



LAW OF THE U. STATES. Passed at the Second Session of the Twenty-second Congress.

No. 19

AN ACT making appropriations for the Indian Department for the year one thousand eight hundred and thirty-three.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums, to-wit: are hereby appropriated to be paid out of any money in the Treasury not otherwise appropriated, for the Indian Department for the year one thousand eight hundred and thirty-three, to-wit:

For the salary of the commissioner of Indian affairs, three thousand dollars.

For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as established by law, twenty-six thousand dollars.

For the pay of sub-agents, as established by law, seventeen thousand dollars.

For presents to Indians, as authorized by the act of one thousand eight hundred and two, fifteen thousand dollars.

For the pay of Indian interpreters and translators employed in the several superintendencies and agencies, twenty thousand dollars.

For the pay of gunsmiths, and their assistants, employed with the several superintendencies and agencies, under treaty provisions, and the orders of the War Department, sixteen thousand dollars.

For iron, steel, coal, and other expenses, attending the gunsmiths' and blacksmiths' shops, five thousand dollars.

For expenses of transportation and distribution of Indian annuities, nine thousand five hundred dollars.

For expenses of provisions for Indians at the distribution of annuities, on visits of business with the different superintendents and agents, and when assembled on public business, eleven thousand eight hundred dollars.

For expense of building houses for Indian agents, blacksmiths' shops, and for repairs of the same, when required in the several agencies, two thousand dollars.

For contingencies of the Indian Department, twenty thousand dollars.

For supplying the deficiency in the appropriation for the compensation of Commissioners, and other expenses attending the adjustment of boundaries under the Treaty of Battle de Maitte, contained in the act of twentieth May, one thousand eight hundred and twenty, making appropriations to carry into effect the said treaty, five hundred and fourteen dollars and sixty-two cents.

And be it further enacted, That the following sums being unexpended balances of former appropriations, be, and the same are hereby re-appropriated to the several objects of the original appropriation, respectively, to be paid out of any money in the Treasury not otherwise appropriated, to-wit: for the exchange of land with the Indians, and for their removal west of the Mississippi, by act of twentieth May, one thousand eight hundred and eighty, one thousand eight hundred and eighty dollars and six cents.

For defraying the expenses of an expedition fitted out consisting of the Militia of Georgia and Florida, for the suppression of the aggressions of the Indians on their frontiers, three thousand eight hundred and thirty-nine dollars and eighty-six cents.

For carrying into effect the Treaty with the Winnebagoes, by act of twentieth March, one thousand eight hundred and thirty, the following sums, to-wit:

For payment of claims provided for by fourth article, one hundred and fifty-eight dollars and seventy-two cents.

For expense of surveying the boundaries, nine hundred and forty-five dollars and forty-six cents.

For carrying into effect the treaty of twentieth July, one thousand eight hundred and twenty-nine, with the Chippeways, Ottoways, and Potawatimies, by act of twentieth March, one thousand eight hundred and thirty, for the expense of surveying the boundaries, six hundred and seventy-seven dollars and ten cents.

For carrying into effect a treaty with the Choctaw Indians of eleventh October, one thousand eight hundred and twenty, by act of second March, one thousand eight hundred and twenty-seven, the balance re-appropriated thirty-first April, one thousand eight hundred and thirty, six hundred and thirty-three dollars and forty-three cents.

For defraying the expenses of holding a treaty with the Choctaw Indians for the purpose of extinguishing their claim to as much land as will be necessary for a canal to connect the Highwassee and Canasaga with each other, by act of second March, one thousand eight hundred and twenty-seven, the balance re-appropriated thirty-first April, one thousand eight hundred and thirty, two thousand four hundred and fifty-nine dollars and nineteen cents.

A. STEVENSON, Speaker of the House of Representatives. H. L. WHITE, President of the Senate pro tempore. Approved, March 2, 1833. ANDREW JACKSON.

No. 20. AN ACT further to provide for the collection of Duties on Imports.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That whenever, by reason of unlawful obstructions, combinations, or assemblages of persons, it shall become impracticable, in the judgment of the President, to execute the revenue laws, and collect the duties on imports in the ordinary way, in any collection district, it shall and may be lawful for the President to direct that the customs-house for such district be established and kept in any secure place within some port or harbor of such district, either upon land or on board any vessel; and, in that case, it shall be the duty of the collector to reside at such place, and there to detain all vessels and cargoes arriving within the said district until the duties imposed on said cargoes, by law, be paid, in cash, deducting interest according to existing laws; and in such cases it shall be unlawful to take the vessel or cargo from the custody of the proper officer of the customs, unless by process from some court of the United States; and in case of any attempt otherwise to take such vessel or cargo by any force, or combination, or assemblage of persons to great to be overcome by the officers of the customs, it shall and may be lawful for the President of the United States, or such person or persons as he shall have empowered for that purpose, to employ such part of the land or naval forces, or militia of the United States as may be deemed necessary for the purpose of preventing the removal of such vessel or cargo, and protecting the officers of the customs in retaining the custody thereof.

Sec. 2. And be it further enacted, That the jurisdiction of the circuit courts of the United States shall extend to all cases, in law or equity, arising under the revenue laws of the United States, for which other provisions are not already made by law; and if any person shall receive any injury to his person or property for or on account of any act by him done, under any law of the United States, for the protection of the revenue or the collection of duties on imports, he shall be entitled to maintain suit for damage therefor in the circuit court of the United States in the district wherein the party doing the injury may reside, or shall be found. And all property taken or detained by any officer or other person under authority of any revenue law of the United States shall be irrepleviable, and shall be deemed to be in the custody of the law, and subject only to the orders and decrees of the courts of the United States having jurisdiction thereof. And if any person shall dispose of, or rescue, or attempt to dispose of, or rescue, any property so taken or detained as aforesaid, or shall aid or assist therein, such person shall be deemed guilty of a misdemeanor, and shall be liable to such punishment as is provided by the twenty-second section of the act for the punishment of certain crimes against the United States, approved the thirtieth day of April, A. D. 1820, in one thousand seven hundred and ninety, for the wilful obstruction or resistance of officers in the service of process.

Sec. 3. And be it further enacted, That in any case where suit or prosecution shall be commenced in a court of any State against any officer of the United States, or other person, for or on account of any act done under the revenue laws of the United States, or under color thereof, or for or on account of any right, authority, or title, set up or claimed by such officer, or other person, under any such law of the United States, it shall be lawful for the defendant in such suit, or prosecution, at any time before trial, upon a petition to the circuit court of the United States, in and for the district in which the defendant shall have been served with process, setting forth the nature of said suit or prosecution, and verifying the said petition by affidavit, together with a certificate signed by an attorney or counsellor at law of some court of record of the State in which such suit shall have been commenced, or of the United States, setting forth the facts and circumstances of the case, and the grounds of the petition, and that he has examined the process, and has carefully inquired into all the matters set forth in the petition, and that he believes the same to be true; which petition, affidavit and certificate, shall be presented to the said circuit court, if in session, and if not, to the clerk thereof, at his office, and shall be filed in said office, and the cause shall be thereupon entered on the docket of said court, and shall be thereafter proceeded in as a cause originally commenced in that court; and it shall be the duty of the clerk of said court, if the suit were commenced in the court below by summons, to issue a writ of certiorari to the State court, requiring said court to send to the said circuit court the record and proceedings in said cause; or if it were commenced by capias, he shall issue a writ of habeas corpus cum causa, a duplicate of which said writ shall be delivered to the clerk of the State court, or left at his office by the marshal of the district, or his deputy, or some person duly authorized thereto; and thereupon it shall be the duty of the said State court to stay all further proceedings in such cause, and the said suit, or prosecution, upon delivery of such process, or leaving the same as aforesaid, shall be deemed and taken to be moved to the said circuit court, and any further proceedings, trial or judgment therein in the State court shall be wholly null and void. And if the defendant in any such suit be in actual custody on mesne process thereon, it shall be the duty of the marshal, by virtue of the writ of habeas corpus cum causa, to take the body of the defendant into his custody, to be dealt with in the said cause according to the rules of law and the order of the circuit court, or of any judge thereof, in vacation. And all attachments made and all bail and other security given upon such suit, or prosecution, shall be and continue in like force and effect, as if the said suit or prosecution, had proceeded to final judgment and execution in the State court. And if, upon the removal of any such suit, or prosecution, it shall be made to appear to the said circuit court that no copy of the record and proceedings therein, in the State court, can be obtained, it shall be lawful for said circuit court to allow a duplicate of the plaintiff to proceed de novo, and to file a declaration in his cause of action, and the parties may thereupon proceed as in an action originally brought in said circuit court; and on failure to proceed, judgment of non pros. may be rendered against the plaintiff with costs for the defendant.

Sec. 4. And be it further enacted, That in any case in which any party is, or may be by law, entitled to copies of the record and proceedings in any suit or prosecution in any State court, to be used in any court of the United States, if the clerk of said State court, shall, upon demand, and the payment or tender of the legal fees, refuse or neglect to deliver to such party certified copies of such record and proceedings, the court of the United States in which such record and proceedings may be needed, on proof by affidavit, that the clerk of such State court has refused or neglected to deliver copies thereof, on demand as aforesaid, may direct and allow such record to be supplied by affidavit, or otherwise, as the circumstances of the case may require and allow; and judgment, may be had in the said court of the United States, and all such processes awarded, as if certified copies of such records and proceedings had been regularly before the said court.

Sec. 5. And be it further enacted, That whenever the President of the United States shall be legally informed, by the authorities of any State, or by a judge of any circuit or district court of the United States, in the State, that, within the limits of such State, any law or laws of the United States, or the execution thereof, or of any process from the courts of the United States is obstructed by the employment of military force, or by any other unlawful means, too great to be overcome by the ordinary course of judicial proceeding, or by the powers vested in the marshal by existing laws, it shall be lawful for him, the President of the United States, forthwith to issue his proclamation, declaring such fact or information, and requiring all such military and other force forthwith to disperse; and if at any time after issuing such proclamation, any such obstruction or obstruction shall be made, in the manner or by the means aforesaid, the President shall be, and hereby is, authorized, promptly to employ such means to suppress the same, and to cause the said laws or process to be duly executed, as are authorized and provided in the cases therein mentioned by the act of the twenty-eighth of February, one thousand seven hundred and ninety-five, entitled "An act to provide for calling forth the militia to execute the laws of the United States, suppress insurrections, repel invasions, and to repel the act now in force for that purpose;" and also,

by the act of the third of March, one thousand eight hundred and seven, entitled "An act authorizing the employment of the land and naval forces of the United States in cases of insurrection."

Sec. 6. And be it further enacted, That in any State where the jails are not allowed to be used for the imprisonment of persons arrested or committed under the laws of the United States, or where houses are not allowed to be so used, it shall and may be lawful for any marshal, under the direction of the Judge of the United States for the proper district, to use other convenient places, within the limits of said State, and to make such other provision as he may deem expedient and necessary for that purpose.

Sec. 7. And be it further enacted, That either of the justices of the Supreme Court, or a judge of any district court of the United States, in addition to the authority already conferred by law, shall have power to grant writs of habeas corpus in all cases of a prisoner or prisoners, in jail or confinement, where he or they shall be committed or confined on, or by any authority of law, for any act done, or omitted to be done, in pursuance of a law of the United States, or any order, process, or decree, of any judge or court thereof, any thing in any act of Congress to the contrary notwithstanding. And if any person or persons to whom such writ of habeas corpus may be directed, shall refuse to obey the same, or shall neglect or refuse to make return, or shall make a false return thereto, in addition to the remedies already given by law, he or they shall be deemed and taken to be guilty of a misdemeanor, and shall, on conviction before any court of competent jurisdiction, be punished by fine, not exceeding one thousand dollars, and by imprisonment, not exceeding six months, or by either, according to the nature and aggravation of the case.

Sec. 8. And be it further enacted, That the several provisions contained in the first and fifth sections of this act, shall be in force until the end of the next session of Congress and no longer. Approved, March 2, 1833.

AN ACT to explain and amend the eighteenth section of "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth July, one thousand eight hundred and thirty-two.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all articles upon which the duties were reduced by "An act to alter and amend the several acts imposing duties on imports," approved the fourteenth July, one thousand eight hundred and thirty-two, and which may not have been deposited under the provisions of the eighteenth section of the act aforesaid, whether the said articles were imported, or the duties thereon were secured or paid, before or after the passage of said act, may, to obtain the benefit of said act and this amendment thereto, be deposited at any time before the first of April next, in the custom-house stores, or in the manner prescribed in the following section, by the importer, consignee, or any subsequent purchaser or owner, and all wines now in bond, or which may be imported at any time previous to the fourth day of March, one thousand eight hundred and thirty-four, and which may remain in the custody of the customs on that day, shall be entitled to the benefit of this act, and of that to which it is an amendment: Provided, That no merchandise imported in packages, bales, or sacks, shall be entitled to the benefit of this act, or of that to which it is an amendment, unless they are originally imported; and that all articles placed in the custody of the customs under this act shall remain for inspection and examination, till the fourth day of March next: Provided also, That nothing contained in this act shall be so construed as to extend the provisions thereof to any merchandise, which under the existing laws would not be entitled to the benefit of drawback.

Sec. 2. And be it further enacted, That in all cases where the quantity of merchandise entitled to the benefit of the acts aforesaid shall exceed ten packages, bales, or sacks, or otherwise than in packages, bales, or sacks, the collector of the district where the same may be is hereby authorized to direct that the said merchandise shall not be removed from the warehouse of the owner, but that the same shall be there placed in the custody of a proper officer of the customs, who shall examine the same, and keep them under the keys of the custom-house, till the first of April as aforesaid: Provided, The collector shall consider the same a safe place of deposit, and application be made to him for that purpose on or before the twentieth March next.

Sec. 3. And be it further enacted, That all articles remaining under the

control of the proper officer of the customs, according to the provisions of this act, on the first day of April next, and all wines which shall remain in the same manner after the fourth day of March, one thousand eight hundred and thirty-four, shall be subject to no higher duty than would be levied under the act aforesaid, approved the fourteenth of July last; and if any higher duty shall have been paid, such excess shall be refunded, out of any money in the Treasury not otherwise appropriated, to the person placing the same in the custody of the customs, and any outstanding bond or bonds which may have been given for duties on the same shall be cancelled; and if a sum equal to the amount of duties levied by the said act of the fourteenth July, shall not have been collected, and the bond or bonds given shall amount to more than the duties imposed by said act, the Secretary of the Treasury shall direct that a debenture certificate or certificates, the form of which shall be prescribed by him for such excess of duty, shall be issued to the persons placing the same in the custody of the customs, payable out of the bond or bonds given for duties on the same. The collectors to give the debtors credit on their bonds for the difference between the high and low duties, and to cancel the bonds on payment of the balance.

Sec. 4. And be it further enacted, That the Secretary of the Treasury shall cause the amount of excess of duties, as aforesaid, to be ascertained and paid, or the credit given, as the case may be, as soon as practicable after the first of April next; and that he shall be authorized to cause all articles under the control of the proper officers of the customs to be examined, and where the merchandise may have passed out of the possession of the importer or consignee, to require satisfactory evidence of the transferees, to identify the same; and to make all other rules and regulations which may be necessary and proper to carry this act into effect.

Sec. 5. And be it further enacted, That the Secretary of the Treasury is hereby authorized and directed to extend relief to all persons, whose cases are provided for in this act, who may have been deprived of the benefit thereof in consequence of the collectors not having received his instructions in pursuance of it, from the Secretary of the Treasury.

Sec. 6. And be it further enacted, That the seventeenth section of the act aforesaid of the fourteenth day of July, one thousand eight hundred and thirty-two, as far as the same relates to the duty on pulverized or crushed sugar, shall take effect on the fourth day of March, of the present year. Approved, March 2, 1833.

LOOK AT THIS! THE SUBSCRIBERS OF THIS FOR \$10, OR \$15, 300 ACRES OF LAND.

LIVING in the County of Burke, on the main road leading from Statesville to Lovelady, on the Catawba river, and to Morganton, is considered as one of the best stands for a store in that part of the country, and perhaps not excelled for its richness.

GOLD. Further particulars are deemed unnecessary. Persons desirous to purchase or lease, will please call upon Mr. J. S. HARRISON, in the main stage road from Statesville to Morganton, who will give all necessary information. It can be let up in small lots to suit convenience. 370 PAID. PETER HARMON. Burke County, March 18th 1833.

NEW BINDERY. WITH a view to the more efficient prosecution of their business, the subscribers have established a

BOOK-BINDERY. Having procured the best Materials from the North, and employed a Workman who comes well recommended, they are prepared to execute on moderate terms, all orders in this line. Account Books, Records, &c. ruled and made to order, and every kind of Binding promptly executed in the best and neatest manner, on reasonable terms. 96 f. J. GALES & SON. Raleigh, Aug.

CHARLESTON and CHERAW. THE STEAM BOAT MACON.

CAPT. J. C. GRAHAM having been engaged last summer, in running between Charleston and Cheraw calling at Geo. Town on her way up and down, will resume her Trips in the course of a few days and is intended to be continued in the trade the ensuing season.

Her exceeding light draft of Water drawing when loaded only about four and a half feet water will enable her to reach Cheraw at all times except, an uncommon low river, when her cargo will be lightened. The Expense of Boat. J. B. CLOGH. Charleston Sept 26, 1831. N. B. She has comfortable accommodations for a few passengers. J. B. C.

JOB PRINTING EXECUTED WITH NEATNESS AND DISPATCH, AT THIS OFFICE.

NEW FANCY SPRING & SUMMER GOODS.

HACKETT'S LEMLY A new arriving and opening a good assortment of

SPRING & SUMMER GOODS, selected with great care from the markets of New York and Philadelphia of the latest importations. Their stock consists in part of superfine Blue and Black cloths, Do. Browns & Brown olive do, Do. Invisible Green do, Fancy Cassimeres, Battistes & black laces, Merino do's, Brochelles and circassians, Brown do's, Mixed Brimstone, Yellow Nankeen and linen checks, French and plaid Drilling, Mexican mixture, Grass linen, English cambric, German & Irish linens, Linen Table and towel diaper, &c.

A GENERAL ASSORTMENT OF Marcellines, and Velveteen Vestings, A GREAT VARIETY OF FANCY Prints, Gingham and Muslins, Tickings, Bleached and Brown, Sheerings and Shirtings, Furniture dimity and Cotton fringe, Black Italian Silk, Seenechew & sarasin do, Blue black silk cambric, Chas. gros de Naples, Milanese and de Romania Gauze, Pongee, flag and bandana Handkerchiefs, Crimson Pongee do, Fancy Gauze and Crape do, Scarfs, silk cotton, and rich figured vestings, Silk and cotton Hosiery.

A GREAT VARIETY OF RICH Fancy bonnet, belt and cap ribbons, Silk aprons, Linen cambric handkerchiefs, fans, &c, Diamond Straw Bonnets, Polish do. do, Belgian do. do, Palm leaf hats, Leghorn bonnets, fur and wool do. A GREAT VARIETY OF Latin and Greek School Books, Shoes, Morocco skins, Hardware and Cutlery, Glass and Crockery-ware, &c. &c.

A GENERAL ASSORTMENT OF Carpenter's Tools, consisting of every article made up of by Carpenters in this part of the Country, Sashers' Trimmings, Plated, Brass Japans, and Prince's mottle, Harness mounting, coach fringe and lace, A good assortment of Groceries, &c. &c. ALL of which, they are determined to sell as low as goods can be had in this part of the country. Purchasers will do well to call and see our stock and hear prices before they buy.

H. & L. are grateful to the Public for their very liberal patronage heretofore, and hope by strict attention to business, and selling goods cheap, to merit a continuance of the same. Salisbury, April 28th 1833.

AN ELECTION WILL be opened and held at the

Court House in Salisbury on Monday the 8th day of April next (being Easter Monday) to elect seven suitable persons to serve as Wardens of the Poor in Rowan County for the next three years ensuing. All persons are entitled to vote, who are qualified voters for Commoners in the Legislature. N. C. said County. 3-69. F. SLATER Sheriff. Salisbury, March 14th 1833.

CHERAW. THE Subscriber has for the public

and, and will continue to keep a large and very large, and general assortment of

Groceries, Hard-ware, Cutlery, Crockery, Saddlery, Iron, Steel and salt,

With a snug Selection of DRY GOODS; On the lowest possible terms.

Liberal advances, in cases where made to those who prefer stock to cash or other produce. And the prices of the market price will be paid in CASH or BARTER. Those who wish to sell JOHN SCOTT. Cheraw, Jan 8, 1833.

BENJAMIN FRALEY TAILOR.

HAVING removed to the house lately occupied by Samuel Fraley, as a consequence of a few doors above Mr. Slaughter's Tavern, where he is prepared to accommodate all those who may favor him with their patronage. He has just received from New York and Philadelphia, the latest fashions, as imported from Paris, and London, and having a good number of first-rate workmen, in his employ he will do work on the short notice, and make in a superior style to any in this part of the country, and warranted to fit well. All kinds of cutting will be done on the shortest notice. All orders for work, from a distance will be promptly attended to. Being an Agent for the patent right cutting for Seguze, or Wilson, of New York, and also for A. Ward, of Philadelphia, he will instruct any Tailor, that they may want instruction in cutting clothing.

He returns his sincere thanks to his friends and the public generally, for the liberal patronage bestowed upon him, and hopes to merit it further, by a strict attention to business. 501f.

NOTICE. THE Certificate for Four Shares of the Capital or Joint Stock of the

Bank of Cape Fear, in the name of William Oakes, dec'd., late of Rowan County, N. C. having been misplaced, Notice is therefore hereby given to all persons concerned, that, I shall apply to the President of the said Bank, either in person, or by agent, to issue duplicates thereof. WM. LONG, Amr. Salisbury, Feb. 25, 1833. 183f.