

their cases in the state courts, and rely upon the power which belonged to the supreme court of the United States, of correcting any erroneous judgment which might be rendered against them, than to take the course provided for by this section of the bill.

Mr. WEBSTER regarded the section proposed to be struck out, as containing the most important provision in the bill.

Undoubtedly there might be contradictory judgments—but it would not be presumed that in cases the jurisdiction over which had always been exercised in the courts of the United States, that the state courts would proceed after process of removal had been served. The remedy suggested by writ of error would be no protection whatever to the officer, whose case was tried in the state court. There was an impossibility of having a fair trial there. The facts are to be settled by a jury—in the state courts of South Carolina an oath altogether inconsistent with a fair trial, was to be administered to the jury. A writ of error goes to matters of law only. It was indispensable to the proper protection of the officer that he should have an opportunity of trying his case before a tribunal in which the laws of the land were recognized. He hoped the senator from Georgia [Mr. Forsyth] would reconsider the subject. It should be recollected that here was a direct conflict between the two jurisdictions—both could not stand together in the position in which they had been placed by the laws of South Carolina. This government ought not to give up the protection of its officers by its own laws. This was a much stronger case than that which arose under the embargo and non intercourse laws.

Mr. WILKINS considered the provision of this section indispensably necessary. There were precedents of similar provisions, and the only question now before the senate was as to their expediency in the present state of things. It was regarded as a very invidious and offensive proceeding in several of the states—particularly those of the south, to appeal a case from the higher tribunal of the state. Under the present circumstances it was impossible to avoid a collision between the two jurisdictions. The least exceptionable course was to provide for the removal of cases before trial. Organized as the courts of South Carolina were under the present laws, an impartial trial where the revenue laws were involved, was entirely out of the question. Was it not the best course to run the risk of the inconvenience which might result from double trials, than to hazard the ruin of the officer by the trial in the state courts alone? He considered the course provided in this section the most advisable of any that had been suggested—it was the most delicate to the courts, and afforded the greatest security to the officers of the government.

Mr. GRUNDY said, it should be recollected that in the progress of such trials as those contemplated by this section, many questions arose upon which the finding of the jury was conclusive. In the state courts there was no mode by which the consequences of this could be avoided. Would the judge of one of the state courts of South Carolina, who had taken the nullification oath, sign a bill of exceptions which would raise the points necessary for the protection of the officer? He presumed every thing for that purpose would be kept out of the world which possibly might be. This state of things would produce great injury to the rights of the officer. He could not give a bond and appeal from the state courts to that of the United States. A writ of error from the supreme courts was no *subrecessus* to the judgment of the state court, whenever collision between the two jurisdictions should happen; he wished it might take the mildest course.

Mr. MILLER said, he had made an objection to this section, which had not been met. It was this: The affidavit of the defendant is sufficient by the provisions of this section to remove a prosecution from the state court to those of the United States. Suppose a man is indicted for murder in the state court, and he falsely swears that he killed the person in the execution of the revenue laws. The case under this section is carried to the court of the United States, where it is found the court has no jurisdiction, in consequence of the falsity of the affidavit. Will not the criminal be discharged without punishment?

Mr. GRUNDY—Not at all. He will be remanded for trial in the state court, which may try him and hang him if they choose.

Mr. FORSYTH said, it was obvious to every one that no officer of the government could have a fair trial in the courts of South Carolina for his official acts. But the provisions of this section did not cure the difficulty. An officer is indicted in a state court. The case is removed into the circuit court. Who would prosecute there in behalf of the state?—He desired as anxiously as any gentleman present, to protect the officer in the discharge of his duty. But he would do it, if possible, in such a manner as would leave open no loop hole for complaint.—

This section would bring the two jurisdictions into immediate and direct conflict. He was disposed to permit the doctrines of the ordinance to be carried out. He would be willing to see the feelings in favor of the impartial administration of justice which pervaded the bosom of every man of honor, shocked

throughout the state of South Carolina by the oaths to be administered to their judges and jurors.

Mr. CLAYTON had regarded the provisions of this section as somewhat exceptionable. Very important consequences might flow from its provisions and he was anxious for further time for reflection upon them. He therefore moved the senate adjourn—which was agreed to.

Forwarding and Commission Business.

JAMES SMITH,
OF VINCENNES, IND.

HAS located himself in New Orleans, corner of Notre Dame and Commerce Streets, for the purpose of transacting the above business, and respectfully tender his services to his Wabash friends and others, who may rest assured that any thing entrusted to him shall be attended to with diligence and fidelity.

New Orleans, Jan. 1833. 2-12t

REFERENCE.

Chambers, Garvin, & Co.—*Louisville*.

Tomlinson & Ross, *Vincennes, Ind.*

D. S. Bonner.

Wm. Linton,

C. Rose,

S. & J. Crawford,

James Reed, *Merion*.

J. Houston, & Co.—*Palestine, Ill.*

W. Lagow.

D. E. Baker—*Centreville*.

H. & J. Delany, *York*.

J. Richardson.

H. Feeny—*Montezuma, Ind.*

A. Patterson—*Rockville*.

J. L. Sloan—*Covington*.

— The Terre-Haute, Rockville, and Lafayette papers, will publish the above 12 times, and forward their accounts to Smith & Carson, Vincennes, for payment.

JUST RECEIVED

10 bbls. Mackerel, assorted no's.

11 do. Herring.

5 do. Malaga Wine,

And for sale on commission, by

SMITH & CARSON.

ON HAND quantity of *KEENHAWA SALT*, which will be sold at 564 cents per bushel by the barrel, or 624 cents reweighed.

S. & C. February 23, 1833.—4 t.

NEW ESTABLISHMENT.

 I HAVE established a **BLACK SMITH SHOP** on Second Street, near Gen. Lasselle's Tavern, where I shall be glad to receive the patronage of the public in the above business. I have, and at all times will keep, the best of workmen, and none but the best of iron shall be kept on hand. It will be to the interest of all persons getting work done to give a call, as I have a large stock of **IRON AND STEEL** of all sorts, suitable for all kinds of work, on hand, and having made an arrangement at Louisville to keep up a regular supply. There is on hand

A great variety of Ploughs; And I shall keep at all times all articles usually made use of by our farming population. Will be kept on hand at all times, by the dozen or single one, the best of

CAST STEEL AXES,

and many other articles. Farmers will find it to their interest to get their work done at my shop, as I am satisfied they can pay for their work *easier* and have it done *cheaper* than at any other shop in the place. I will give work for coal at all times, and receive in payment where there is no money, all kinds of grain, &c.

I want two boys as apprentices to the above business; boys of from 12 to 16 will be taken.

JOHN C. CLARK.

February 2, 1833. 1-1t

FOR SALE

MY BRICK STORE ROOM

AND

DWELLING HOUSE,

on North half of Lot Number Sixteen, being corner of Main and Second Streets, in Mount Vernon, Indiana. To the premises are attached a Warehouse, a small frame Dwelling and Brick Smokehouse—there is a good cellar under the Store Room. I have various other lots and houses, with

84 Acres of Wood Land,

about one mile from town, which may be purchased low, as my health has rendered it necessary to decline business.—Those wishing to purchase will make application to the subscriber by the first of February or March next.

APAM MOFFATT.

Jan. 5, 1833. 49-1t

PUBLIC NOTICE.

NON the spring of 1829, or 1830, the following articles were left in Vincennes and have not since been called for, viz.—one small sack of COFFEE, a TRUNK, lashed round with an old sterlifast, and a bag, containing sundry articles. The owner can get them by applying at the Western Sun office, paying for this advertisement, and proving his property.

Nov. 30, 1833. 49-1t

LAND FOR SALE.

THE subscriber offers for sale the following tracts of Land, viz:

200 acres of Donation Lot No. 1143

185 do do do 182

199 do do do 181

199 do do do 189

400 do do do 146

190 do do do 211

70 do do do 189

95 do do do 175

350 do do do 54

100 do do do 90

50 do do do 86

100 do do do 92

130 do do do 167

200 S. E. half do do 199

—*ALSO*—

The following Tract in Sullivan County—W. 1/2 S. W. fractional 4 S. frac. 3, in T. S. N. of R. 11 W.; containing 77 and 62 halves acres. The above tract has a comfortable hewn log house on it with other out buildings, and about twenty or thirty acres cleared land, with good fences and other improvements.

Any person wishing to purchase any of the above described tracts during the absence of the subscriber, will please call on John Law, Esq. who is authorized to sell and transfer the same.

BENJAMIN OLNEY.
Vincennes, 23d Jan. 1832—5-3t

SADDLETREES.

15 DOZEN, JUST RECEIVED AND FOR SALE, BY

SMITH & CARSON.

Feb. 23, 1833. 4 t.

DR. JOSEPH BROWNE

OFFERS to the people of Vincennes and vicinity, his services in the practice of MEDICINE, SURGERY, and OBSTETRICS. He resides in the house formerly occupied by the late C. Graeter, where he may be found at all times, save when out on professional business.

Vincennes, Jan. 1833. 1-1t

WALDMET'S

Select Circulating Library.

EIGHTEEN NUMBERS of this popular periodical have been published, which to single subscribers have cost \$1.80, and to those who have formed clubs of five, and thus procured for \$1.00, these eighteen Nos. have cost \$1.41, for which sum they have obtained the following works, viz:

1. Waldstein, or the Swedes in Prague, a novel.

2. Memoirs of Count Lavallotte.

3. Tour of Six Months in America, by G. T. Vigne.

4. Klosterheim, or the Masque, a novel.

5. The Hill and the Valley, a politico-economical illustration, by Miss Macneau.

6. Temple's Travels in Peru, with Wood Cuts.

7. Sartor's Memoirs of Lafayette and Louis Philippe.

8. The Gentle Recruit, a tale, by the author of the Sut-altern.

9. Saratoga, a tale of the American Revolution, by the same author.

10. Batty's Tour in South Holland, with a description of Antwerp, Brussels, &c.

Two of these works in book form would cost more than the whole eighteen numbers.

From the above description of works, some idea may be formed of the general scope of reading that may be expected in the Library; with such variations as new publications may require.

In preparation, the Memoirs of the Duchess of St. Leu, Ex-Queen of Holland, and wife of Louis Bonaparte, translated from the French expressly for the Library. No. 19 contains the beginning of Lives of Banditti and Robbers, by G. Mac Farlane.

Subscriptions, five dollars for fifty-two numbers, thankfully received by

ADAM WALDIE.

No. 6 North Eighth Street, Philadelphia.

Clubs remitting \$20 receive five copies of 52 numbers, making it the cheapest periodical, when quality and quantity of matter are considered, ever offered to the public.

Subscriptions for the above work received at the Western Sun office.

LOST CHILD!

500 DOLLARS REWARD!

A LITTLE Girl five years old, fair skin, blue eyes, light hair, and a remarkable pleasant countenance, named CAROLINE HAWKINS BULLOCK, who can read very well, was lost on the 16th ult, six miles east of Courtland, near the road leading to Decatur. Hundreds of men have searched in every direction throughout the neighborhood, and no trace of her can be found. The above reward will be given for her delivery, and any information respecting her, whether dead or alive, thankfully received.

JOHN BULLOCK.

Feb. 20, 1833.

Diligent search has been made, and as no trace of the above child can be found, the distressed parents have been induced to believe she has been stolen.—All editors will confer a favor on the deeply distressed, by giving the above an insertion in their respective papers.

J. B.

Rags! Rags! Rags!

CASH, or WORK, will be given for any quality of clean Linen & Cotton Rags, at the WESTERN SUN office.

49-1t

Philadelphia Scrap Book

AND GALLERY OF COMICALITIES.
The first Work of the kind ever attempted in this city.

THE subscriber intends publishing, by subscription, on or about the 23d of March, (if sufficient encouragement be given) a weekly publication under the above title, to contain eight closely printed large octavo pages in each number, on fine white paper, with a new and beautiful type, and to be delivered to subscribers residing in the city every Saturday, and sent by mail to any part of the U. States.

It is intended that this Book shall contain such a variety of matter as will make it a source of instruction as well as amusement to all classes, to the grave as well as the gay, while care will be taken that nothing be admitted which will render it inadmissible to any.

We will not meddle in Congressional affairs, nor publish long speeches arising from Nullification, the Tariff, &c. which make most of our Journals at this time useless to many, save the practical politician—but shall endeavor to keep our sheet as closely as possible to correspond with the title which we have selected for it, and publish ALL which comes under its proper-head which may be deserving of our notice, and none other.

We have obtained the aid of many valuable correspondents residing in and out of the city, whose productions cannot fail to enrich our work, and we promise, not without the hope of being able to fulfil our promises, to give the public a work which we are confident cannot be surpassed by any contemporary.

The Book will, when bound at the end of