THE STAR. North-Carolina State Gazette,

d. Afterdements, not exceed-inserted three times for one ty-five cents for each continu-rate the editors must be fore-

BY AUTHORITY.



WS OF THE UNITED STATES. the Second Series of the Twenty-First

ertain and mark the line between inte of Alabams and the Territory of Pla-and the Northern boundary of the State sois, and for other purposes.

ives of the United States of America in died, That the President of the states be, and he is hereby, authorized to be run and marked the boundary line the State of Alabama and the Territory by the surveyors General of Alabama on the thirty-first degree of north and it shall be the duty of the Surveyor of Florida to bennect the public warveys sides with the tion so run and marked. 2 And be it further enneted, That pail he issued for such tracts of Inc old and paid for at the land office at Talthe Territory of Florida, as are found ewithin the limits of the district of et to sale at Sparta, in Alabama, ato the terms of the act organizing that said the said cutries and sales shall be us

hevery respect, as if they had been made and district of Alabama.

I did be it further enacted. That the at of the United States is hereby authori-muse the Surveyor General of the United the States of Utinois and Missouri, and ry of Arkanias, to act us a Commisof the United States, whenever se duly informed that the Government are at lithnois shall have appointed a er on its part, the two to form a board, survey and mark the northern line of lines, as defined in the set of Condided "An act to enable the people of territory to form a Countitution sand ner, or of his being unable to nes from the President is authorized to fill such by the appointment of some other qualisms, whenever it may be necessary, until set of the commission shall be attained.

Aul be it fatther cuarted. That the red of Commissioners shall have power by the necessary surveyors and laborers, il together than the many be necessary surveyors and laborers.

by the President of the United Government of the State of Illinois seed to meeting, survey and mark the othern line of the State of Hinors, and reproceedings to the President of the

And be it further enacted, That the may allow to the said Commissioner States, such compensation for his is shall so in to lim reasonable: Proof Hilmos to the Commissioner on and the said sllowance, rogether with of the necessary expenses of said board, invertors and laborers, and the allow-Alabams and the Territory of Florida, Alabams and the Territory of Florida, pressary expenses incurred by them in de to the Sureyors Deneral of the id marking said line between and of the Caned States, out of any money, of the Caned States, out of any money, was appropriated; And, to enable the it is easyy this act tills effect, there is appropriated the sum of two thousand

ANDREW STEVENSON. JOHN C. CALHOUN,

d, March 2, 1831. ANDREW JACKSON.

rwing the duties on foreign merchanoried into Pittsburg, Wheeling, Cto-Louisville, St. Louis, Nashville, and to be secured and paid at those

ted by the Senate and House of Readed to be imported, with accitinate at the place of exportation, whereup-Surveyor shall make an estimate of reveror shall make an estimate of uties according on the same, and the usignee shall give bond, with sui-to be approved by the Surveyor, mount of the duties so estimated,

to unnexed, uninering print to present to be place of his destination.

See. S. . Sud he is further counted, That, if any steambent or other vessel, having unevenanties in heard, imported as aforesaid, shall depart from New Origans without having complied with the previsions of this set, the master thereof shall forfeit five handred deliars; and veyor that there was not, when he departed from New Orienns, any more or either goods, on board such hone or vessel, imported as aforeasid, than is therein mentioned, whereupon the Surchests, or packages, to be inspected, and compa-ped with the manifests, and the same being iden-tified, he shall grant a permit for unloading the tions, or such part thereof as the master shall request, and when a part only of such meschandisc is i rended to be fanted, the Surveyor shall make an autorscingent on the back of the manifests, designating such part, specifying the articles to be landed, and shall return the manifests to the mester, endorsing thereon his permission to such the president and directors elected as aloressid mester, endorsing thereon his permission to such the president and directors elected as aloresaid; bost or sessel to proceed in the place of its destination; and, if the master of such steambar or of the directors, and, in case of absence, his sessed shall neglect or refuse to deliver the majores may be supplied by one of the frectors, nitrates within the time herein directed, he shall appointed by the board; that the president and

forfeit one hundred dollars
Sec. 4. And be it further enacted, That the
Callecter of the port of New Orleans shall permit no entry to be made of goods, wares, or merchandine, where the duty on the same shall exceed the amount of the bond deposited with the Surveyor, as aforesaid, nor shall the said Surveyor receive the bond of any person not entitled to a credit at the custom-licuse, nor entitled to a credit at the custom-house, nor for a sum less than fifty dollars, and that, when the said bond shall have been completed, and the actual amount of duty ascordined and certified on the margin, as aforesaid, it shall be the duty of the Surveyor of the port where the bond is taken, to deposite the same for collection in such | shull bank as may be directed by the Secretary of the

Sup. 5. And be it further enacted, That where Surveyors are not already appointed in any of the places mentioned in the first section of this act, a suitable person shall be appointed for such places, and on all such Surveyors, whether appointed or to be appointed, shall devolve the duties prescribed by this act, in addition to the customary duties performed by that officer in other places; and the Surveyor at each of said places shall, before taking the oath of office, give security to the United States for the fait out performance of all his duties, in the arm of ten thousand dollars, and shall receive, in addition to his customary fees, an annual welver of three hundred and fifty dollars: Previded, That no sidart grizing under this act, shall commence un-til its provisions shall take effect, and merchandise may be imported under its authority.

See. 6: And be it further equeted, That all

enalties and forfeitures incurred by force of this remaient. Re. parced the eighteepth act shall be sued for, recovered, distributed, and one thousand eight hundred and eight accounted for, in the manner prescribed by the cin case of vacuum in and office of act, entitled "An act to regular the collection of duties on imports and tonnage," passed on the seand ninety-nine, and may be mitigated or remitted in the manner prescribed by the net, entitled "An act to provide for mrigating or remitting the forfeitures, penalties, and disabilities, accruing in certain cases therein mentioned," passed on the third day of March, one thousand seven oundred and ninety-seven. Approved, March 2, 1831.

> An Act to repeal the act to establish the district of Blakely.

ed the seventeenth day of April, eighteen hundred and twenty-two, be, and the same is hereby,

Approved, March 2, 1831.

An Act to incorporate a Fire Insurance Company in Georgetown, in the District of Co-

He it enacted by the Senate and House of Representatives of the United States of America in Congress arsembled. That the subscribers to this company, their successors and assigns, shall be, and they are hereby, createst a body politic and corporate, by the hame and style of the "Poto-mac Five Insurance Company of theoryetown," and shall by that name have succession, and shall be able to sue and be sued, implead and be impleaded, in all courts of law in the United States, and to make and use one common sext, and the and to alter and smend at their plusture.

See. 2. And be it further entirted, That subsee. 2. And be it further entitled, That subscriptions he opened in Georgetown, in the District aforesaid, under the direction of Francis Dodge, Raphael Semmes, Watter Smith, John Kurtz, William S. Nicholls, L. G. Davidson, John Marbury, Joel Crustenden, O. M. Liuthium, James Dunlop, William Bayman, as Commissioners, or a majority of them, for raises and missioners, or a majority of them, for raises missioners, or a majority of them, for raising a capital stock of two hundred thousand dollars, devided into eight thousand shares of twenty-five duffurs each.

the state of Kenturky, St. Louis, in the State of Kenturky, St. Louis, in the State of Kenturky, St. Louis, in the State of Tender of Kenturky, St. Louis, in the State of Tender of Kenturky, in the State of Tender of State of Mississiphotocher, in the State of Mississiphotocher, the state of the State of Mississiphotocher, and the state of the

shares. A. Audbe it further enacted. That, th to the commissioners at the time of subscribing. and a further sum of four dollars on each for the payment of the duties on of stock by instalments, after giving thirty days hardless, assertained as hereinafter previous notice to the stockholders, in one or not the Surveyor shall forthwith noting the same, the same, the same of the stockholders of the same of deliars shall be secured by the satisfaction man, and that containing to him a copy of said bond and deliars shall be secured by the satisfaction man, at least 1 to the President and Directors. The said notes the President and Directors are hereby somider it propers but the directors may somider it propers but the directors may somider it propers but the directors may somider it propers but the directors are hereby symmetric to cause the same to be renewed at Ax weekholder neglecting or reliang to reness him note, or neglecting to reness him note, or neglecting or reliang to reness him note, or neglecting to reness him note, or neglecting to reness him note, or neglecting to reness him n

thong the stockholders, by a majority twelve directors, who shall continue path the first Monday in August until the firet Monday in August, in the year one thumand eight hundred and thirty-not; on which Monday in August, it every mocceeding year the cater, an election shall be held for twelve directors as aforesaid, who shall conthereof shall forfer five handred dollars; and the master of any such hoar or vessel, arriving at either of the poets above named, on hoard of which merehandise, as abovesaid, shall have been shipped at New Oriente, shall within eighteen hours next after the arrivini, and prevaiously to unloading any part of said merehandise delivered to the Surveyor, of stah port the manifest of the same, certified, at aforesaid, by the Collector of New Orleans, and shall make outh or affirmation before the said Surveyor that there was not, when he departed the remaining directors the remaining directors may elect others to unply their places during veyor that there was not, when he departed the remaining of the hours for the high their places during the remaining of the hours may elect others to supply their places during the remainder of the term for which they were

ry subscriber shall be entitled to rote by him-self, his agent or proxy, appointed under his hand and seal, attested by two mitnesses, stall elections made by virtue of this act; and shall have as many antes as he holds shares, as far as ten shares; one vote for every five shares which he may hold over ten shares as far as fifty other sharrs; and one rote for every twenty shares which he may hold over sixty shares. See. 8. And be it further enacted, That, the

affuire of this invitation shall be conducted by director shall have mover and authority make all kinds of innumnees against loss or damage by fice, and insurances on inland transportation of goods, wares, merchandize, and country produce, not exceeding ten thousand sellars in any one policy, and to invest the funds of the institution in stock, or dispose of the same in much manner as in their jud may be most advantageous to the said institu on; that they shall have full power and autifor ty to appoint a secretary, and such other clerks and servents under them as shall be necessary for transacting the buriness of the mid institu tion, and may allow them such salary as they shall sudge reasonable; to ordain and establish hy-laws, ordinances, and regulations, as shall appear to them necessary for regulating and conducting the concerns of the said institu tion, not being contrary to, or inconsistent with, or the laws and constitution of United States; that the said president end directors shall conduct business in Georgetown rectors shall conduct business in Georgetown, that they shall keep full, fair, and correct entries of their transactions, which shall be at all times open to the inspection of the gtockholders; they shall also have power to hice of purchase a suitable building or buildings in Georgetown, for the purpose of transacting the sifther of the in-attitution; that the president, or such other per-son as may be appointed in his place, and four directors, shall form a quarum for transacting business, and all questions which may come be-fore them shall be decided by a plurslity of

Sec. 9. And be it further enacted, That, all policies of insurance made by this comporation shall be signed by the president, attested by the Scoretary, and sealed with the common seal thereof; and all losses on any such policy or policies shall be adjusted by the president and board of directors, and paid, agreeably to the terms of the policy, out of the funds of the com-

Sec. 19. And be it further enacted, That, dividends of the nett profits arising on the capital stock, or so much thereof as to them may apsome, or so much thereof as to them may ap-pear advisable, after reserving one third of the next profits as a surplus fund, until it shall a-mount to the sum of twenty thousand dollars, shall be made at such periods as the president and directors may judge proper, not oftener than once in six moulds, and the same shall be paid to the stockholders or their legal repredeclared of a greater amount than the nett profits Congress assembled. That the net entitled "An of the said company at the time of making the act to establish the district of Blakely," approvsame, each and every director that consented thereto shall, and is hereby declared to be liable for, in his individual capacity, and bound to con-tribute to make good the deficiency in the capi-

tal stock occasioned by such improper dividend, Sec. 14. And be it further eracted. That, no stockholder shall be answeathle, in his person or individual property, for any contract or agreement of said company, or for any losses, deheiencies, or failures, of the capital stack of said institution, except in the case of a director ductaring an improper divided, as before proin the tenth section of this net; but the whole of the said capital stock, together with all operty, rights, and credits, belonging therto, and nothing more, shall et any time be an-swerable for the demands against the said com-

Son 12. And be it further enacted, That, the stock of this institution is hereby declared perand and not reat estate, and may be assigned, and transferred on the hooks of the company, in person or by power of attorney only; but nesteckholder indebted to the company shall be permitted to make a transfer, or receive a dividend, until such debt is paid or secured to the satisfaction of the president and board of direc-

Sec. 13 And be it further enacted, That this et shall be and continue in force until the first day of December, in the year one thousand eight bundred and fifty, and until the end of the next session of Congress which shall hep-pen thereafter; and on the dissolution or expirasee of the United States of Semental and Sec. 3. And be it further enacted. That the pen thereafter; and on the dissolution or expurasecretariles, are to be imported been said Commissioners after giving ten days prescioustry into Pittsburg, in the State of Viesmith, Wheeling, in the State of Viesmith the Case of Ohio, Louisclaustr, in the Case of Ohio, Louisclaustr, continued by or against the said corporation, for any debt or claim due by or to, the same, and which arose previously to said dissolution or expiration; but for the purpose of closing oncerns, its corporate powers shall remain

Approved, March 2, 1831.

An Act to provide for the further compensa-tion of the Marshal of the District of kt. ed. Island.

Be it enacted by the Senate and House of Reresentatives of the United States of America Congress assembled. That the Marshal of t intrict of Rhode Island shall be entitled to peive, in addition to the compensation now lowest by law, an annual salary to two hundred dollars, payable quarterly, out of any merry the Freasury, not otherwise appropriated, Approved, March 2, 1651.

An Act for the relief of sectain is blers of sectificates issued in hen of ladie injured or on in quakes in Missouri.

Be it enacted by the Senate and Hause of Ro

ments and reffer sommary punishments for a tempts of court, shall not be construed extend to any curse except the mistelawin any person or persons in the presence of the courts, or so near thereto as to obstruct the ministration of justice, the mishelattion of any of the officers of the said courts in their official to anteresticut, and the disphedieues or resistance by any officer of the said courts, party, justor, witness or other person or persons, to any law for serit, process, order, rule decree, or command of the said courts.

The said courts.
See, 2. And be is further enacted, That if any See 2. And se if further endeted. I hat it my person or persons shall, corruptly, or by threats or force, cudeavor to influence, intimidate, or impede any juror, witness, or officer, in any court of the United States, in the discharge of his duty, or shall, corruptly, or by threats or force, ob-struct or impede, or endesvor to obstruct or im-pede, the due administration of justice therein, every person, or persons, so offending, shall be liable to proscoution therefor, by indictored liable to proscention therefor, by indictment, shall, on conviction therefor, be punished fine not exceeding five hundred deliars, or by prisonment, not exceeding three months, or both, Approved, March \$, 1831.

Resolution, in relation to the transmission public documents printed by order of either House of Congress.

House of Congress.

Resolved by the Senate and House of Refree-matters of the United States of America in
Congress assembled, That withing contained in
the act to reduce into one-the several acts establishing and regulating the Post Office Department, approved March third, one thousand eight
hundred and twenty-five, shall be construed to
remeal, or limb, this question of the set with repeal, or limb, die operation of the act authorizing the transmission of certain documents free of postage, approved December abetteenth, one thousand eight hundred and twenty-one.

Approved, January 13, 1831.

Resolution directing the Socretary of State subscribe for seventy copies of Peters' con-denced reports of decisions of the Supreme

Resolved by the Senate and House of Re-resentatives of the United States of America is Congress assembled, That the Secretary of Bepartment of State be, and he is hereby, Department of State oe, and he is hereby, au-thorized and directed to subscribe for and re-ceive seventy copies of the condensed reports of cases in the Supreme-Court of the United States, edited by Richard Peters, and estige to be dis-tributed one copy thereof to the President of the United States. tributed one copy thereof to the President of the United States, each of the Justices of the Supreme Court, each of the Justices of the District Court, the Attorney General at the United States, each of the Heads of Departments, each of the Judges of the several Territories of the United States, five copies thereof for the use of each House of Congress; and the residue of the copies shall be demonstred in the Library of Congress. shall be deposited in the Library of Congress: Premided, herever, That the cost of each vol-ume shall not exceed five dollars. Approved, Murch 2, 1881.

The Cherokee nation vs. The State of Georgia January Term, 1831.

Opinion of the Supreme Court of the United States, delivered by Mr. Chief Justice Marshall, on a motion of the Cherokee Nation for a writ of injunction and subperna a

gainst the State of Georgia.
This bill is throught by the Cherokee ution of certain laws of that State which, as alleged, go directly to annihilate the Cherokees as a political sociery, and to sieze, for the use of Genegia, the lands of the nation which have been assured to them by the United States in solemn treaties repeatedly made and still in force.

If courts were permitted to indulge heir sympathies, a case better calculated to excite them can scarcely be imagined. A people once numerous, pow erful, and truly independent; found by our ancestors in the quiet and uncon-trelled possession of an ample domain, gradually sinking beneath our superior policy, our arts and our arms, have veilded their lands by successive trea ties, each of which contains a solemn guarantee of the residue, until they reain no more of their former extensive territory than is necessary to their comfortable sonsistence. To preserve this remnant the present application is tility,

Before we can look into the murits of the case, a prefiminary inquiry preents itself. Has this Court jurisdie tion of the cause?

osition with great earnestness and ability. So much of the argument as was intended to prove the characters of the Cherokees as a State, as a distinct political society, separated from others, capable of managing its own affairs and governing itself, has, in the opinion of a one-jority of the judges been completely accessful. They have been uniformly treated as a State, from the set thement of our country. The numerous treaties made with them by the United States recognize them as a people capable of maintening the relations of peace and war, of being responsible that actions of their engagements; or for any aggressing committed un the citizens of the United States by any individual of their community. Laws have been an acted in the spirit of these freates. The acts of our Government plainty re-

cognize the Cherokee nation as a State, lation can be applied to neit and the courts are bound by those there, neither can the apparent.

A question of much more difficulty fair construction appremains. Do the Cherokees constitute objects to which the a foreign State in the sense of the Con-commerce might be

toreign, the whole must be foreign.

This argument is imposing, but we The counsel for the plaintiffs continued examine it more closely before we that the words " Indian tribes" syield to it. The condition of the Indi- introduced into the arricle, empower yield to it. The condition of the Indians in relation to the United States is Congress to regulate commerce, for the
perhaps unlike that of any other two purpose of removing those doubts is
people in existence. In the general, which the management of Indian affairs
nations not owing a common allegiance was involve, by the language of the nintiare foreign to each other. The term article of the confederation. Intending
foreign nation is, with strict propriety, to give the whole power of coming
applicable by either to the other. But log those affairs to the Government as
the relation of the Indians to the United States is marked by peculiar and confined it explicitly, and omitted those
cardinal distinctions, which exist an qualifications which apparatured the convention cardinal distinctions, which exist an qualifications which embarrassed the ex-

histories, and laws it is so considered, been foreign Nations in the view of the In all our intercourse with foreign no convention, this exclusive power of remits of the United States, subject to Nations. Congress might have bemany of those restraints which are im empowered "to regulate commerce will posed upon our own citizens. They are foreign Natious, including the India, knowledge themselves in their treaties tribes, and among the saveral States. States have the sole and exclusive right to dian tribes as foreign Nations and of regulating the trade with them, and were yet desirons of mentioning them of maneging all their affairs, as they particularly, think proper, and the Cherokers in think proper, and the Cherokers in the been also said that the same particular were allowed by the treation of Hopewell, which preceded the meaning attached to them when found Constitution, "to send a deputy of in different parts of the same instruction, choice, whenever they think fit, ment. Their meaning is controlled by the Congress." Treaties were made the context. This is undoubtedly true, with some tribes by the State of New York, under a then nosettled construction of the confederation, by which these in which it is used in any sentence in for

lage. Their relation to the United desert its former meaning, and to com-States resembles that of a ward to his prehend indian tribes within it, unless goardian.

They look to our government for us. We find nothing in the context, protection, rely upon its kindness, and and nothing in the subject of the arti-its power, appeal to it for relatif in their cie, which leads in it.

wants, and address the President as The Court has bestowed its best atwants, and address the President as The Court has bestowed its heat at their Great Father. They and their fention on this question, and abortus their Great Father. They and their tention on this question, and after machine to country are considered by foreign and tions, as well as by ourselves, as being so completely under the sovereignty and dominion of the United States, that any attempt to acquire their lands, or to form a political connexion with them, would be considered by all as an invasion of our territory, and an act of hostility.

The proper subjection on this question, and the united States is not a foreign State in the sense of the Constitution, and cannot maintain an action in the Court of the United States.

A prious additional objection exist to the jurisdiction of the Court. Is the matter of the bill the proper subjection.

These considerations go for to sup for judicial inquiry and decis

in the Constitution?

The counsel for the plaintiffs have maintained the affirmative of this proposition with great carnestness and ability of the Courts of the Courts of the Union.

Some of the control of the Proposition of George and State of the Union.

Some of the Courts and ability of the Courts of the Union.

a foreign State in the sense of the Constitution?

The counsel have shewn conclusive—
by that they are not a State of the Unitribes. When framing this article on, and insisted that individually they are aliens, and maintained them as an are aliens, and or wine allegisters. are aliens, not owing allegiance to the distinct. We cannot assume that the United States. An aggregate of aliens distinction was lost in framing a subset composing a state must, they say, he a quent article, unless there be somethin foreign State. Each indivious being in its language to authorize the assumptions of the control of the tion.

where else,

The Indian territory is admitted to time. This may be admitted without compose a part of the United States, weakening the construction which has In all our maps, geographical treaties, been intimated. Had the Indian triber from the commercial regulations in ulating intercourse with them might have any attempt at intercourse between Indians and foreign nations, they are conditional intercourse within the jurisdictional intra-distinguishing them from foreign to be under the protection of the United This language would have suggested States; they admit that the United itself to statesmen who considered the States have the sole and exclusive right Indian tribes as foreign Nations and

tion of the confederation, by which they in which it is used in any sentence is to ceded all their lands to the State, taking be determined by the contest. This back a limited grant to themselves, in may not be equally true with respect which they admit their dependence. Though the indians are acknowledged general term, the application of which to edged to have an unquestionable and Indian tribes, when used in the American heretofore unquestioned right to the can constitution, is at best extremely lands they occupy until that right shall questionable. In one article in which a be extinguished by a voluntary session power is given to be exercised in regard to our government, yet it may well be to foreign nations generally, and to the doubted whether those tribes which re. Indian tribes particularly, they are side within the acknowledged bounds, mentioned as separate in terms clearly This bill is brought by the Cherokee ries of the United States can, with contra distinguishing them from each e-strict accuracy, be denominated for, ther. We perceive plainly that the train the State of Georgia from the experhaps, be denominated domes comprehend Indian tribus to the gene tic dependent Nations. They occupy a term 'foreign nations,' not we presume territory to which we assert a title independent of their will, which must because it is not foreign to the United take effect in point of possession when States. When afterwards the term fotheir right of possession ceases. When afterwards the term foreign state,' is introduced, we cannot impute to the convention the intention to lage. Their relation to the United desert its former meaning, and to com-

matter of the bill the proper subjeport the opinion that the framers of seeks to restrain a State from a forcible our Constitution had not the Indian exercise of legislative power over a fribes in view when they opened the Courts of the Union to controversies pendence, their right to which the State The third article of the Constitution describes the extent of the judicial power. The second section closes an enumeration of the cases to which it is extended, with "controversies" between a State or the citizens there of, and foreign States.

In consistering this subject the habits and usages of the Indians, in their interestance as tween a State, or the citizens thereof, and foreign States, citizens, or subjects." A subsequent clause of the same section gives the Supreme, Court original jurisdiction in all cases in which a State shall be a party. The party defendant may then unquestionably be sued in this court. May the plantiff sue in it? Is the Cherokee nation a foreign State in the court of justice for an assertion of the unquestionably be sued in the sense in which that term is used in the sense in which that term is used in the States and unquestion of the United States and might. The mere question of the United States and might permaps be decided by the court in the court is asked to do more than attotion of the United States and might.