

It is even wise to remain from laws, which, however wise and good in themselves, have the semblance of inequality, which  
and on response in the heart of the citizen, and which will be evaded with little remorse. The wisdom of legislation is  
especially seen in granting laws on conscience.

SALISBURY, ROWAN COUNTY, N. C. MONDAY, OCT. 31, 1831.

VOL. XII. NO. 35

THE HOUSE OF REPRESENTATIVES,  
OF THE STATE OF LOUISIANA,  
IN SENATE.

REPORT  
OF THE  
COMMISSIONER OF THE  
LANDS OF THE STATE OF LOUISIANA,  
IN RESPONSE TO A RESOLUTION  
PASSED BY THE HOUSE OF REPRESENTATIVES,  
ON THE 15TH MARCH, 1831.



Printed at the Second Session of the twenty  
first Congress of the United States.  
PUBLIC—NO. 73.

**Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,** That the sum of three hundred and thirty-three dollars and thirty-three cents be paid by the Secretary of the Treasury to the Surveyor General of Louisiana, for his services as interpreter to the United States, for the said district under the provisional act for the said district, for each regular appointment of the Judge, for each regular term of said court from the December term of 1828, and eight hundred and twenty-five cents, up to the time of the passage of this act.

**Sec. 2. And be it further enacted,** That the Judge of the district court of the United States for the eastern district of Louisiana, be and he is hereby authorized to appoint a competent person to act as interpreter to the United States, for the said district, and to allow him thirty-three dollars and thirty-three cents, for his services as interpreter to the United States, for the said district, for each regular appointment of the Judge, for each regular term of said court from the December term of 1828, and eight hundred and twenty-five cents, up to the time of the passage of this act.

**A. STEPHENSON,**  
Speaker of the House of Representatives.  
**J. C. CALHOUN,**  
Vice President of the United States and President of the Senate.  
Approved March 3, 1831.  
**ANDREW JACKSON,**  
PUBLIC—NO. 74.

An ACT to create the office of surveyor of the public lands for the state of Louisiana.

**Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,** That a Surveyor General for the State of Louisiana shall be appointed, who shall have the same authority, and perform the same duties, respecting the public lands and private land claims in the State of Louisiana, as are now vested in, and required of the Surveyor of the lands of the United States, south of the State of Tennessee, or the principal Deputy Surveyors in the said State, and that from and after the first day of January, the office of principal Deputy Surveyor, as created by the ninth section of the act of Congress of the twenty-first day of April, 1820, entitled "An act to amend the act of the 15th of March, 1820, for the better regulation of the lands within the Territory of Orleans and the State of Louisiana," be and the same are hereby abolished; and it shall be the duty of the principal Deputy Surveyors to surrender the same, and the maps, books, records, filed files, documents and articles of every description, appertaining or in any wise belonging to their offices respectively.

**Sec. 2. And be it further enacted,** That the principal Deputy Surveyor for the district east of the State of New Orleans be and he is hereby required to separate and arrange the papers in his office, and all the maps, records, papers and documents of every description, which refer to lands in the State of Louisiana, shall be delivered to the order of the Surveyor General for that state; and such of them as shall be delivered to the Surveyor for the State of Alabama, and such of them as refer to lands in the State of Mississippi, together with the office papers, records and documents in the office of said principal Deputy Surveyor, as are in said principal Deputy Surveyor, shall be delivered to the Surveyor General of the State of Louisiana, or to the Surveyor for the State of Alabama, or to the Surveyor for the State of Mississippi, as the Surveyor General of the State of Louisiana shall direct; and the office of said principal Deputy Surveyor, and the same is hereby abolished from and after the first day of May next; and the powers and duties now exercised and performed by the said principal Deputy Surveyor shall be vested in and performed by the Surveyors, within their respective States.

**Sec. 3. And be it further enacted,** That it shall be the duty of the Surveyor or of the Surveyor General of the State of Louisiana, to deliver to the order of the Surveyor of the State of Louisiana, south of the State of Tennessee, all the maps, papers, records, and documents relating to the public lands, and private claim in Louisiana, which may be in his office; and in every case where it shall be impracticable to make a separation of such maps, papers, records and documents, without injury to the portions of them relating to lands in Mississippi, shall be his duty to cause copies thereof to be made by him to be furnished to the Surveyor General of Louisiana, and which copies shall be of the same validity as the originals.

**Sec. 4. And be it further enacted,**

That the Surveyor General of Louisiana shall appoint a sufficient number of skillful and experienced Surveyors as his deputies, who with one or more good and sufficient assistants to be approved by said Surveyor General shall enter into bond for the faithful performance of all surveying contracts confided to them in the penalty of double the amount of money secured under the said contracts at the rate hereinafter stipulated to be paid therein; and who, before on the performance of their duties shall take an oath, or make affirmation, truly faith fully and impartially to the utmost of their skill and ability to execute the trust confided to them; in the event of the failure of a deputy to comply with the terms of his contract, unless such failure shall be satisfactorily shown by him to have arisen from causes beyond his control, he shall forfeit the penalty of his bond on the process of law, and after afterwards he be discharged from receiving a contract for surveying public lands in Louisiana or elsewhere.

**Sec. 5. And be it further enacted,** That the Surveyor General to be appointed in pursuance of this act shall establish his office at such place as the President of the United States may deem most expedient for the public service; and that he shall be allowed an annual salary of two thousand dollars, and that he be authorized to employ whose aggregate compensation shall not exceed one thousand five hundred dollars per annum; and that the fees for surveying be and the same are hereby abolished; and every copy of a plat of survey, or transcript from the records of the said Surveyor, shall be sold at the rate of twenty-five cents for every copy of a plat of survey, and for the transcript from the records of said office, shall be sold at the rate of twenty-five cents for every hundred words by the individuals requiring the same.

**Sec. 6. And be it further enacted,** That in relation to all such confirmed claims as may conflict, or in any manner interfere with each other the Register of the land office and Receiver of public moneys for the proper land district, are hereby authorized to decide between the parties, and in their decision be governed by such conditional lines or boundaries as have been or may be agreed upon between the parties interested, either verbally or in writing; and in case no lines or boundaries be agreed upon between the parties interested, then the said Register and Receiver are hereby authorized to decide between the parties in such manner as may be considered with the principles of justice; and it shall be the duty of the Surveyor General of the said State to have those claims surveyed and plotted in accordance with the decisions of the Register and Receiver; Provided, That the said decisions and surveys and the patents which may be issued in conformity thereto, shall not in any wise be considered as precluding a legal investigation and decision by the proper judicial tribunal between the parties to any such conflicting claims, but shall only operate as a ruling in aid of the part of the United States of all title to the land in question.

**Sec. 7. And be it further enacted,** That all the lands to which the Indian title has been extinguished lying north of the northern boundary of the State of Illinois west of Lake Michigan, and east of the Mississippi River, shall be surveyed in the same manner and under the same regulations, provisions, restrictions and reservations as the other public lands are surveyed.

**Sec. 7. And be it further enacted,** That the Legislature of the State of Missouri be and he is hereby authorized to sell and convey in the fee simple all or any part of the lands heretofore reserved and appropriated by Congress for the use of a seminary of learning in said State and to invest the money arising from the sale thereof in some productive fund, the proceeds of which shall be forever applied by the Legislature of said State, solely to the use of such Seminary, and for no other use or purpose whatsoever. And that the Legislature of said State of Missouri shall be and is hereby authorized to sell and convey in fee simple all or any part of the salt springs not exceeding twelve in number, and six sections of land adjacent to each granted to said State by the United States for the use thereof, and selected by the Legislature of said State, on or before the first day of January, one thousand eight hundred and twenty-five, and to invest the money arising from the sale thereof in some productive fund the proceeds of which shall be forever applied under the direction of said Legislature, for the purpose or education in said State, and for no other use or purpose whatsoever.

Approved March 3, 1831.

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

**Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,** That nothing 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 repeal or limit the operation of certain acts authorizing the transmission of certain documents (free of postage, approved December nineteenth, one thousand eight hundred and twenty-one.

Approved January 17, 1831.

RESOLUTION, directing the Secretary of State, to subscribe for every copy of the Secretary's reports of decisions of the Supreme Court.

**Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,** That the Secretary of the Department of State be, and he is hereby authorized and directed to subscribe for and receive twenty copies of the condensed reports

of cases in the Supreme Court of the United States, edited by Richard Peters, and cause to be distributed one copy thereof to the President of the United States, each of the Justices of the Supreme Court, each of the Judges of the District Courts, the Attorney General of 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 deposited in the Library of Congress: Provided, however, That the cost of each volume shall not exceed five dollars.

Approved, March 2, 1831.

## VARIETY.

### BUONAPARTE'S GRAVE.

For the Courier and Enquirer.  
**Journal of a person lately returned from India.**—Our touching at St. Helena would have been an incident devoid of interest to me, had it not been for the opportunity of viewing the tomb of him, whose arms spread terror over Europe. St. Helena appeared to me to be, in itself, a frightful, isolated spot of desolation.—an emblem of the seat of exile, or more properly, for a prison—a place of all others, the most fit to break the heart of a banished man. It cost me a world of trouble and fatigue (which but for the object I had in view, would have been ill repaid) to mount up the steep serpentine windings, twistings, and turnings, which relieve the traveller in some degree in the almost perpendicular ascent. On my way I passed by the country house, called "The Briars," which was the first habitation of Napoleon, on his arrival in the Island. It is a very sweet spot, when contrasted with the surrounding horrors of the place, and owes much of its attraction to a waterfall, which invites to musing and meditation. But the haunts of the living were not the objects of my expedition. I at length gained the tomb. He who looks for the lofty or sublime in the mansion of the dead, will be wholly disappointed. Not a trophy—not a wreath—no broken trumpet, nor fallen spear—no glaive or helmet. A plain slab, formed of the Portland slab-stones, taken for the purpose from the Emperor's kitchen, is the only covering on his grave! On this not a line, either descriptive or commemorative, is written. No name, no date—as if he had gone—

"And like the baseless fabric of a vision,  
Left not a wreck behind."

Around the secluded spot, the romantic and picturesque prevail in a high degree. It is situated in a green valley, well planted with umbrageous trees and beautiful shrubs. Five willows droop over the black tablet, and waving in the breeze, throw alternate light and shade on this untitled monument,—rustling, at the same time, in a sort of mournful cadence. On the left side of the grave are peach-trees, which bear fruit, as bright as crystal, glides on the outside of the railing, which surrounds the tomb; itself encompassed by a hedge of geraniums. A serjeant and a private are placed here on guard, and have orders to prevent people from gathering leaves and cutting pieces from the willow trees. I had intended to write a line by way of epitaph, with my pencil on the stone; but the thing was impossible. My attempt was resisted, and I had some difficulty to obtain a small piece of one of the trees; but was freely allowed to gather some of the peaches and the geraniums, the hue of which would remind one of the ribbon of the Legion of Honor, founded by the deceased, and elevated by the blood of so many a battle-field. I now prepared to depart, but an incident of some interest arrested my steps for a while. A young and extremely pretty French lady approached, and leaned, in a pensive attitude, over the railing already described, with her eyes in tears, bent on the grave which it encircled. She was one of a party of natives of France, who had landed from a ship in the bay, to visit the memorable sepulchre. Her companions speedily arrived, and after a look or two, persuaded her to quit the spot, to which she seemed to be immovably attached. The only male in the party evinced a trivial disregard, which it was painful to contemplate. He shrugged up to

smolders, and, as they fell again, uttered something illustrative of the shortness of human glory. Then (speaking of the island) he said, "Ma foi c'est un endroit exécrable!" The young lady remained silent all the time.

With a tear in her eye,  
Which beamed like a star in deep azure sky:  
By Pity distilled, it hummed the spot,  
Where the bones of Napoleon never can rot.  
I now regained the ship, and though many a scene has since come before me,—still, the barren rock, the lone grave, and the weeping girl, have ever been in my thoughts.

**The Lion of the West.**—The principal character in this play is Nimrod Wildfire who to use his own language is a screamer.—Some idea of his peculiarities may be formed from the following slight sketch which he gives of an affair between himself and a raftsman.

"I was ridin' along the Mississippi in my wagon, when, I came across a fellow floatin' down stream, settin' in the stern of his boat fast asleep! Well, I had'n't had a fight for ten days,—felt as though I should have to liver myself up in a salt barrel to keep,—Wolly about the head and shoulders. So says I, 'hullo Strannger! If you don't take keer, your boat will run away with you!' So he looked up at me slantendier; and I looked down on him slantendier; he took out a chor o' tobacco, and says he 'I don't value you tansamount to that!' and then the varmint flapped his wings and crowed like a cock. I ris up, shook my mane, crooked my neck, and weighed like a horse. He run his boat plump head foremost ashore. 'Mister,' said he 'I can whip my weight in wild cats and ride straight though a crab-apple orchard on a dash of lightning. Clear meat at disposition—the best man, if I can't I wish I my be tetotatiously exluncted!'"

The two belligerents join issue, and the Colonel goes on to say—

"He was a pretty severe colt, but no sort of a primin to such a feller as me. I put it to him mighty droll—in ten minutes he yelled, enough! and swore I was a ripstaver! Says I, 'An't I the yaller flower of the forest? and I'm all brimstone but the head, and that's aquafortis!' Says he, 'Strannger you'r a beauty, and if I only know'd your name, I'd vote for you next election.'—Says I, my name is Nimrod Wildfire—half horse, half alligator,—that's got the prettiest sister, fastest horse, and ugliest dog in the district, and can outrun, out-jump, throw down, drag out, and whip any man in all Kaintuck."

Galaxy.

Charlotte Sep. 21st

**Miraculous Escape.**—On the night after the late review, as one of our country citizens was returning home on horseback, he was so unfortunate as to ride into a gold pit, about a mile from town, from 15 to 20 feet in depth. He had taken a by-road in which he had formerly been in the habit of returning to his residence; and not being apprized of any obstructions in this path, and his beast being blind, they were both suddenly precipitated to the bottom of the pit, and it is astonishing, from the attendant circumstances, that either escaped with life, as the gentleman can boast of the good portly weight of 250. On viewing the place, it appears almost utterly impossible that a man could be so fortunate as to make the descent on a blind beast, without meeting with inevitable destruction, or at least severe contusions; but the injury received was trifling, and of no consequence; by either man or beast. The gentleman, in his unpleasant situation, called lustily for assistance; and on the approach of the miners, the young colt of the dam below was observed capering about the edge of the pit, and soon tumbled down also with injury. The gentleman was as-

sisted out, and by partly filling up the pit, and other means, the mare and colt were also released from their confinement, when the owner mounted again, and wended his way home, and was in town the next day to tell the story.

**A keen reproof.**—Young A— was particularly offensive, at the king's entertainment, to an interesting lady who sat beside him, by reason of his incessant and ridiculous talk. At length he exclaimed, "Dear me, we are so crowded I scarcely know where to place my hand." "I will tell you my lord," rejoined the beauty, "place it upon your mouth!"

**Mr. Ellmaker.**—The recent nomination of this gentleman to the Vice Presidency has created a desire in the public mind to learn something of his character, which from his retiring habits, is but little known beyond the bounds of his native State. We therefore insert the following very favorable notice of Mr. E. from the Village Record of September 1828:

"Amos Ellmaker, Esq. Attorney General of the Commonwealth, is one of those men, certainly extraordinary in this age, who unite the highest qualifications for public life with the least political ambition. When a student, Mr. Ellmaker was noted for uncommon devotion to his books. Pleasure could not allure him to idleness; idleness to him had no pleasure. But though Bacon and Blackstone—Coke and Chitty, and other luminaries of the law, might occupy the time usually devoted by students to the attainment of their profession, the hours appropriated by other young men to relaxation and amusement were by him occupied in literary and scientific studies. Natural and moral philosophy were those in which he most delighted. Classical literature came in as a relief to severer reading. On being admitted to the bar the profession found in him a sound, well-read lawyer, of rare endowments, and unusual literary attainments. Without seeking practice, practice flowed id upon him.—Without soliciting offices, offices high and honorable have constantly solicited his acceptance. The duties of the public stations he has filled have been performed to universal satisfaction. To say that his principles are sound, and his integrity pure, is to pay but the ordinary compliment due to public men in our State; but the urbanity of manners and delicacy of feeling of feeling which distinguish Mr. Ellmaker, add new lustre to the stern virtues which adorn his character. Studios of refinement, fond of literary and philosophical ease, he never courts the angry debate, or voluntarily throws himself into the political arena; but a thorough Republican, an ardent friend of liberty and the rights of man, private inclination would not stand a moment in the way of public duty, when the general welfare should, in his judgment, call for active personal exertions. Distinguished already, it will probably be his lot to act a yet more conspicuous part in public affairs. We know that good men, intimately acquainted with him, look to Mr. Ellmaker as among the citizens of highest promise in the State. At the repeated solicitations of Gov. Shulze, he accepted the present appointment. A pattern of public and private virtue, he sets an example to young men, worthy of their strictest attention. More might have been said with truth. I could not say less. Nothing would be more unexpected to him than this notice. Should it meet his eye, the writer craves his indulgence. His justification is, that public men belong to the public."

Mr. Ellmaker was twice tendered a seat on the Supreme Bench of Pennsylvania—the last time by Gov. Shulze. He was also solicited by President Monroe to accept the Secretaryship of the Navy.

## Notice.

A few reams of writing paper for sale at this Office, at \$2.50 per ream, a few reams at \$3; and a few reams of wrapping, at the usual price.