WEDNESDAY, MARCH 8, 1837.

NEWBERN, N. C.

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WAR DEPARTMENT, January 25, 1837.

ULES in relation to CLAIMS provided for by an act of Congress passed 18th 4th section of the said act.

must be presented at the office of the Third Auditor of the Treasury Department before his part. . the end of the next session of Congress, and each must be substantiated by such evidence as as hereinafter designated, with respect to cases of the class under which it falls.

FIRST CLASS OF CASES.

fault or negligence on his part while in said same."

because the rider was dismounted and separa- nished the same. ted from his horse, and ordered to do duty on | The seventh section of the law enacts: foot at a station detached from his horse, or "That in all instances where any person when the officer in the immediate command other than a minor, has been of shall be en- possession of sufficient materials to make such ordered, or shall order, the horse turned out gaged in the military service aforesaid, and a compilation, is rendered unnecessary, from payment has been or shall be made to any one ner before mentioned, such owner shall be al- Minister of Foreign Affairs. satisfy the paymaster, at the time he made or self. the deduction shall only extend to the time he er, therefore, will have to prove that he did President. He says, "the length of time since was on foot: And provided also, if any pay- provide the horse, equipments, or military ac- some of the injuries have been committed, the ment shall have been, or shall hereafter be, coutrements therein mentioned, and took the repeated and unavailing applications for re-

the claimant must adduce the evidence of the tary accourrements. officer under whose command he served when not it was sustained without any fault or neg- ceptible, must be furnished in lieu thereof. ligence on the claimant's part. The evidence should also, in case the claimant was remounted after the loss, state when he was remounted, how long he continued so, and explain whether the horse whereon he was remounted or been owned by another militiaman or volunsion of the claimant, may have been made; and if it had been thus owned, should name the person, and the command to which he belonged. And in every instance in which the claim may extend to equipage, the several articles of which the same consisted, and the separate value of each, should be specified.

ments."

SECOND CLASS OF CASES.

The second section of the law enacts: "That any person who, in the said military service, as a volunteer or draughted militiaman, furnished or shall furnish himself with arms and military accoutrements, and sustained or shall sustain damage by the capture or destruction of the same, without any fault or negligence on his part, or who lost or shall lose the same by reason of his being wounded in the service, shall be allowed and paid the the value thereof."

fault or negligence on his part.

THIRD CLASS OF CASES.

The third section of the law enacts: "That any person who sustained or shall sustain damage by the loss, capture, or destruction, by an enemy, of any horse, mule, or wagon, cast boat sleigh, or harness, while such property was in the military service of to the Third Auditor for payment. 7-4 the United States, either by impressment of contract, except in cases where the risk to which the property would be exposed was agreed to be incurred by the owner, if it shall verance a fresh supply of the contract of destruction where the risk to which the property would be exposed was agreed to be incurred by the owner, if it shall verance a fresh supply of the contract of the the United States, either by impressment or was without any fault or negligence on the part of the owner, and any person, who, with-

out any such fault or negligence, sustained or shall sustain damage by the death or abandonment and loss of any such horse, mule, or ox, while in the service aforesaid, in consequence paid within six months, \$3.50; when not paid within of the failure, on the part of the United States, to furnish the same with sufficient forage, shall

be allowed and paid the value thereof." To establish a claim under this provision, it port: will be necessary to produce the testimony of The Committee on Foreign Relations, to or he had undoubted evidence that such hostilthe officer or agent of the United States, who impressed or contracted for the service of the dent of the United States of the sixth instant, ring within the Mexican Territory. property mentioned in such claim, and also of with the accompanying documents, on the sub- A civil war was then raging in Texas. The the officer under whose immediate command ject of the present state of our relations with Texan Troops occupied positions between the passage, the same was employed at the time of capture, Mexico, report : destruction, loss, or abandonment; declaring That they have given to this subject that se- tribes of Indians along the frontiers of the nays; and they were ordered. in what way the property was taken into the rious and deliberate consideration which its United States. It was manifest that Mexico Mr. CALHOUN rose and said, that before service of the United States, the value thereof, importance demands, and which any circum- could not possibly restrain by force these the question should be taken, he felt himself January, 1837, entitled "An act to provide whether or not the risk to which it would be stances calculated to interrupt our friendly tribes within her limits, from hostile incursions called upon to make a few remarks. The bill tribes within her limits, from hostile incursions called upon to make a few remarks. The bill tribes within her limits, from hostile incursions with the Mexican Republic would upon the inhabitants of the United States, as lost or destroyed in the military service of the owner, whether or not, as regarded horses, necessarily insure. From documents submitted she had engaged to do by the 23rd article of the present military establishment of the coun-United States," prescribed in pursuance of the mules, or oxen, he engaged to supply the to the committee, it appears that ever since the the treaty. No matter how strong may have try to upwards of 12,000 men, and would insame with sufficient forage, in what manner revolution of 1822, which separated Mexico been our inclination, the ability was entirely cur an annual expense of a million and a half All claims under the provisions of this act the loss happened, and whether or not it was from Spain, and even for some years before, wanting. Under such circumstances, what or two millions of dollars. The question was sustained without any fault or negligence on the United States have had repeated causes of became the duty of the President of the Uni- - Was such an increase necessary ?" In his

The sixth section of the law enacts; "That in all instances where any minor has been or shall be engaged in the military serprovided with a horse or equipments or with these demands have hitherto proved unavail- line, and wait until the Indians, who knew no would be a war between us and Mexico. And, By the first section of the law it is enact- military accoutrements, by his parent or guar- ing. dian, and has died or shall die, without paying "That any field, or staff, or other officer, for said property, and the same has been, or mounted-militiaman, volunteer, ranger, or shall be lost, captured, destroyed, or abandon- navigation, concluded between the two Repub- question. Under such circumstances, our Our Indian frontier had, within the last two cavalry, engaged in the military service of the ed, in the manner before mentioned, said pa- lics on the fifth day of April, one thousand forces had a right, by the law of nations, and years, become greatly contracted. He con-United States since the 18th of June, 1812, or rent or guardian, shall be allowed pay therewho shall h reafter be in said service, and has for, on making satisfactory proof that he is ensustained or shall sustain damage, without any titled thereunto, by having furnished the treaty so clearly defines the rights and the du-

service, by the loss of a horse in battle, or by A parent or guardian of a deceased winor, which has died, or shall die, of said wound, or applicable to his claim as is previously debeing so wounded, shall be abandoned by or- scribed, have to furnish proof thathe provided der of his officer, and lost, or shall sustain the minor with the property therein mentioned: abandonment, in consequence of the United property; and that he, the parent or guardian the conclusion of this treaty. States failing to supply sufficient forage, or is entitled to payment for it, by his having fur-

In no case can the production of the evi- remedy, however, should not be used by just own; from which latter it appears' that whilst quire that we should look ahead. the loss occurred, it alive; or, it dead, then of dence, previously described, be dispensed with, and generous nations, confiding in their engaged upon the business of his special misthe next surviving officer; describing the pro- unless the impracticability of producing it be strength, for injuries committed, if it can be sion here, he was making charges of bad faith vedthat every change that had been made in perty, the value thereof, the time and manner clearly proved, and then the nearest and best honorably avoided; and it has occurred to me against the United States to the Mexican Sec- the army, had gone to destroy its morals. He in which the loss happened, and whether or other evidence, of which the case may be sus- that, considering the present embarrassed con- retary of Foreign Relations. The committee confessed that he had not the least confidence

position of the claimant, declaring that he has Mexico one more opportunity to atone for the pamphlet by a Foreign Minister, in the counthis bill proposed to create. The Senate not received from any officer or agent of the past before we take redress into our own United States, any horse or horses, equipage, hands." arms, accoutrements, mule, wagon, cart, boat, had not been furnished by the United States, sleigh, or harness, (as the case may be,) in lieu Government, the committee would suggest the of the property he lost, nor any compensation propriety of pursuing the form required by teer, to whom payment for the use and risk for the same, and be supported, if practicable, the thirty-fourth article of the treaty with thereof, or for its forage, whilst in the posses- by the original valuation list, made by the ap- Mexico, in all the cases to which it may be praisers of the property, at the time the same applicable. This article provides that, "if was taken into the United States service.

> officers, who at the time of giving them, were be violated or infracted in any manner whatev- him of the 20th October, 1836, assuring him sive that the results of this bill would prove in the military service of the United States, er, it is stipulated that neither of the contractmust be sworn to before some judge, justice of ing parties will order or authorize any acts of make such explanations to the Mexican Go- that had a tendency to increase the power of the peace, or other person duly authorized to reprisal, nor declare war against the other, on vernment of the conduct of that of the United this Government. Experience had shown administer oaths, and of which authority, proof complaints of injuries or damages, until the States as he beleived would be satisfacto- that the central tendency of it was overwhel-

should accompany the evidence. B. F. BUTLER. Secretary of War ad interim. APPROVED. Jan. 24, 1837. ANDREW JACKSON.

TREASURY DEPARTMENT.

horse, wagon, cart, team, boat, &c.

PETER HAGNER, Auditor. Editors of newpapers, in which the laws of

DRUGS AND MEDICINES

Newbern Oct. 20th. 1836.

Proceedings in Congress.

WEEKLY_

SENATE, FEB. 15.

RELATIONS WITH MEXICO.

just complaint against the Mexican authorities, ted States? If he entertained reasonable ap- opinion there never was a time when so little From time to time, as these insults and inju- prehensions that these savages meditated an necessity existed for an increase of the the arvice of the United States, and was, or shall be isters at the city of Mexico; but almost all obliged to order our troops to stand upon the who entertained the slightest idea that there

eight hundred and thirty-one, these causes of the great and universal law of self-defence, to tended that the whole frontier, from the Red complaint would have ceased to exist. That take a position in advance of our frontier, in river to St. Peters, might be completely demost impossible to misund rstand or to mis- their incursions. the loss of a horse wounded in battle, and will, therefore, in addition to such testimony take them. The committee, notwithstanding regret to be compelled to state that all the

In affording this opportunity to the Mexican (what indeed cannot be expected) any of the ordinary, when we consider that it almost im- found themselves commanded by. The effect All evidence other than the certificates of articles contained in the present treaty shall said party considering itself offended, shall ry.

fused or unreasonably delayed." . paymaster or other disbursing officers, by honor of the country, and insure ample repara-whom he was paid, for the service of himself, tion to our injured fellow-citizens. They

him to pass the frontier, should it be found and the rights of our injured fellow-citizens. a necessary measure of self-defence; but pro-Mr. BUCHANAN, from the Committee on hibiting him from pursuing this course unless tra copies of the report were ordered to be Foreign Relations, made the following re- the Indians were actually engaged in hostili- printed; after which ties against the citizens of the United States, which was referred the message of the Presi- ities were intended, and were actually prepa-

forces of Mexico and the warlike and restless Mr. SOUTHARD asked for the year and

that it became absolutely necessary to entrust the more secure, provided that the Governcauses of complaint against Mexico, which this discretionary power in the commanding ment sent good, faithful and honest Indian have been specially noticed in the correspon- general. If the President had not issued such agents among them, as they would secure their damage by the loss of any horse by death, or that the minor died without paying for such dence referred to them, have occurred since orders in advance, all the evils might have confidence and prevent hostilities. Now, he been inflicted before the remedy could have held that to increase our military force, among We forbear from entering into any minute been applied; and in that event, he would have the Indians, was the most certain means of detail of our grievances. The enumeration been justly responsible for the murders and bringing about war with them. The Indians, of each individual case, with its attendant cir- devastation which might have been committed he insisted, were never so little formidable; and cumstances, even if the committee were in by the Mexican Indians on citizens of the yet, under the idea of defending this frontier.

to graze in the woods, prairies, or commons, has been, or shall be provided with a horse the view which they have taken of the subject. sued to General Gaines, they were immediately cestors, that a standing army was dangerous to because the United States failed, or shall fail, or equipments, or with military accounted to Mr. Gorostza, in the most liberty-dangerous not only as to the means to supply sufficient forage, and the loss was or ments, by any person, the owner thereof, who ment No. 81, entitled "Claims on Mexico," frank and friendly spirit. The future expla- of force it put into the hands of a corrupt adshall be consequent thereon, or for the loss of has risked, or shall take the risk of such horse, in the letter of instructions from Mr. Forsyth nations of the whole proceeding were made to ministration, but dangerous from the patronage necessary equipage in consequence of the loss equipments, or military accourrements on him- to Mr. Ellis, of the 20th of July, 1836, and in him, and he was over and over again assured which was necessarily put at its disposal; and of his horse aforesaid, shall be allowed and self, and the same has been or shall be lost, the subsequent correspondence between Mr. that if this occupation of the Mexican territory this bill was calculated to swell the patronage poid the value thereof . Provided, That if any captured, destroyed, or abandoned in the man- Ellis and Mr. Monasterio, the acting Mexican should be of a limit- already existing, enormously. The bill made aforesaid, for the use and risk, or for forage lowed, pay therefor, on making satisfactory If the Government of the United States were and should continue no longer than the dan- he should make the appointments or not; conafter the death, loss, or abandonment of his proof, as in other cases, and the further proof disposed to exact strict and prompt redress ger existed; that the President solemnly sequently, therecould be no limitation on horse, said payment shall be deducted from that he is entitled thereto, by having furnished from Mexico, your committee might with jus- disclaimed any intention of occupying the ter- those who might have the making of the apthe value thereof, unless he satisfied, or shall the same and having taken the risk on him- tice, recommend an immediate resort to war ritory beyond the Sabine, with the view of pointments. or to reprisals. On this subject, however, taking possession of it as belonging to the He (Mr. C.) was amazed when he waw how shall make the payment, or thersafter show by Besides the testimony in support of his they give their hearty assent to the following United States: and that the military movement men could turn entirely round, and could call proof, that he was remounted, in which case, elaim herein before required, every such own- sentiments contained in the message of the should produce no effect whatever upon the themselves democrats, when they were against boundary question.

first have presented to the other a statement The committee regret to learn from the and corrupting the morals of the community. of such injuries or damages, verified by com- note of Mr. Ellis to Mr. Forsyth of the 9th of It was a fundamental maxim with him, that as petent proofs, and demanded justice and satis- December last, that the Mexican Government we increased in territory and numbers, so faction, and the same shall have been either re- has publicly approved of the conduct of its ought we to diminish and generalise the action Minister whilst in the United States. They of the Government. After such a demand, should prompt justice trust that a returning sense of justice may in- His opinion was, that we had arrived at be refused by the Mexican Government, we duce it to reconsider this determination. time when we must endeavor to get along with Each claimant can have the sum, which may appeal to all nations, not only for the may be allowed his claim, remitted to him direct on his signifying a wish to that effect, have acted towards a sister Republic, but for viously received the promised explanation of in having an efficient and well appointed navy Each claim under this provision must be es- and naming the place of his residence; but if the necessity which will then compel us to the President contained in the letter of Mr. -it would give the country respectability tablished by the evidence of the officer who the money is to be remitted or paid to any seek redress for our wrongs, either by actual commanded the claimant when the loss hap other person, a power of attorney to him war, or by reprisals. The subject will then pened, if alive; or it dead, then of the next sur- from the claimant, duly executed and authen- be presented before Congress, at the comviving officer; describing the several articles ticated, should be forwarded with the claim. mencement of the next session, in a clear and ture. This letter, with the President's mes- and a good and efficient post office. As to the lost, the value of each, whether or not the To facilitate the requisite searches, and a- distinct form; and the commencement of the present sessame were not furnished by the claimant, in what way, and when the loss occurred, and whether or not it was necessary to keep up the military adopted as may be necessary to vindicate the whether or not it was necessary to vindicate the measures will be immediately sion of Congress, cannot fail to convince the than was necessary to keep up the military whether or not it was necessary to vindicate the measures will be immediately sion of Congress, cannot fail to convince the than was necessary to keep up the military whether or not it was necessary to vindicate the measures will be immediately sion of Congress, cannot fail to convince the than was necessary to keep up the military whether or not it was necessary to vindicate the measures will be immediately sion of Congress, cannot fail to convince the than was necessary to keep up the military whether or not it was necessary to vindicate the loss occurred, and

concur fully in opinion with Mr. Forsyth, that under the 34th article of the treaty, so far as it he was under the influence of prejudices, may be applicable, are properly confided to his discretion. They cannot doubt, from the which he saw whilst in this country. On the justice of our claims, that this demand will resion by demanding his passports. And for appointed in this reasonable expectation, a what reason? Because the President refused state of things will then have occurred which

to recall the orders which he had issued to will make it the imperative duty of Congress the general commanding the forces of the Uni- promptly to consider what further measures tek States in the vicinity of Texas, directing may be required by the honor of the nation, On motion of Mr. Morris two thousand ex-

The Senate adjourned.

SENATE, FEB. 16, 1837.

The bill to increase the present military establishment of the United States being on its

ries have occurred, demands for satisfaction attack from the Mexican territory against the my. There was no war, nor danger of warhave been made by our successive public Min- defenceless citizens along the frontier, was he for, he presumed there was not a Senator here rule of warfare, but indiscriminate carnage and in the next place, he held there never was a It might have been expected that after the plunder, should actually invade our territory? time when it was so much in the power of the treaty of peace and amity, commerce, and To state the proposition, is to answer the Government to keep at peace with the Indians. ties of the respective parties, that it seems al- the purpose of preventing and restraining en of infantry. But the Senate had been told that there was a large Indian force on that The Sabine is so distant from Washington frontier. Well, that would only make it the When these discretionary orders were is to our army. Why, it was a maxim of our aned, temporary and purely defensive character, it discretionary with the Executive whether

every republican principle. He was a friend The committee beleive that Mr. Gorostiza to the army, and as its friend he was opposed ought to have been satisfied with these expla- to the proposed augmentation of it. He saw made to any person above mentioned, on ac- risk thereof on himself; and, that he is enti- dress, the wanton character of some of the out- nations, but they failed to produce any effect the tide which was now sweeping every thing count of clothing, to which he was not enti- tled to pay therefor, by having furnished the rages upon the property and persons of our upon his mind. Without instructions from before it. There would be a reflux-a scarcitled by law, such payment shall be deducted same, and taken the risk thereof, on himself; citizens, and upon the officers and flag of the his Government, he retired from his mission ty of funds, at no very remote period, when we from the value of his horse or accourte- and this proof should be contained in a depo- United States, independent of recent insults to upon his own responsibility. This was not all. should have to retrace our steps. He had sition of the person who had been so provided this Government and people by the late extra- Before he left the United States, he published again and again raised his voice against these To establish a claim under this provision, by him with such horse, equipments, or mili ordinary Mexican Minister, would justify, in a pamphlet, containing a portion of his corres- extravagant expenditures of the public money. the eyes of all nations, immediate war. That pondence with our Government, and with his Our situation, however, was now such as to re-

> He was opposed to the bill, because he beliedition of that country, we should act with will not enlarge upon the glaring impropriety that the proper material would be selected in Every claim must be accompanied by a de- both wisdom and moderation, by giving to of such conduct. The publication of such a the bestowment of the various prizes which try to which he has been accredited, before had had some experience on the subject. Gentaking his departure, can be considered in no tlemen would all remember what had been the other light than as an appeal to the people history of the regiment of dragoons in this resagainst the acts of their own Government. It pect. Who, he enquired, had been appointed was a gross violation of that diplomatic cour- to command in that corps? Why, in many intesy which ought ever to be observed between stances West Point cadets, who had been disindependent nations, and deserves the severest charged for improper con uct in the academy. condemnation. This act was still more extra- Yes, these were the sort of men the dragoous mediately followed the note of Mr. Dickens to had been demoralizing; and he was apprehenthat the President would instruct Mr. Ellis to still more so. He was against every thing ming, and was dangerous and disorganizing.

> > After a full consideration of all the circum- plus revenue, instead of returning it to the

leave the mode and manner of making this demand to the President of the United States.

Before concluding their report the committee deem it necessary to submit a few remarks upon the conduct of Mr. Gorostiza, the late ion with the President of the United States, the late ion with the President of the United States, in a surplus.

After a full consideration of all the circumplus revenue, instead of returning it to the pockets of the people.

Gentlemen got up here and said that the money would corrupt the people. They said there was danger to be apprehended from having a surplus. But they were not afraid of the United States are published, in the several States and Territories, are requested to publish therein, the foregoing rules once a week, for four weeks, and send their accounts tentiary of the Mexican Republic to the United redress of our grievances from the Mexican corrupting the office holders. He (Mr. C.) States. In regard to that functionary, they Government, the mode and manner of which, concluded by saying that this was a scheme to