



The Tarborough Press,
BY GEORGE HOWARD,

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[BY AUTHORITY.]

LAWS OF THE UNITED STATES,
PASSED AT THE THIRD SESSION OF THE
TWENTY-FIFTH CONGRESS.

[PUBLIC—No. 26.]

AN ACT for the relief of the Brothertown Indians, in the Territory of Wisconsin.

Be it enacted, by the Senate and House of Representatives of the United States of America in Congress assembled, That the township of land containing twenty-three thousand and forty acres, lying on the east side of Winnebago lake, in the Territory of Wisconsin, which, by the proviso of a treaty made with the Menomonic Indians on the seventeenth February, eighteen hundred and thirty-one, and ratified on the ninth July, 1832, was reserved for the use of the Brothertown or Brothertown Indians, and which, by a subsequent treaty with the Menomonic tribe, bearing date 27th October, 1832, and ratified 13th March, 1833, was further secured to the said Brothertown Indians, may be partitioned and divided among the different individuals composing said tribe of Brothertown Indians, and may be held by them separately and severally in fee simple, after such division shall have been made in the manner hereafter mentioned.

Sec. 2. *And be it further enacted,* That, for the purpose of making partition and division of said lands among the individuals of said tribe of Brothertown Indians, a board of commissioners shall be constituted, to consist of five of the principal or head men of said tribe, a majority of whom shall constitute a quorum to do business, whose duty it shall be to make a just and fair partition and division of said lands, among the members of said tribe, or among such of them as, by the laws and customs and regulations of said tribe, are entitled to the same, and in such proportion and in such manner as shall be consistent with equity and justice, and in accordance with the existing laws, customs, usages, or agreements of said tribe.

Sec. 3. *And be it further enacted,* That, for the purpose of electing or choosing said board of commissioners, a meeting of said tribe shall be held at their church, or principal place, on the reservation of land aforesaid, on the first Monday in July next, at which all the male members of said tribe over the age of twenty-one years shall be allowed to vote for such commissioners; and the said five commissioners shall then and there be chosen or elected by the said tribe, by a majority of the whole number of such voters then present. And the judge of the district in which said lands are situated (or in his absence the register of the land office at Green Bay, or the commanding officer of the United States troops at Fort Howard) shall attend at the time and place aforesaid, and preside at said meeting, superintend the said election, and see that the proceedings are fairly conducted; and the said presiding officer may, in his discretion, prescribe whether the said election shall be by ballot or viva voce; and shall in other respects cause the proceedings to be conducted in such manner as to ensure a fair and proper choice, or election; and after the said commissioners shall have been so chosen or elected, the said presiding officer shall immediately certify that fact, setting forth the names of the commissioners who shall be elected, and shall make two copies of said certificate, one of which he shall file in the office of the register of the land district at Green Bay, and the other he shall transmit by mail to the President of the United States.

Sec. 4. *And be it further enacted,* That after the said commissioners shall have been elected, or chosen as above prescribed, and as soon thereafter as conveniently may be, they shall proceed to make partition and division of all the lands aforesaid among the individual members of said tribe, or among such of them as, by the laws, customs, usages or agreements of said

tribe are justly entitled to the same, and in such way and manner, and upon such principles and in such proportions as shall be agreeable to equity and justice, and consistent with the laws, usages, customs, and agreements of said tribe. *Provided, however,* That the buildings and improvements, and the farms on which the same are situated, which are now held or possessed in severalty by the members of said tribe, shall, so far as the same can consistently be done, be allotted or apportioned to the present occupants; and that no person or individual of said tribe shall be dispossessed or deprived of the improvements or land which they now occupy, unless it shall be found by the said commissioners that such person or persons are in the possession of and occupying more land than they are justly entitled to, and then the overplus may be apportioned to others.

Sec. 5. *And be it further enacted,* That after the said commissioners shall have made such partition and division as aforesaid, they shall make, or cause to be made, a full report of their proceedings in the premises, setting forth the name of each person to whom they have apportioned any part of said land, the quantity apportioned or allotted to each, with the metes and bounds, or other definite description of each several piece or parcel of land; and they shall accompany the said report with a fair and accurate map of the whole, showing the divisions and partitions aforesaid; which report and map, or a copy thereof, shall be deposited with the town clerk of said tribe, on or before the first day of October next, and shall remain open for inspection to all, for the space of twenty days thereafter; and if any member or members of said tribe shall object to the partition or division so made by the said commissioners, or shall deem himself or themselves aggrieved thereby, he or they may, within ten days thereafter, give notice thereof to the said commissioners, who shall, within twenty days thereafter, meet to hear and determine such grievances, and take testimony if necessary; and after such hearing, shall have power to alter or modify such partition, if, in their judgment, any alteration or modification is necessary, in order to do equal and exact justice to all parties interested.

Sec. 6. *And be it further enacted,* That after the said report shall be finally completed, the commissioners shall cause of the said report, and of the map accompanying the same, as finally agreed upon and settled to be made and signed by said commissioners, one copy of which shall be deposited in the office of the secretary of said Territory, one copy in the office of the clerk of the county within which said lands are situated, and the other shall be transmitted to the President of the United States, who shall thereupon cause patents to be issued to the several individuals named in said report, for the lands so apportioned to them respectively, by which the said persons shall be authorized to hold the said lands in fee simple to themselves and their heirs and assigns.

Sec. 7. *And be it further enacted,* That the said report and map shall be filed with the secretary of said Territory, and in the clerk's office of said county, and also be transmitted to the President on or before the first day of January next; and after the same shall have been filed and transmitted to the President, as aforesaid, the said Brothertown Indians, and each and every of them, shall then be deemed to be, and from that time forth are hereby declared to be, citizens of the United States to all intents and purposes, and shall be entitled to all the rights, privileges, and immunities of such citizens, & shall, in all respects, be subject to the laws of the United States and of the Territory of Wisconsin, in the same manner as other citizens of said Territory; and the jurisdiction of the United States and of said Territory shall be extended over the said township or reservation now held by them in the same manner as over other parts of said Territory; and their rights as a tribe or nation, and their power of making or executing their own laws, usages, or customs, as such tribe, shall cease and determine: *Provided, however,* That nothing in this act shall be so construed as to deprive them of the right to any annuity now due to them from the State of New York or the United States, but they shall be entitled to receive any such annuity in the same manner as though this act had not been passed.

JAMES K. POLK,
Speaker of the House of Representatives.

WM. M. JOHNSON,
Vice President of the United States, and
President of the Senate.

APPROVED, March 3d, 1839.

M. VAN BUREN.

[PUBLIC—No. 27.]

AN ACT making an appropriation for the protection of the Northern and Northwestern frontier of the United States.

Be it enacted by the Senate and House of Representatives of the United States

of America in Congress assembled, That the sum of five hundred thousand dollars, in addition to a former appropriation, shall be, and the same is hereby, appropriated, out of any unappropriated money in the Treasury to defray any expenses which have been or may be incurred in protecting the Northern and Northwestern frontier of the United States, by the employment of steamboats, the transportation of troops and supplies, or any other extraordinary expenses attending the operations of the army in the defence of that frontier, and by calling out, under the direction of the President of the U. States, any part of the militia or volunteers, according to the provisions of the constitution and laws; and such part of said sum as may be required for the latter purpose, shall be expended under the direction of the Secretary of War, conformably to the provisions of the act of Congress of January the second, seventeen hundred and ninety-five; and of the act of April the fifth, eighteen hundred and thirty-two, making appropriations for the support of the army; and of the act of March the nineteenth, eighteen hundred and thirty-six, providing for the payment of volunteer and militia corps in the service of the United States.

APPROVED, March 3d, 1839.

[PUBLIC—No. 28.]

AN ACT to amend an act entitled "An act regulating the pay and emoluments of brevet officers, passed April 16, 1818.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passing of this act, the act entitled "An act regulating the pay and emoluments of brevet officers," approved April sixteenth, eighteen hundred and eighteen, be and the same shall be, so construed, as to include the case of the Adjutant General of the United States.

APPROVED, March 3d, 1839.

[PUBLIC—No. 29.]

AN ACT to authorize the construction of a road from Dubuque, in the Territory of Iowa, to the northern boundary of the State of Missouri, & for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the sum of twenty thousand dollars be and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, to the opening and construction of a road in the Territory of Iowa, from Dubuque, on river Mississippi, to such point in the northern boundary of the State of Missouri as may be best suited for its future extension by that State to the cities of Jefferson and St. Louis, within the same; that the Secretary of War be empowered and directed to cause such road to be constructed by contract or otherwise: *Provided,* That the said road shall be opened throughout, and so far completed as to be capable of use, without exceeding in cost the sum hereby appropriated; and in laying down the route thereof respect be paid, so far as the same may be practicable, without greatly increasing the length thereof to the accommodation of the seats of justice of the several counties in Iowa thro' which it may pass, and to the best sites for bridges or ferries over the several rivers which the said road must cross.

Sec. 2. *And be it further enacted,* That the Secretary of War be, and he is hereby, empowered to cause a survey of Red Cedar river, within the said Territory, and an estimate to be made, with a view to the improvement of the navigation thereof above the town of Moscow, and the connection of the said navigation with the river Mississippi by a canal, extending from the vicinity of said town to some suitable point in or near the town of Bloomington; and to defray the expense of said survey and estimate, the sum of fifteen hundred dollars be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated.

Sec. 3. *And be it further enacted,* That the following sums are hereby appropriated to several objects respectively which are hereinafter described:

For the opening and construction of a road from Burlington through the counties of Des Moines, Henry and Van Buren, towards the seat of Indian agency on the river Des Moines, five thousand dollars;

For the improvement of the road from Burlington, in the Territory of Iowa, to De Hagues, in Illinois, the sum of twenty-five hundred dollars, in aid of a like sum contributed towards the same object by the town of Burlington.

APPROVED, March 3d, 1839.

[PUBLIC—No. 30.]

AN ACT providing for the erection of a fireproof building for the use of the General Post Office Department.

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 hereby is, authorized to cause to be erected a fire-proof building, of such dimensions and upon such plan of arrangement as may be required for the use and accommodation of the General Post Office Department, on the site of the Post Office building recently destroyed by fire; and, for this purpose, that he be authorized to appoint a skillful architect to prepare and submit to him the necessary plans for the proper construction of such building, which being approved by him shall be conformable to the erection of the structure; and the said architect may be continued in the superintendence of the construction of the building, or another employed in that service, as the President may judge best. *Provided,* That not more than one architect shall be kept in the employment of the Government at Washington.

Sec. 2. *And be it further enacted,* That the principal material of which the exterior walls of such building shall be constructed shall be such as the President of the United States shall direct, jointed, and laid in regular courses, in the most approved mode of such construction.

Sec. 3. *And be it further enacted,* That, for the erection of the building authorized by the first section of this act, there be, and hereby is appropriated, the sum of one hundred and fifty thousand dollars, out of any money in the Treasury not otherwise appropriated by law.

APPROVED, March 3d, 1839.

[RESOLUTION—PUBLIC—No. 3.]

A RESOLUTION to authorize the purchase of an island in the river Delaware, called the Pea Patch, and for other purposes.

Resolved 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 required to take all necessary measures to try the title of the United States to the island in the Delaware commonly called the Pea Patch, by submitting all the questions growing out of the conflicting claims of the United States and the individual claimants, to the courts of law; and if it shall appear, to the satisfaction of the said Secretary, that the title is not vested in the United States, and that the possession thereof is indispensable to the public interests, he is hereby authorized to purchase the same from the legal owner or owners thereof, either by appraisement or such other manner as he may deem most expedient; subject to the approval of Congress.

APPROVED, March 3d, 1839.

Awful Steam-boat Disaster.—The The steamboat George Collier, met with a serious accident on the Red River, about eighty miles below Natchez, on the 4th inst. which proved dreadfully destructive of human life.—By the bursting of the bolt which passes through the tea head, the steam escaped and scalded 40 or 50 persons—26 perished instantly, while others were lingering or dying in the most indescribable misery.

Remarkable Occurrence.—The following singular facts were related in our hearing a few days since. The source from which the information was received, is such as to put all doubt, as to its truth and correctness out of the question.

A female slave, belonging to a resident of the adjoining County of Burke, about fifteen years ago, had a violent attack of fever; and was reduced to so low a state, that at two several times, she was supposed to be dead; and was, as often folded in her shroud; but was saved from interment by some light signs of remaining life. And though she ultimately recovered from her sickness, she remained, from that time to the present, utterly helpless, and was entirely without the power of speech. For fifteen years she never spoke a word. She was then about thirteen years of age.

About two weeks ago, without giving any other manifestations that her peculiar condition, had undergone a change, she commenced speaking with as much readiness and ease, as one, whose power of utterance had never been hindered or impaired. And what renders the circumstance still more remarkable is that she commenced speaking, by repeating passages from the Bible, praying and singing hymns; and it is said she can repeat passages from the Scriptures to an almost incredible number. She remains in the same helpless condition of body as heretofore.

Lincolnton Rep.

Goelicke's Sensitive—advantages of advertising.—The Boston Post has the following article, shewing a most extensive diffusion of a patent medicine and indicating the way in which the sales were pushed.

"We have always been of the opinion that the more liberally and frequently a man advertises (be his avocation what it may) the greater will be his profits. The following fact corroborates the truth of this sentiment and cannot fail to induce many of our advertising friends more properly to appreciate and improve the advantages held out to them by newspapers and the press.

"We learn that ninety-three thousand dollars have been paid to printers in the United States and Canada during the year 1838, for advertising Goelicke's Matchless Sensitive. The sales of that medicine, we also learn, have been constantly increasing, just in proportion as it has become known through the medium of newspapers. It seems but a fair inference to draw from this fact, that it is strict economy, for all business men to advertise largely and frequently—and we hope they will hereafter more generally avail themselves of the privileges of the press; and thus be constrained to acknowledge that the printer is indeed "worthy of his hire."

Boston Post.

Shocking Murder.—We learn that a Mr. Thomas Bradley, of Anson county, N. C. was murdered whilst peacefully at work in a corn field, on the 6th instant. We forbear to state the circumstances, as they were related to us, from the danger of improperly influencing the judicial investigation which we suppose will, of course take place. We have not learnt whether or not the alleged murderer has been apprehended. The increased frequency of the crime of murder in this part of the country is hardly to be wondered at, when the facility with which murderers are allowed to escape proper punishment is considered.

Cheraw Gazette.

Accident.—We learn from Capt. Allen, of the Schr. Smith, that on Saturday last, Capt. Alphos Whitehurst, and a colored man, started from Portsmouth to go on board a vessel then lying off Oeracoke bar, and not succeeding in getting on board they started back for Portsmouth, when their boat was capsized and both drowned. Capt. W. was a highly respected citizen of Portsmouth, and has left many relatives and friends to lament his loss.

Wash. Rep.

Sporting Intelligence—Kendall Course, Md.—The Purse of \$1000, 4 mile heats, was taken by Mr. McDaniel's Vashti, beating Portsmouth and Steel. The first heat was won by Portsmouth, in 7m. 53s; the second by Vashti, in 7.46. Portsmouth being much distressed, was then withdrawn; and the third heat was taken with great ease by Vashti, in 8.19.

This was one of the most interesting and beautiful races which ever took place in this country. The fame of the horses had attracted an immense number to the course; and the contest which ensued between these truly "high mettled racers" richly repaid all for their visit. Portsmouth was the favorite, 3 to 5; and though the reputation which Vashti brought with her was decidedly favorable, it was hardly thought possible that she could win against the pick of the Virginia stables.

In the first heat, Portsmouth took the lead, and maintained it gallantly throughout, though every inch of ground was disputed with him by Steel—Vashti just dropping in her distance. The second heat Vashti got the lead, and was pushed from the start by Portsmouth, who kept up a tremendous pace, but after a struggle almost unpriced, for three miles, gave back and Voshti, through not without a desperate effort on the part of Steel, won the heat. Portsmouth was now drawn, it being evident that he could not win. The third heat was desperately contested by Vashti and Steel, and for nearly the whole distance they were neck and head. On the last quarter Vashti got clearly away from him, and won the heat by about a length, and with the heat, the purse. The time of the second heat of this race has never been equalled on this course.... Baltimore Gaz.

Backing Out.—The match two mile heats, \$10,000 aside, between Boston and The Queen, which was to have been run over the Raleigh (N. C.) Course, at the Spring meeting, it is said, is "off". The Queen being out of order, and the backers have to pay the forfeit of \$5000.

Bank Monopoly Running into the Meat Market.—The Ohio Statesman gives this new instance of invasion by corporate privilege: "The Chicago branch of the Illinois State Bank, says the Chicago Democrat, has realized \$40,000 out of its late pork speculations. This amount is taken—stolen—out of the pockets of the mechanics, merchants and farmers. The Democrat is exposing the monopolizing character of that bank, in a way that will open the eyes of the people in that State. They have been made to feel the ruinous effect of bank paper, and they will soon be able to see it.

(The Treasurer of the state of Indiana has made a formal demand of the 4th installment of the Surplus fund, due on the 1st of January last. He also intimates to the Secretary of the Treasury, that if he cannot pay it in specie, Treasury Notes bearing interest will be received.