the credibility of such testimony.

15th. Where the occupant alleges that he is unable or unwilling to pay for a full quarter section, he may be permitted to enter the half quarter which shall include his improvements; to be either the east or west half of such quarter; the divisional line running north and south, in the mode prescribed by the act of 24th April, 1820; but in such case he will be required to file a relinquishment of his further right of pre-emption for the quantity authorized by the act.

16th. You are each entitled by law to receive from the party interested a fee of fifty cents on each case of pre-emption admitted under the act.

17th. The evidences adduced in support of pre-emption rights admitted under this act, and also the oaths required of purchasers at ordinary private sale, are to be carefully enclosed in the appropriate certificates of purchase, and transmitted therewith to this office, accompanied by your joint certificate as to the credibility of the witnesses.

The evidences adduced in support of cases not admitted, are to be carefully filed in the Register's office with suitable endorsements thereon.

18th. By the third section of the act of the 19th June, 1834, persons residing on the public lands, and cultivating the same, prior to the year 1829, but who were deprived of the advantage of the act of 29th May, 1830, by reason of the construction given to the same by the Secretary of the Treasury, are authorized to enter, at the minimum price, one quarter section of the public lands within said land district. This provision can be available only to those whose right to a pre-emption in virtue of cultivation and possession prior to 1829, shall be established by satisfactory proof; and who, from any cause originating in the restrictions and limitations imposed by the Secretary of the Treasury, which have not had a remedy by the act of 14th July, 1832, or that of 2d March, 1833, have been deprived of the advantages of the act of 1830. When such cases shall be presented, you will specially report them, with all the testimony, for the decision of the Department.

19th. Where floating rights to eighty acres are granted under this act, they must be located and paid for at the time of entry of the tracts on which such floating rights accrue.

The execution of the act, the utmost vigilance and diligence on your part, are requisite to detect fraud, and determine the character and credibility of the testimony. A faithful and impartial discharge of your duty are alike essential to protect the government from imposition, and the honest claimant in his right.

I am, very respectfully, gentlemen, your obedient servant.

ELIJAH HAYWARD.

Commissioner.

INDIANA FIVE PER CENT LOAN.—This Loan of Five Hundred Thousand Dollars, for which proposals were received at the Merchants' Bank in this city yesterday, was taken by Messrs. Prime, Ward and King, at one hundred and one dollars 5-100ths, for each hundred dollars—principal and interest payable in New York.

The above paragraph is from the New York Evening Post of the 7th inst. What a "humbugged" set of men the mechanics of Louisville are! They wanted a State Bank to supply a sound local currency, but were assured that it could not be put into operation—that neither the stock nor the scrip of the State could be sold. Similar assertions were made in relation to the sale of the scrip of the State of Indiana. We announced last week, the sale of the latter; and the Journal contradicted our statement, and repeated the opinion that it never would be sold! Now what is the fact? The State scrip is sold; nay, was sold, as we have stated. Indiana will soon have her State Bank—but Kentucky cannot! The Clay party have discredited the State, with a view to prevent a sound local Bank from going into operation, which might diminish the power and influence of the Bank of the U. S. If our business men have not been "humbugged," they are, perhaps, the most self-denying community of christians within the limits of what the Nullifiers term "these twenty-four sovereignties." Be this as it may, Mr. Clay did not want the Bank, and we shall probably never have it.

Riots in Philadelphia. On Tuesday evening the 12th instant, in the southern part of the town, we regret to learn that very serious disturbances took place, in which a number of persons were seriously injured, and some damage done to property. The cause is variously stated; but the true provocation we have not been able to ascertain.

Early in the evening, a detachment of boys and young men, amounting perhaps to several hundreds, armed with clubs, marched down Seventh street to the open lot adjoining the hospital, where they were joined by others. After remaining on the lot a short time, as if to concert their plan of operations, they proceeded to a notorious spot in South street, near Eighth, where the illegal amusement of flying horses is carried on. The building was attacked and speedily demolished; and from the statement of our informant, it seems that a battle immediately took place between the rioters and the blacks who live in the vicinity. At one time it is supposed that four or five hundred persons were engaged in the conflict, with clubs, brickbats, paving stones, and the materials of the shed in which the flying horses were kept. The mob then marched down South street, tore down the partitions of a house occupied by a black family, burst open the doors and obliged the inmates to fly for their lives. In a similar style they paraded through the various streets, Bedford, Mary, and others, in which the blacks are chiefly congregated, committing violence of every kind. The police having, about nine o'clock, become sufficiently strong for confidence, made an attempt to rout the rioters and capture the ringleaders, and the tumult became still more appalling.

"Down with the Police!" was the general cry, and many of the city and county officers were severely, some of them dangerously, hurt. McLane, of the county, McLane, Manderfield, Danenbrow, and others, received much injury. Herren, one of the city police, was so dangerously wounded, that on

Tuesday night it was supposed he would not survive until morning. A number of special constables were sworn in by Squire Longhead, who displayed great courage and activity, rushing into the centre of the rioters and capturing about eighteen of the most conspicuous. They suffered, however, severely, being obliged to fight their way through the mob to and from the office. Mr. Longhead was enabled alone to detain the captives by a judicious hint of means more effectual than clubs or maces. The sight of the weapons was sufficiently alarming to keep eighteen men quiet before him. They were committed, being unable to procure the bail, a thousand dollars each, which was required. It was ascertained, that with one or two exceptions, the prisoners were from a distant part of the town. Several negroes were taken on the city side, and committed next morning by the Mayor. At about 11 o'clock quietness was restored.

An eye witness to the whole affair assures us that its aspect was terrific for some time, and threatened results fully as extensive as those which took place lately in New York. Many persons must have received serious injuries, which have not been heard of.

What the provocation was we are not informed; but whatever it may have been, nothing can be urged in justification of such tumults and outrages, and a severe example should be made of those convicted of any participation in them. A riotous spirit has been fostered in our cities which must be promptly checked, or there is no excess to which it will not carry an excited populace. Heretofore the character of Philadelphia has stood high, for the decorous behaviour of its inhabitants; but it seems that the example of our neighbors, in resorting, in a government of laws, to settling their grievances by violence, has had its effect even here. The first fruits were visible on Tuesday night, and a repetition should be met sharply and decisively.

Pennsylvanian.

Disgraceful outrage.—A most infamous and wanton violation of the peace and destruction of property was perpetrated at Charlestown, Mass on Monday night 11th inst. which we could hardly deem possible in New-England. The causes which led to this outrage are briefly as follows:

For some weeks past, a rumour has been industriously circulated that a young lady who had been induced to enter the Catholic convent near Charlestown, as a nun, had escaped, been retaken and induced to remain for a week or two under a pledge that she should then be honorably dismissed, but at the expiration of the period she was nowhere to be found, and the inference was deemed irresistible that she must have been either immured in a dungeon or inhumanly murdered; and the story very naturally laid the foundation of a prodigious excitement.—There was just enough truth in it to hold the attention. A young lady had escaped from the nunnery, but returned of her own free will and declared that she escaped under the influence of mental alienation, and did not wish to abandon her seclusion.