COMMUNICATIONS.

For the Union.

INDIAN AFFAIRS—THE CHEROKEES.

No. 4.

Sincerely desirous of being perfectly understood upon the question now at issue, in relation to the execution of the Cherokee treaty, the construction put upon its various stipulations, and the power and constitutional duty of the President to renew and continue the board of commissioners until all these stipulations are complied with,—I will ask the republication of the 17th article, as an introductory to this number. It reads as follows:

"ALL *the claims* ARISING UNDER, *or* PROVIDED FOR *in, the several articles of this treaty, shall be examined and adjudicated* by such commissioners as shall be appointed by the President of the United States, by and with the advice and consent of the Senate of the United States, for that PURPOSE; and their decision shall be FINAL; and on their certificate of the amount due the several claimants, they shall be paid by the United States."

This article of the treaty of 1835, as I have shown, was ratified by the President and Senate of the United States; and it can be neither annulled nor amended without the consent of both the contracting parties. It creates a board of commissioners, by whom only can the claims of the Cherokees be legally adjudicated and paid. Any other adjudication would not be *final*, or binding upon the United States or the Cherokee claimants. The 17th article of the treaty, then, being the LAW which brought this tribunal into existence, what are its powers, and to what term is its existence limited? Let the language of the law answer the question. When "ALL *the claims arising under, or provided for in, the several articles of the treaty are* EXAMINED and ADJUDICATED," and not till *then*, its functions cease! The same law makes its powers *supreme*, for its decision is made FINAL! Upon this question the Congress of the United States sustained the following opinion, expressed by the Committee on Indian Affairs in the House of Representatives: "It is a tribunal possessing powers, within its legitimate sphere of action, co-extensive with those of the Supreme Court of the United States. The Executive has no *legal* or *constitutional* right to direct or restrict the judicial action of a tribunal thus constituted, when confined within the limits prescribed by the treaty. The constitution enjoins it as a duty upon the President, that he shall cause 'the laws to be faithfully executed.' In reference to this treaty, which is a *supreme law*, he has performed this DUTY by appointing the commissioners therein provided for. When he had done this, the special and only trust confided to him was discharged, and *his* functions ceased, unless the tribunal thus created refused to execute the law, or perpetrated some flagrant and palpable violation of it, when he might exercise the power of removal from office, or of suspending their proceedings until a proper investigation of their conduct could be made. But whilst the commissioners continue to exist as a board, he cannot prescribe the boundaries of their jurisdiction, revise or rescind their decrees when rendered, or dictate rules and principles which shall control their judicial action."

I stated in my last number, that the board appointed under the 17th article of the Cherokee treaty in 1836, and dissolved in the spring of 1839, was re-organized in the fall of 1842, by the appointment of new commissioners. *John H. Eaton*, of this city, and *Edward B. Hubley*, of Pennsylvania, constituted this board, and commenced operations in November, 1842. It was soon discovered that there was a secret and invisible influence operating upon the commissioners, more potent than the plain dictates of the instrument they were commissioned to execute. They were bound hand and foot by *instructions* sent to them by T. Hartley Crawford, Commissioner of Indian Affairs, which were made the LAW to govern the proceedings of the board; and the TREATY was, in effect, ordered to be tied up with a bit of red tape, and laid under the table. Hear the Commissioner, in communicating his royal mandate: "I respectfully communicate to you the following INSTRUCTIONS, conveying the views entertained by the department, of the duties that have been confided to you!" He then takes up every article of the treaty having reference to individual claims; puts his construction upon the several stipulations; and reads the COMMISSIONERS a severe lecture upon the propriety of obeying orders. The board appointed under the 17th article of the Cherokee treaty, whose high character had been frequently acknowledged and proclaimed by former Presidents and attorneys general—whose powers, in the opinion of Congress, were equal, within their sphere of action, to those possessed by the Supreme Court—were thus held as mere subordinates, *examining clerks* of the Indian Bureau.

These *instructions* of Commissioner Crawford were issued September 28, 1842. How different their tone and manner, and the construction put upon the treaty, to the communication of Commissioner Harris, when the board was first appointed in July, 1836, as quoted in my last number! Mr. Harris, acting under the direction of Secretary Cass, communicates the treaty, with "the views of the department," which he declares at once to be "mere SUGGESTIONS!" and that he would not "advert to the *order, time*, or *place* even, in which these duties shall be performed." "This must be left to your own *judgment!*" Now, again, hear Mr. Commissioner Crawford upon this point. I have his INSTRUCTIONS now before me, filling up eight closely printed congressional pages. In the third paragraph from the last, he issues the following orders to the board: "You will proceed to such point in North Carolina as may be most suitable and convenient for the prosecution of your *inquiries* and the discharge of your duties; and, after their performance in North Carolina, you will be pleased to *cross the Mississippi;* and you will then, having, in both these cases, given the notice necessary to afford claimants full opportunity to present their respective claims, proceed in your examinations and investigations in the Cherokee country west."

In the next paragraph of his *instructions*, Mr. Commissioner Crawford requests the commissioners to send in their *reports* as early as possible, assigning the following reasons: "So soon as your reports are received, an *apportionment of the fund will be made here*, and an agent authorized to disburse it to the claimants, in such *ratable proportion* as shall be just, after applying what may be required to the satisfaction of the debts found by you to exist at the date of the treaty!" How does this compare with the instructions given to the board, when first organized in 1836? The Commissioner here requires the *reports* of the board to be made to him, so that HE can review their proceedings, and make a "*ratable*" distribution of the funds on hand! The first instructions upon this point read as follows: "The examination of these claims is confided to you, *under the 17th article of the treaty*, which stipulates that your decision shall be *final*, and that the payments be made, upon your *certificate*, to the several claimants." A disbursing officer was then appointed, who held his office at the same place with the board, and paid their certificates in full, on presentation. The letter announcing to the board the appointment of this officer, is dated November 4, 1836, and suggests the *form of a certificate*, in accordance with the conditions of the 17th article, and advises as follows: "Let the claimant sign another receipt on the back of the certificate, *in the presence of one of you, and the disbursing officer will pay the amount.* These certificates, *signed by either of you*, will constitute his vouchers."

Here is an attempt made by the Commissioner of Indian Affairs, with the sanction of Secretary SPENCER, to repudiate and set at defiance all that had been done by two previous administrations, in the execution of the Cherokee treaty. Upwards of *two million two hundred thousand dollars* had been already paid, under awards made by the first board, in liquidation of claims for abandoned improvements, spoliations, and reservations. *Every claimant was paid in full.* The whole sum appropriated by Congress to carry the Cherokee treaty into effect, amounted to six million one hundred and forty-seven thousand dollars! Of this vast amount, but little over *three hundred thousand dollars* remained in the treasury when the board was reorganized in 1842. The vigilant and conscientious head of the Indian Bureau had permitted an "abstraction" from the Cherokee fund of $581,346 88, by the payment of that sum to Mr. John Ross, principal chief, on account of his contract entered into with General Scott in August, 1838. The Commissioner knew that it was a violation of law to pay this money (if even the account was allowed) out of the fund appropriated as the value of the Cherokee lands! *He* had, himself, so decided, under a former administration; the Secretary of War, Mr. Poinsett, had so decided; Mr. Van Buren, as President of the United States, had so decided; and, upon an appeal, reiterated his decision! Yet, when the claim was again brought up before Secretary BELL, under the administration of President TYLER, the Commissioner looked to his *tenure of office!* his lips became hermetically sealed! his hand became palsied, and would no longer guide his pen upon this subject! JOHN BELL had raised his forefinger, and emphatically pronounced the word BEWARE! And the Commissioner instantly became oblivious to all that had been previously decided concerning this claim. Thus was nearly six hundred thousand dollars improperly and illegally paid—a sum far more than sufficient to liquidate all the remaining claims under the Cherokee treaty of 1835.

The Cherokee fund being disposed of in the summary manner above referred to, the Commissioner announces his determination to "*apportion*" the balance remaining in the treasury among the claimants, in such "*ratable proportions as shall be* JUST!" What a mockery of justice! We have shown that upwards of TWO MILLIONS OF DOLLARS had been paid to individual Cherokees, *in FULL liquidation of their claims arising under the treaty, upon awards made by a board of commissioners appointed under the 17th article.* And when, three years afterwards, the *same tribunal* is reorganized, to complete the work left undone at its first session, and the Cherokees entitled under the treaty, who had not their claims previously settled, come forward with their "abandoned improvements, reservations, and spoliations," (being the same character of claims, brought by the same class of claimants, as those which had already been adjudicated and paid,) they are gravely told that, if their claims are allowed, they can only be paid upon a "*pro rata* basis, out of the balance of money in the treasury." Every claim, of every "nature and description," had heretofore been paid in full; and the guardian intrusted with a faithful and impartial distribution of this Indian treasure, finding that the fund was nearly exhausted, endeavors to extricate himself from the difficulty, by compelling his wards, who were anxiously waiting for their share of that fund, as willed by the treaty, to accept of a *ratable division!* And, to carry out this masterpiece of *ingenuity*, President Tyler, acting under the direction of his "conscientious and honest Commissioner," absolutely decreed that, "upon all awards made by the Cherokee board, only ONE-THIRD of the amount awarded should be paid." I apprehend that, if a *pro-rata* division of the fund designated by the treaty for the liquidation of individual claims was ever contemplated, it should have been taken into consideration when payment commenced, in 1836; and not introduced now, when at least four-fifths of these claims have been adjudicated and paid.

Having referred to the *instructions* issued by the Commissioner of Indian Affairs, as the LAW which was to govern the proceedings of Messrs. Eaton and Hubley, instead of the treaty under which they were appointed, I will show the effect—the fatal effect—of those instructions, to every person interested in a faithful execution of the Cherokee treaty. These instructions were kept secret; the claimants applied to the board, and to the Commissioner of Indian Affairs, in vain, for a copy of them; and it was not until the 31st day of January, 1843, after the board had been in session nearly three months, that they were dragged from the office of Indian Affairs, by a resolution of the House of Representatives of the 24th of that month. It required *seven days to furnish a copy of these instructions*, after they were called for by Congress. The Cherokee board, from its organization in November, 1842, up to this time, had been doing very little business. The claimants found that the commissioners were paralyzed in some way;—that they refused to listen to the provisions of the treaty as the law, and *only law*, under which they could decide cases;—that they peremptorily refused to issue certificates upon their decrees, as prescribed by the treaty, and in accordance with the uniform practice of the board at its first session; and, in consequence, very few claims were presented. The first award was made by the board, on the 29th of December, 1842; but the commissioners, acting under their INSTRUCTIONS, declined issuing a certificate upon it, in the usual form; in consequence of which, a copy of the decree was obtained and taken to the Commissioner of Indian Affairs for payment, as described in my last number. That decree was examined by the Commissioner of Indian Affairs and the Secretary of War, (Mr. Spencer,) and set aside as a claim not coming within the pale of the board's jurisdiction, and not sustained by testimony which could pass it before *any* tribunal.

Under this perplexing state of things, the Cherokee claimants then in Washington appealed to the President of the United States, asking him to relieve them from the arbitrary, oppressive, and illegal assumption of power exercised by the Commissioner of Indian Affairs, with the sanction of the Secretary of War. Upon this appeal, the President endorsed: "This is a matter with which I have nothing to do. If the Secretary of War sees cause to revise his opinion, and alter it, so well; if not, the parties must take their case to Congress." Is not this a singularly cold reception of Cherokees respectfully asking a fulfilment of the treaty, by which all the lands of their nation east of the Mississippi had been surrendered?—especially, too, from President Tyler, who so eloquently and feelingly discourses upon Cherokee grievances, in his celebrated letter to Mr. John Ross and his delegation, dated September 20, 1841; in which, among other things, he promises them a new treaty, which, in his own glowing language, "shall give to the Cherokee nation full indemnity for all wrongs which they may have suffered; establish upon a permanent basis the political relations between them and the people of the United States; guaranty their lands in absolute *fee simple*, and prescribe specific rules in reference to subjects of the most interesting character to them and their remotest posterity. A new sun will have dawned upon them, in whose brightness their permanent happiness and true glory may be read by the whole world; and I shall rejoice to have been the President under whose *auspices* these great and happy results shall have been produced?" Thus did his excellency President Tyler, in his honeyed accents and grandiloquent language, promise the Cherokees a *new* treaty, which would elevate them to the third heaven; and yet, in the next breath, he refused to listen to their humble appeal, begging his aid in carrying into effect the *old* treaty of 1835.

After meeting thus the cold shoulder of the President, "the parties" did "take their case to Congress," by a memorial dated January 23, 1843; and, on the 26th of the same month, it was referred to the Committee on Indian Affairs. On the 9th day of February ensuing, the committee reported a joint resolution, defining the character of the Cherokee board, declaring its decisions FINAL, and directing that the certificates issued upon its awards should be paid upon *presentation.*" This resolution was adopted by both houses—by the Senate unanimously, on the 2d March, the day before the last of that session. It was not, however, approved by the President, but retained in his possession until the commencement of the next session, when it was returned to the House of Representatives, with his objections. Thus were all the hopes of the claimants again destroyed, and the business of the board protracted; for those having claims would not bring them forward for *final* adjudication, so long as the *incubus* of the Indian Department hung over the judgment of the court. The commissioners issued certificates after the passage of the joint resolution; but the Department of War refused to pay more than *one-third* of the amount upon their face, and in all cases assumed the power to review, and *did review*, the proceedings of the board, and, in two cases out of three, set aside, or suspended for *future* consideration, its decisions.

Early in the ensuing session (1843'–44) an application was again made to Congress to protect the Cherokees from the "high-handed, arbitrary, and oppressive measures" resorted to by the Secretary of War and the Commissioner of Indian Affairs, under the sanction of the President. In the mean time, upwards of a year had been spent by the commissioners appointed under the treaty, and but little progress had been made. If they had not been trammelled by INSTRUCTIONS, and the execution of the treaty had been carried on as commenced under the administration of General Jackson, and continued under that of Mr. Van Buren, I venture to say every claim arising under it would have been long since adjudicated, either by that board or its successor in office; and every claimant would now be satisfied, because the decision (for or against him) would be FINAL. But the Department of War was determined to throw every obstacle in the way of the Cherokees. To attract popular attention, and more especially that of the Executive and Congress, the hue and cry was raised in the Indian Office, that the Cherokee business was all a *humbug;* that none but "sharks and speculators" were pressing the execution of the treaty. Verily there were "sharks and speculators" about; and the conduct of the War Department threw the poor claimants entirely at their mercy. Some of these claimants had been at the seat of government a long time—had become in debt for boarding, and to mechanics and merchants, and they were compelled to sell their certificates at half, and, in some cases, less than *half their value*, to the "sharks and speculators," who could *privately* learn from the War Department that they must be paid in full. This state of things continued until June, 1844, when a joint resolution was passed a second time by Congress; and as it was adopted by a *two-thirds* majority in the House, and by the Senate *unanimously*, it was approved by the President on the 15th of that month. It is in the following words:

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be directed to pay, or cause to be paid, the several sums found due to claimants under the Cherokee treaty of one thousand eight hundred and thirty-six, upon the certificates issued by the board of commissioners appointed in pursuance of the seventeenth article of said treaty, out of the unexpended balance of appropriations made for the payment of such claims, upon the presentation of said certificates."

Having struggled against the usurped power of the Indian Office for more than a year and a half, in endeavoring to maintain the character of the Cherokee board, and obtain payment upon its certificates, the claimants at length had the gratification of a triumph in the passage of the above joint resolution. But, unfortunately, necessity had compelled most of the original holders of these certificates to dispose of them; and, in consequence of the doubts cast upon their validity by the Indian Bureau, they were sacrificed for half their value! This is the way the "poor Indian" is taken care of, and guarded against "sharks and speculators," so much boasted of by a high functionary, when every act of his office, upon the subject of Indian claims, *national* or *individual*, tends to accomplish the very things he pretends to avoid. Let the government meet the Indians in a spirit of kindness, liberality, and JUSTICE, and they will neither have to fee agents or "lawyers" to prosecute their claims, nor be forced, by vexatious delays, to sell them for little or nothing to "speculators," hanging around the public departments, or in the Indian country.

I will cite some few of the *official* obstacles thrown in the way of the execution of the Cherokee treaty, after the passage of the first joint resolution referred to, in addition to those which preceded its passage. I have already shown that Secretary Spencer assumed the right to control the proceedings of the Cherokee board; and that *the only decree submitted to the department, under his administration of it, he reviewed and set aside!* I have shown that President Tyler held over the joint resolution directing the payment of these claims upon the certificate of the board, from one session to another; and the iron rule adopted in the Department of War, in relation to the power to revise the proceedings of the board, and the refusal to pay more than ONE-THIRD, *even upon cases decided favorably by the commissioners*, was not relaxed. The resolution passed Congress on the 2d March, 1843, and on the 18th of December following the President sent in his *veto* message. I have this paper now before me, in Doc. No. 22 of the House of Representatives; but I will refrain from comment upon it. Its absurdities are not of his coining. I believe he intended to do right, if he had known how; and all our complaint against him was, that he did not *examine the subject himself!*

On the 20th December, two days after the President had sent his objections to the House, resolutions were adopted by the Senate, propounding certain interrogatories to the Secretary of War. Among other pertinent questions, the Secretary is asked "*by what law or authority is the power conferred on the War Department to review the decisions of the Cherokee board, and set them aside or annul them?*" On the 17th of January, 1844, the Secretary of War sent to the Senate his answer to the interrogatories. The Hon. James M. Porter was then the War Minister. I have a copy of his letter now before me; but, like the President, he was entirely ignorant of the subject upon which he wrote; and I will let it pass, and come at once to the commander-in-chief, who rules presidents and secretaries on all matters relating to our Indian affairs. They have heretofore been mere men of wax in his hands; but it is to be hoped, now that we have better metal at the head of affairs, that there will be no "power behind the throne greater than the throne itself." Mr. Commissioner Crawford, being called upon by Secretary Porter to answer the interrogatories of the Senate, as usual furnishes a lengthy and elaborate argument, teeming with "technical niceties," which, as a matter of course, was sent to the Senate as part of the Secretary's reply. Now hear what the *grand sachem* of all the tribes proclaims, in answer to the interrogatory above quoted, as to the "*right of the department to revise and set aside decisions of the Cherokee board.*" The Commissioner says: "This power the Secretary of War possesses, by his relation as the head of an executive office, to the Indian affairs of the country, and to their administration!!" "The POWER is INHERENT, which is necessary to discharge an imposed duty, *unless prohibited by law!* By the law of 1832, the *Commissioner of Indian Affairs has* DIRECTION and MANAGEMENT *of all Indian affairs*, and all matters arising out of our Indian relations, under the Secretary of War, and agreeably to such regulations as the President may prescribe!!

Was there ever anything so awfully and superlatively grand! An "*inherent*" power in this government—in the *office of the Commissioner of Indian Affairs*—to trample upon the stipulations of a treaty! Why, nobody but a Lord MANSFIELD could have conceived anything half so fine! The law organizing—or, I would rather say, "disorganizing"—the Indian Department, was passed in 1832; the Cherokee treaty was ratified by the President and Senate, and became a SUPREME LAW, in May, 1836! Any power conferred upon the Indian Department by the law of 1832, was annulled or neutralized by this treaty, so far as the adjudication of claims under the 17th article is concerned. If it was not, then Indian treaties are mere solemn farces, only to be held sacred until possession is obtained of the land ceded by their provisions. But the Commissioner knew he was imposing upon his superior, when he furnished the above argument. He knew the construction put upon the treaty by General Jackson and Secretary Cass, under whose administration it was negotiated. He knew how it had been previously executed. He had the opinion of Attorney General Butler (published in my last number) before him, wherein he expressly declares that "*the War Department can legally exercise no control over the proceedings of commissioners appointed under the Cherokee treaty.*"

I have, however, an opinion upon this subject still nearer home; it was written only a year before President Tyler and the *new* secretaries came into office. Some time after the adjournment of the first session of the Cherokee board, an appeal was made to the War Department from one of its decisions, and afterwards carried to the President. The appellants were Messrs. Underwood, Hansell, and Rockwell, claiming for legal services rendered the Cherokee nation, which claim, under the 10th article of the treaty, was brought before the board for adjudication. The complainants severely censured the conduct and *motives* of the commissioners, in their appeal to the President for redress. The President referred the subject, with all the papers, to the Secretary of War; and a report, as usual, was obtained from the Indian Bureau. *Mr. Crawford was then Commissioner of Indian Affairs*, and gave his decided opinion in corroboration of that THEN *entertained by the President and Secretary of War*, to wit: "*that the department had no right to revise or review the decisions of the Cherokee board, with the view of setting them aside!*" Mr. Poinsett then made an able report upon the subject to the President, in which the CHARACTER of the Cherokee board and the question of JURISDICTION are fully discussed and established. The Secretary introduces the case by referring the President to the report of the *Commissioner of Indian Affairs*, and then proceeds as follows:

"But I beg leave further to remark, that, in *whatever light* the action of the commissioners in these claims may be regarded, it appears to me that there is *no power in the government of the United States to revise their decisions*, or to dispose of these Indian funds in any other manner than [that] specified in the treaty." The secretary then cites the 17th article of the treaty, providing for the adjudication of all claims arising under it, and argues as follows: "In no part of the treaty is the power vested in the President to *examine* and *adjudicate* such claims. On the contrary, the power *to revise the proceedings of the board is expressly taken away from him.* The first question to be considered is, whether the decision of the commissioners was designed to be *final;* the second, whether, assuming that it was so intended, the President can, *for any reason, review and revise it.* It appears that the commissioners gave a qualified decision, in the first place, reserving to themselves the right to revise their proceedings, and make a further allowance, &c. This examination was subsequently made; and a majority of them refused any further compensation to the claimants. The third commissioner differed from his colleagues; but the opinion of a majority of the board must stand for its decision. *Any interference of this department* was irregular, and cannot invalidate the action of the commissioners. A majority of them refused to accede to the *suggestions made to them by the department*, which they had an undoubted right to do. There does not, therefore, appear to be any reason for doubt upon the *first* point. The 17th article, already quoted, disposed of the second, by an express declaration *that the decision of the commissioners shall be final.*"

Upon this opinion of the Secretary of War, President Van Buren makes the following endorsement: "The President concurs in the view taken of the subject by the Secretary of War, and directs that a copy of the within, and of the report of the Commissioner of Indian Affairs, be sent to Colonel Rockwell and Mr. Hansell.—M. V. B."

Can anything be plainer than this opinion? and should not the DECISION here distinctly made by the Secretary of War, and approved by the *President of the United States*, have had some weight—if it were not binding—upon their successors in office? But I have more evidence to show that "what is *right* one day, may be egregiously *wrong* the next day! The first board of commissioners had made a decree on the claim of Charles Thompson, a Cherokee, for a reservation, that he was *entitled to the land*, but did not award him the value thereof, as provided by the treaty. After the adjournment of the board, an application was made to the department to have the reservation valued and paid for. Mr. Poinsett, the then Secretary of War, referred it to the Commissioner, (Mr. Crawford,) who gave an opinion that the reservee was *entitled*, but did not point out the mode or manner in which he could be paid; no certificate had been issued under the 17th article! The case was then laid over until the new administration came into power, when it was submitted to Secretary Spencer, with a valuation of the land, obtained by claimant's counsel, and payment demanded. Mr. Spencer made his decision upon this case on the 6th of April, 1842, from which I make the following extracts:

"It seems to me to require only the reading of the 17th article of the treaty, to be satisfied that the *whole subject of claims arising under the treaty was referred* EXCLUSIVELY *to the board of commissioners, and that no money can possibly be paid without their decision!*" "I am unwilling to exercise any authority, unless convinced myself that it is possessed. I must, therefore, *decline* acting in this case, and leave it, with the *numerous other claims arising under the Cherokee treaty, to be hereafter disposed of by a* LEGALLY CONSTITUTED TRIBUNAL."

This is an important decision, emanating from the source it does, for several reasons. The secretary disclaims all right to interfere with the execution of the Cherokee treaty!—that it belongs "*exclusively* to the board of commissioners" created by the 17th article!—that *no money can be paid without their decision!*—and he plainly avows, that there are "*numerous claims*" yet to be adjudicated by a "legally constituted tribunal!!" How does this comport with the conduct of the same functionary eight short months afterwards, when he assumed the power of revising the decisions of this omnipotent tribunal, and setting aside their decrees?—or with the subsequent repeated declarations of the Indian Commissioner, that there *were no claims left unadjudicated;* and if there were any, that HE *could adjudicate them?* But I am not yet satisfied. I will convict the great dictator, whose wretched, crooked policy is costing the government millions, where hundreds would suffice by pursuing a plain straightforward course, "out of his own mouth." I have a letter of Mr. Commissioner Crawford, bearing his own proper signature, dated Nov. 19, 1838, immediately after he entered upon the duties of his present office. The first board of commissioners was then in session at New Echota, Georgia, and a claimant appealed to the department from a decision made in his case, and requested that the board should be instructed to reconsider and reverse the REJECTED claim, upon a different construction of the treaty. To this application the Commissioner responded as follows: "I understand that in some few instances this office has SUGGESTED to the commissioners a *revision of their decisions;* and this is *as far as it can possibly go*, as the treaty, in express terms, provides that *their action shall be final.*" In this the Commissioner gives the opinion he found prevailing in the department, as well as his own. I have, however, another opinion in his own handwriting, addressed to a claimant, dated Nov. 22, 1841, in which he refuses to examine a *rejected* claim, and uses the following emphatic language: "This department has NO POWER *to review their decisions, [the Cherokee commissioners',] with a view of setting them aside, as the 17th article of said treaty makes their decision* FINAL!!!"

I have now presented a fair view, in as condensed a form as possible, of the inconsistencies and absurdities which have protracted, and almost defeated, the execution of the Cherokee treaty of 1835–'6. The board of commissioners was renewed in November, 1842; but, for the reasons I have shown, their commission was rendered ineffective. The new commissioners, in consequence of a quarrel with the Secretary of War, were dismissed in December, 1843, and their successors were not appointed until May, 1844. The same obstacles were interposed to prevent effective action on their part, and it had its baneful influence. From all I have shown, there is one thing made manifest:—that is, when a claim was *allowed* by the board, it was subject to the *revision* of the War Department; but when it was *rejected*, then the same department had "no right to revise it, as the treaty made the decision of the commissioners FINAL." Should a cause like this—so unjust, so cruel, so inconsistent, so contrary to law, humanity, and common sense—be tolerated by an Executive whose duty it is to see the "laws faithfully executed?" I venture to predict that the present Executive will say, in thundering tones, *no!* NO!! NO!!!

The Cherokee board has been created by LAW, which is the treaty of 1835, to which the *United States and the Cherokee nation* are the sole parties, and it is equally binding and obligatory upon both. If, then, the *Indian* party to the compact is compelled to comply with its provisions *as a nation*, and individual Cherokees are forced to abide by the decisions of the tribunal selected to adjudicate their claims, when made *against them;* upon what principle of law or equity can the other party—the United States—refuse to abide by the same rule, by faithfully complying with its part of the compact to the nation, or set aside the decrees of this tribunal, when made in favor of individual claimants? All the Cherokees ask is, that the conditions of their treaty shall be complied with. They declare that they have good and valid claims, arising under that treaty, that have not been adjudicated. Whether they are or are not such claims, is for the board of commissioners to determine, as the only tribunal which can be legally constituted to try their validity; and it is fair to presume that such tribunal, bearing the whole weight of responsibility—men selected by the President and Senate of the United States for their ability and fidelity—can be intrusted with this duty, and will discharge it as faithfully, and with as much safety to the treasury of the United States or the Cherokee fund, as a *Secretary of War* or *Commissioner of Indian Affairs!* If it cannot, then the Cherokee treaty *cannot be executed*, and old *Will Shakspeare* was a fool, as there is something in a NAME.

I intended, in this number, to classify the claimants in the Cherokee nation west, and exhibit their present condition to the view of the government; and also to show what had been done by the commissioners, (Messrs. Washington and Mason,) when in the nation last winter and spring, and the immense, the incalculable benefits which would result to the government, and to the Cherokees, if they were permitted to continue their labors until the treaty would be finally executed; but I have already exceeded my bounds. I will venture to declare, however, that every citizen of the Cherokee nation will corroborate the above opinion; and I will close this number by expressing, in behalf of the Cherokees, the fervent hope, the prayer, that the President will, in the language of the United States Senate, "renew the commission," and continue it "*until its objects are fully carried into effect.*"

AN ADOPTED INDIAN.

Communicated.

ANECDOTE OF GENERAL JACKSON AND MARTIN GORDON, SEN., OF NEW ORLEANS.

At a time like this, when the recent departure of the venerated Jackson, "full of years and full of honors," has rendered almost every act of his eventful life interesting, it affords a melancholy satisfaction to his bereaved friends to glean from his private life recollections, which, while they evince his unfaltering devotion to his friends, demonstrate also that his private acts were stamped with the same immutable fidelity and good faith which characterized his public transactions.

It was about some forty years since, or upwards, that the venerable and respected Martin Gordon, sen., of New Orleans—the patriarch of democracy in Louisiana—during a tour through the western country, was seated one day in an inn at Nashville, Tennessee, when two gentlemen entered, and commenced an angry conversation with a third, who had been previously engaged in reading a newspaper.

After a loud and fierce altercation for several minutes, the two new-comers commenced an assault upon the third gentleman; and Mr. Gordon, a gentleman of the most noble and generous feelings, unable to sit quietly by and witness so gross and unfair an outrage, by two persons, upon a single man, arose from his seat, and, approaching the combatants, knocked one of the assailants down, and disabled him, while the other was soon disposed of by the gentleman who had been attacked.

So soon as order was restored, the gentleman who had been assaulted approached Mr. Gordon, and inquired his name.

"Martin Gordon," was the reply.

"And, pray, (asked the gentleman,) what induced you to strike the individual who was assaulting me?"

"Why, (answered Mr. Gordon,) I could not patiently witness so manifest an act of injustice, without endeavoring to arrest it. I considered an assault of two upon one so infamous, that, believing you the weaker party, I struck one of your assailants, in order to afford you an equal chance to protect yourself."

"Well," replied the stranger, "although I feel grateful to you for your well-meant and magnanimous interference, yet I will not be satisfied with what has occurred—*I will myself chastise them both.* My name is Andrew Jackson; and, Mr. Gordon, if ever through life, be it in small or in vital matters, you should need a friend, *call on Andrew Jackson, and you will never be disappointed.*"

It is amazing with what untiring devotion this generous overture was fulfilled by General Jackson to the last moment of his life. His friendship was unintermitted.

So soon as General Jackson was elected President of the United States, he appointed Mr. Gordon collector of the port of New Orleans; and although the most deadly and venomous persecution was carried on by whigery throughout his whole term of service, and petition after petition was crowded upon General Jackson, yet they were treated with merited silence and contempt, until after his original commission as collector expired; when, being renominated for the same office by General Jackson, he was rejected by the Senate—that same factious Senate which declared by resolution that General Jackson had committed acts "in derogation of the constitution and laws," and which resolution was hissed out of existence by the voice of the nation.

Mr. Gordon was twice renominated by General Jackson, and twice rejected.

His son, Martin Gordon, jr., one of the best and purest men in our country, was then nominated; but the whigs were fortified on that point, although they had nothing to urge against the competency and responsibility and virtue and merit of Mr. Gordon, jr., yet they had the parish register at hand, and were enabled to demonstrate that he lacked a few days of being twenty-one years of age; and although that defect would have been healed long before his commission could have reached him—nay, before it would probably have been prepared—yet *he also was rejected.*

Nor were General Jackson's friendship, esteem, and confidence towards Mr. Gordon, unworthily bestowed; for he is one of the purest patriots and best men of the age; and throughout the whole period of his official labors, a democratic majority was maintained in the city of New Orleans, and in the legislature of the State, principally through his instrumentality, which has never been the case since.

But the principal cause of the intense personal and fiendish malignity of the whigs towards Mr. Gordon, was his inexorable fidelity and devotion to the duties of his office.

A number of leading whigs had for many years been in the constant habit of importing immense quantities of dissolved sugar, under the appellation of sirup, or, as it is technically termed, *sirup de batterie.* This, on its arrival in the United States, was recrystalized, and thus the revenue was defrauded to a countless amount, and large fortunes were realized by the operation, in consequence of the difference in the duty.

Mr. Gordon deemed it a solemn obligation to seize all such importations, which he did; and applied to the then district attorney to commence prosecutions. But so fearful was the raging tempest of whig mercantile indignation, that that officer declined, refused, or omitted to do so. It then became the duty of Mr. Gordon to adopt a decided course. He wrote to General Jackson, detailing the facts, and declaring that, unless he were aided by the proper officer, they could no longer act together; for that government would suffer by their discrepant action, and that it was time that one or both officers should be removed, to secure the public good. The next mail announced the removal of the officer in question, and Mr. Gordon was thus enabled to fulfil his duties and protect the revenue.

These are public facts, and have become a portion of history; and have only been narrated at this time, as a testimonial of respect to one of the best men and purest patriots of our country.

LOUISIANA.

Communicated.

MR. WHITNEY'S EXPEDITION FROM THE LAKES TO THE PACIFIC.

Travelling in the cars during the early part of June, on my way to the North, I encountered a young gentleman of a highly respectable family in North Carolina, on his way to Milwaukie, in the Wisconsin Territory, to join Mr. Whitney's party to explore a route for a railroad from the lakes to the Pacific.

This young gentleman, a graduate of Chapel Hill University, had just returned from the commencement there, when one evening his father read the notice of Mr. Whitney's intention from one of the papers; and the next morning the son took his place in the cars, having decided to join the expedition.

Having sons of my own, I took some interest in this young gentleman, who appeared to possess an energy and decision of character well calculated to forward him in this stirring world; and it gave me pleasure to aid him with information, and such advice as I thought would be valuable to a young traveller—being an old one myself.

I presented my card on his leaving me in Washington city, and asked him to write to me of his fortune. I enclose a copy of his letter from Prairie du Chien, which I trust will be acceptable to you. From its character, I think he will derive benefit from his excursion, let Mr. Whitney's project be practicable or not:

"PRAIRIE DU CHIEN, July 3, 1845.

"I arrived in this place on the 29th ultimo, by travelling almost constantly after I left you. I overtook Mr. Whitney, and the rest of the party, (which consists only of eight,) in Milwaukie. We came across Wisconsin Territory in wagons. The country is one of the most beautiful and the richest I ever saw—some half of it (prairies) very rich—with spots of timber about in them, and brooks. The wooded land is very fine timber—smaller than that of our State. I look upon it as a most splendid country—the very thing for one who wishes to remove to a free State. It will some day be one of the first States, as regards soil and climate, in our Union.

"Mr. Whitney is a man of decision and enterprise. Two or three of the young men of the party are wild—the rest steady; all men of education and persevering talents. There are only eight of us. Why our number is so small I do not know. The expenses of the excursion are nearly double what I supposed they would be. I have written for some money to meet me at St. Louis, as I shall be out when I get there.

"We will go across to the Missouri river from here, striking it about 150 miles above Council Bluffs—which, I am told, is about 600 miles from this place. I hardly think we will go much farther this trip. If we do not, then we will boat it down the Missouri.

"If the country to be seen is such as that from Milwaukie to this place, I think Mr. Whitney's project practicable. I obtained a rifle, &c., at the establishment you directed me to; but got one with rather a small bore, and have traded it off for one with a larger bore. I have bought an Indian pony, with other accoutrements. We intend going on Indian ponys. I had to give forty-one dollars for mine. They are very dear animals, as they can be sold to the Indians, when they get their pay from the government, for almost any sum; and then bought again, when they get out of money and want liquor, for little or nothing. A great many half-breeds make their living by such dealing.

"In this place, there are four or five stores, two taverns, one church, (Catholic,) and a garrison containing some 150 soldiers; they have been firing their guns in honor of Gen. Jackson.

"Very respectfully, ———.

"P. S. We leave to-day. We give $150 for driver and interpreter; $80 for wagon horses; $50 for wagon, &c. This gives you some idea of costs."

DICKINSON COLLEGE.

THE FALL TERM of this institution will commence on the 15th of September, 1845. The officers of the college are as follows, viz:

Rev. ROBERT EMORY, A. M., President, and Professor of Moral Philosophy.

MERRITT CALDWELL, A. M., Professor of Metaphysics and Political Economy.

WILLIAM H. ALLEN, A. M., Professor of Chemistry and Natural Philosophy.

Rev. JOHN MCCLINTOCK, A. M., Professor of Languages.

THOMAS E. SUDLER, A. M., Professor of Mathematics and Civil Engineering.

Hon. JOHN REED, LL. D., Professor of Law.

SPENCER F. BAIRD, A. M., Professor of Natural History, and Curator of the Museum.

The expenses of a student for college fees and boarding need not exceed $116; fire, lights, and washing, (not included,) amount to about $20 more. Text-books are furnished at a cost below city retail prices. The means of instruction in the college are ample; its philosophical apparatus is unusually complete; and the students have access to three libraries, amounting together to about 12,000 volumes. Students who find it necessary to take only a partial course in college, have the opportunity of so doing, and will hereafter receive a certificate of their proficiency at the end of each year.

The Grammar School is now under the management of Rev. George R. Crooks, A. M., assisted by John K. Hayman, A. M. The necessary expenses of a student, including school-bills, board, washing, fuel and lights, amount to about $120. The trustees can speak with the fullest confidence of the excellence of the school under its present teachers. Students are thoroughly drilled in the branches necessary for admittance into college; or, if they do not desire to take a collegiate course, in all the branches taught in the best academies.

Carlisle, Pa., July 16, 1845.

July 18—d2w6wsw

FOR RENT.—The three-story brick dwelling-house, on 6th street, first north of the Unitarian church.

It is just finished, and has advantages and conveniences about it not often found in houses for rent. Among which is an extra stairway from the basement to the attic story. Also, sleeping accommodations for servants in an out building, separate from the main house. Rain-water cistern and pump in the yard. Side-alley to the street, &c., &c.

Apply to Mr. Francis Mohun, at the new building adjoining the premises.

July 31—3tif*

DISSOLUTION OF COPARTNERSHIP.

J. T. & C. KING, by mutual consent, have this day dissolved copartnership. All accounts against the firm will be settled by C. King, who has bought out the concern, and will continue in the business. All persons having accounts with the firm, will call and settle them as soon as possible.

Our customers will accept our warmest thanks for their liberal patronage.

J. T. & C. KING.

July 29—tf

MISCELLANEOUS.

From the New Orleans Jeffersonian Republican.

HOT WEATHER.

The papers all over the Union are boasting about their hot weather. We can beat them "all hollow." Human flesh becomes fluid in the day-time, and at night it is hot enough to make a shingle sweat. The New York Sun says that, on the morning of the 13th instant, the thermometer stood at 99° in a very shady place—remarking, besides, that this has been the hottest summer experienced there for the last thirty years. We doubt this *story* of the thermometer, however. Seldom, indeed, is it that such a temperature is really experienced anywhere in this country. No doubt, there are thermometers which will indicate a point beyond the real temperature, and others which will be as far below it. Thermometers are no more infallible indications of temperature, than watches are of time. Both instruments are often made with no other object seriously in view but their sale. Again, the constant disagreements as to temperature are ascribable, in a great measure, to the want of a proper understanding of what really constitutes a "shade." Upon a day when the actual temperature is 85°, "shades" cannot be selected, varying from 75° to 100°. The shade selected by scientific men, as furnishing the best means of ascertaining the temperature of the atmosphere, is one where there is no reflected light, and where there is a free and uninterrupted circulation of air. The instrument should be suspended from the top, and not suffered to rest against a wall or partition, or any other thing which might have an influence upon it. These directions being observed, a good instrument will seldom show a temperature over 95° of Fahrenheit, in any part of this country. According to Mr. Lillie, (the best authority on such subjects in the city,) a temperature as high as this has only occurred but once during the last five years. The day before yesterday was stated, by some of the newspapers, to have reached a heat of 96°, and our reporter, exceeding all others in extravagance, made it 98°. By Mr. Lillie's accounts, we were all far above the mark, the highest temperature during the day being 91½°; but the mercury did not fall below 90°, from nine o'clock in the morning till five in the afternoon.

The night before last was the hottest we ever experienced in this city, and last night was not far behind it. Yesterday was intensely hot, with hardly a zephyr stirring. At eight o'clock, Lillie's thermometer was at 88°, at two o'clock 92¾°, and at six o'clock 91°. All that is left of our population evince a partiality amounting to prejudice for every square yard of shade their way presents them; and, except upon the Levee, where men are seen moving in the glare as if in a fiery furnace, there is unbroken solitude where the sun shines.

From the Cherokee Advocate, July 3.

AGRICULTURAL MEETING.

For years past, the Cherokees have become decidedly an agricultural people; placing their almost entire reliance for a livelihood upon the cultivation of the soil. In time to come, this must become even more exclusively their mode of life, so far as any dependence can be placed upon hunting; for such is the scarcity of game, that none now presume to live by it. Every effort, then, that is calculated to encourage our farmers, or that will give them new ideas upon the subject of farming, and that will teach them the best method of applying their labor, should be sustained. Among those efforts, none have been attended with such gratifying results in the States as the formation of agricultural societies, which bring together, at stated periods, the farmers of a county or a State, who compare views, explain their several methods of preparing their soils, seeding, cultivating the crops and preserving them, and who exhibit specimens of their products, and show off their choicest hogs, horses, cattle, and sheep. By this means, an active, industrious spirit is excited and kept alive, an honorable rivalry is incited, new and enlarged thoughts created and spread abroad, and more liberal and friendly feelings warmed and cherished among those engaged in similar pursuits.

Looking upon the cultivation of the soil as the most virtuous, happy, and useful of all pursuits, and that which must be followed principally by our citizens, it gives us unfeigned pleasure to invite the attention of all Cherokee farmers to the call for a meeting at this place, on Saturday, 26th day of this month, (July,) for the purpose of forming a

NATIONAL AGRICULTURAL SOCIETY.

It is to be hoped that the attendance will be general.

PREMIUMS.

A silver cup, worth ten dollars, for the best specimen of homespun cloth—the piece to contain at least ten yards.

A silver cup, worth five dollars, for the best coverlet.

Two dollars for the best cradle coverlet.

A cup, worth five dollars, for the best beaded belt.

A cup, worth three dollars, for the best pair of socks.

The whole to be made by Cherokees, and to be ready for exhibition, at Tahlequah, on Saturday, 26th of July, on which day the awards will be made by a committee of three ladies appointed for the purpose.

In addition to the premiums offered, we are also authorized to say that a liberal price will be paid for the above articles.

From the New York Commercial Advertiser.

THE HEBREWS.—We have chronicled divers movements by several of the European governments for the removal, or at least the melioration, of various disabilities heretofore imposed by law on this ancient people. In England, France, Prussia, several of the minor German States, Sweden, Denmark, and even in Russia, laws have been enacted, tending more or less toward placing this class of citizens on the same level with others in point of eligibility to offices of various grades, and throwing open to them, as to others, the paths through which men may hope to arrive at honors and distinctions. There is something more to be done, however, than the mere removal of civil disabilities; there is a prejudice to be overcome; and though legal enactments may have some influence to this effect, the perfect work cannot be accomplished without moral agencies.

Such agencies may be applied in two modes, and by two classes of agents. The Jews themselves have resting on them a large share of the work to be performed, by exhibitions of personal excellencies; and it must be admitted that they are not backward in the cause, when it is remembered that there are such men as Cremieux, Montefiore, Rothschild, Mendelsohn, Jacopi, and many others in Europe, and when we run over the long list of Hebrews in this country who have done honor to themselves and their race by traits of intellectual and moral excellence. The rest is to be accomplished by those who are not Hebrews—by generous recognition of Jewish good qualities—by bearing frank testimony, at all proper times and places, to all that is worthy of praise—and by taking judicious advantage of every favorable occasion to correct erroneous judgments, and do away irrational prejudices.

A notable instance of generous action on this principle occurred some time ago, in the British House of Lords, on the second reading of a bill for the removal of certain disabilities resting on Jews in England. The Lord Chancellor, after explaining the nature of the bill, and pointing out the hardship and injustice of the existing provisions which it was designed to remove, spoke thus on the general subject:

"I say nothing as to what takes place in France, in Belgium, in the United States, and, above all, in Holland, where, without any restriction, during a great number of years, persons of the Jewish religion have been admitted to high offices; and no inconvenience has resulted from the measure, which has met with the general concurrence of persons of liberal and enlightened minds. A less liberal policy prevails in the Austrian states and in Germany, but there also they are beginning to relax in their rigor. Prussia has set the example to the German states. There, persons of the Jewish religion are admitted to the schools and the universities, where they read lectures and take degrees. The most admirable consequences have resulted from this proceeding, for some of the most learned men in those universities—those who have most distinguished themselves in literature and science—are among those persons. As a proof of the good effects produced in Prussia by this liberty afforded to the Jews, I will read a passage from a letter addressed to me, in answer to one from myself, making inquiries on the subject, by one whose authority is such as to place his opinion above all controversy. He says: 'The civil disabilities have been removed in Prussia earlier than in any of the other German states. This, and the admission to the schools, have had the effect of showing the superiority of the race in intellectual activity and power. Jews, converted and unconverted, hold the highest places in civil life; and those who occupy eminent places are greatly out of proportion in point of numbers, if we compare their numbers with the rest of the population.' This confirms, my lords, what I said of the results that have followed elsewhere to literature and science from the removal of these disabilities; and I urge these things in order to answer the objections started by vulgar minds, who first degrade the objects of their dislike by civil restrictions, and then urge that degradation as arguments for the continuance of those restrictions."

The bill was supported by the Marquis of Lansdowne and Lord Campbell. The Bishop of London said he would not oppose it; and Lord Brougham threw himself into the debate—if debate it could be called, where all seemed to be of one mind—with his customary zeal and earnestness. The Times' report says:

"With his usual eloquence he exposed the absurdity and injustice of all existing disqualifications of the Jews; and hoped that the present generation would see the day when a still more liberal measure would be extended to that people. He willingly took this opportunity of recording his sense of the charitable and munificent conduct of that respectable class to which the present bill referred. Whenever any aid was required from their ample resources, from their charitable and enlightened industry, for promoting wise and useful objects, without regard to sect; and when their own sect was not to profit by their exertions, but when Christians were the gainers, there never was observable, on their part, any tendency to make invidious distinctions. Their purse was open, and their hands were ever ready to work, without regard as to who it was that was to profit by their good work. He never saw them thus acting, without feeling a degree of shame—he might say of contrition—to press on his spirit, when he reflected on the return that Christians made them for doing evil that good might come, contrary to their own faith and morality, by keeping them out of—he would not say their privileges, for that looked like favor, but—the strict rights to which they were entitled as fellow-citizens and loyal subjects of the crown."

VIRGINIA AND OHIO.—A dispute which causes some heart-burning, is now pending between Virginia and Ohio. The case is thus stated in the Cincinnati Gazette:

"On the evening of the 19th instant, after dark, six slaves belonging to Mr. Howard, of Wood county, Virginia, attempted to escape from bondage. They succeeded in reaching the bank on this side of the river, where a large number of Ohioans were standing. Seven of this number went down towards the river, and helped the negroes in carrying their baggage up the hill. At this moment, six Virginians, who were concealed in the bushes near by, rushed upon the crowd, dispersed them, seized three of the men who aided the slaves—Messrs. Loraine, Garner, and Thomas, of Washington county, Ohio—forced them on board a boat, and took them before a magistrate at Parkersburgh, Virginia, by whom they were committed to prison."

A preliminary trial of the prisoners took place at Parkersburgh, Virginia, on the 25th, and resulted in their being remanded to prison for final trial at the circuit superior court on the 1st of September. The court expressed itself desirous to admit the prisoners to bail, but regretted that it did not consist with their conviction of duty to do so.

The "Cincinnati Gazette" expresses much indignation at the arrest and imprisonment; and we think justly, if the arrest was made within the limits of Ohio. Says the "Gazette"—

"The position assumed by the authorities of Virginia is this: *That citizens of Ohio, living here, and never having set foot on the soil of Virginia, are yet amenable to her law.* This doctrine is monstrous, and its simple statement is enough to prove it. Where are these Ohioans' homes? Where did they commit the crime alleged against them? In Washington county, Ohio, and not in Wood county, Virginia; and they are held there now contrary to law, and treated as felons by a tyranny which the rude old barons under King John spurned."

[*New York Journal of Commerce.*

MORE MYSTERY.—It is now stated that another—the fourth—attempt has been made to murder Mr. Henry M. Paine, of Oxford, Massachusetts, who, it will be remembered, was first waylaid and robbed at Washington. The whole affair is full of mystery. The circumstances connected with this last development are stated by the Worcester Transcript as follows.—*Baltimore Sun.*

"On Saturday afternoon, Mr. Paine, after having performed some slight services in his office, had sent a boy for some cigars, seating himself in the meantime in the doorway to await his return. While sitting there, which was about half-past three o'clock, and while in the act of examining a piece of work which had been brought to him by a man in his employ, named Holburson, who stood at his right hand, and a little in his rear, Mr. Paine suddenly reeled from his chair, and fell upon the floor. An alarm was given, and some dozen or fifteen hands, who were in the shop adjoining the office, rushed in, supposing him in a fit. Mr. Paine was raised up, and in four or five minutes seemed to recover himself, when he immediately inquired what struck him; and when told that no one had done so, replied, 'Then I am shot;' at the same time putting his hand on his breast, where, on examination, he was found to have received a severe wound.

"From the position in which Mr. Paine was sitting, it is supposed that the ball came from the direction of the woods, on the opposite side of the stream, which runs in front of the office—the distance from the wood to the office being about eighty feet; the ball striking Mr. Paine on the left breast, a little above the heart; glancing off, without perforating his garments; grazing, in its course, the wrist of Holburson; and dropping upon the floor, where it was soon after found. No report of a gun was heard, but some of the hands think they heard a noise resembling the flying of a cork from a beer bottle.

"The ball (which, by the way, we have seen) could not have been discharged by a common gun, as there is neither smell nor appearance of powder upon it; but it is wound with a piece of twine, as if to be used in an air-gun. The wound of Mr. Paine, which has been examined by Dr. Bates of this town, and by many others, is described as being much inflamed, with a white line an inch and a half long through the centre, corresponding in width with the ball found on the floor."

"We learn," says the Boston Traveller, "that this extraordinary affair has produced much excitement in Oxford; and that people in great numbers have been scouring the woods, to discover the assassin, but hitherto their efforts have been in vain. We trust that no efforts will be spared by the citizens of Oxford to bring to light every fact which has a bearing upon this case. A thorough investigation of the matter is due to the public as well as to Mr. Paine himself."

MOST SPLENDID!

$75,000!—25,000!!—$15,000!!!

GRAND ALEXANDRIA LOTTERY,

Class A, for 1845.

To be drawn in Alexandria, D. C., on Saturday, 27th of September, 1845.

78 number lottery—13 drawn ballots.

MAMMOTH SCHEME:

1	grand capital of	$75,000
1	splendid prize of	25,000
1	do do	15,000
1	do do	10,000
1	prize of	9,000
1	do	8,000
1	do	7,000
1	do	6,000
1	do	5,000
1	do	4,000
1	do	2,847
5	prizes of	2,500
10	do	2,000
20	do	1,750
20	do	1,500
50	do	1,000
170	do	500

Besides prizes of $400—$250, &c. &c.

Whole tickets $20—halves $10—quarters $5—eighths $2 50.

Certificates of packages of	26 whole tickets,		$260 00
Do do	26 half	do	130 00
Do do	26 quarter	do	65 00
Do do	26 eighths	do	32 50

Orders for tickets and shares and certificates of packages in the above splendid lottery will receive the most prompt attention, and an official account of the drawing will be sent immediately after it is over, to all who order from us. Address

J. G. GREGORY & CO., Managers, Washington City, D. C.

July 29—2aw6wd&cpif

FRESH DRUGS AND CHEMICALS.—F. W. FULLER has taken the store recently occupied by E. F. Buckingham, at the corner of Pennsylvania avenue and 12th street, and procured from the northern cities a full and complete assortment of fresh drugs and chemicals of the best quality.

Having had an experience of nine years in the drug business, more than three of which were spent in one of the best establishments in Philadelphia, where he enjoyed the benefit of the lectures of the Philadelphia College of Pharmacy, he is prepared to dispense medicines in the best manner. His whole personal attention will be given to the compounding of physicians' prescriptions by night as well as by day, and all medicines will be put up with the greatest care and accuracy.

All the new preparations procured as soon as they appear. June 30—3weo

MAP OF OREGON; by the Exploring Expedition—price 37 cents. A few copies for sale by FRANCK TAYLOR.

July 30.