THE GAZETTE
LITTLE ROCK.

TUESDAY.....JUNE 22, 1830.

A SUPPLEMENT,

Of a *whole sheet*, accompanies this day's Gazette, for the purpose of enabling us to publish the whole of the Orders of the Superior Court on the adjudication of French and Spanish Claims to land in this Territory, made at the late May term of that Court. Those orders commence on the 4th page of this paper, and are continued on the 1st page of the accompanying Supplement.

Correction.—In a few of the first numbers that were struck off of our last paper, the name of *James B. Thornton*, of N. H., was erroneously inserted instead of VIRGIL C. MANIE, of Md., who has been appointed 2d Comptroller of the Treasury, vice *Hill*, rejected.

His Excellency JOHN POPE, Governor of the Territory of Arkansas, returned to this place, on Saturday evening last, from Kentucky.

We understand a gentleman arrived in this neighborhood yesterday, who left Washington after the adjournment of Congress. He reports, that the bill which contained the appropriation of $15,000, for removing the obstructions in the Arkansas river, was not approved by the President.

The Steam-boat Waverley, Capt. Pennywit, passed here, between 8 and 9 o'clock on Saturday night last, with a full freight, from Mouth of White river, and departed next morning for Cantonment Gibson.

We understand the Waverley will make one more trip (after the present one) from the Mouth of White river to Cantonment Gibson—after which she will proceed to Louisville.

The Steam-boat Traveller, bound up, we understand, is aground at or near the Eagle Bend, 15 miles below this place.

The TORNADO which passed over our town on the night of the 31st ult., appears to have extended its ravages into Tennessee, and to have created devastation wherever it went. An account of its terrible effects at Charlotte and Shelbyville, will be found in this day's paper. It passed this place between 8 and 9 o'clock, and reached Charlotte about half past 10, a distance of about 265 miles in a direct line: from thence it appears to have turned to the south-east, and reached Shelbyville, about 70 miles farther, about 12 o'clock, the same night—having travelled a distance of about 335 miles in the short space of about *three and a half hours!*

CONVICTION FOR MURDER.

We are indebted to a friend at Helena, for the following outlines of the trial, during the late June term of the Circuit Court of Phillips county. Hon. JAMES WOODSON BATES, presiding, of *William Lockhart*, on an indictment for the murder of *James Selbey*, which was recently committed on the Mississippi river, under the most aggravating circumstances.

It appears from the testimony, that Mr. Selbey was a pedlar on the Mississippi, and that he had in his employment a man by the name of Mayfield, who assisted him in working his boat. Lockhart got on board about 50 miles above Helena, for the purpose of descending the river. Having ascertained that Mr. Selbey had considerable money, which he had taken on on the sales of his cargo, he formed the plan of murdering and robbing him, and, by means of threats, induced Mayfield to join him. [It must here be noticed, that Mayfield was first arraigned on an indictment for aiding and abetting in the murder, and acquitted, and then took a witness in the trial of Lockhart.]

Mayfield's testimony is clear and positive as to the fact of the murder. He swore that Lockhart threw the old man (Selbey) into the river, and that Selbey asked him (M.) to help him as he took hold of his hand and was helping him in, when Lockhart interfered and prevented him from doing so. The old man (S.) begged him, (L.) "for God's sake not to kill him; that he would give him all his money and every thing he had, if he would spare his life so that he could once more see his wife and children." Lockhart replied—"D——n you, I'll kill you my how, for if I don't, you will have me hung for what I have done;" and pushed him again into the river, and struck him three or four blows, which Mayfield thought must have been fatal to the victim. The witness afterwards saw what he supposed to be the lifeless body of Selbey floating motionless in the water. The witness was the only one who swore positively to the murder, but his testimony corresponded in every particular, and was corroborated by the circumstantial testimony of 30 or 40 witnesses, as to leave no doubt on the minds of the Jury of its correctness. Immediately after the murder, Lockhart found a consider-[able] sum of money, estimated from $200 to $300, a small portion of which he gave to Mayfield. He then, after taking on a few articles of goods, scuttled the boat, and sent her off. The boat was shortly afterwards taken near Helena, under circumstances which led to the apprehension of Mayfield; and his confession on the examination, led to the pursuit of Lockhart, who was a few days afterwards taken in Missouri, and brought back for trial.—The Jury were out only a few minutes, when they returned with a verdict of GUILTY.

We have received a copy of the sentence pronounced by the Court, but have not room to spare for its insertion this week. The prisoner, *Wm. Lockhart*, was sentenced to be executed on Wednesday, the 7th day of July next, between the hours of 11 and 3 o'clock.

The prosecution was conducted by E. T. CLARK, Esq. Pros. Atty. The prisoner being unable to employ Counsel to defend him, the Court assigned him Messrs. *Wm. Cummins* and *R. Crittenden*; but they having declined to act as his Counsel, the Court then, at the request of prisoner, assigned him Mr. *W. B. B. Horner*, who also declined. The prisoner therefore had no Counsel, but the Court was ever guardful of his rights, and told him all that he was entitled to by the laws, &c. in such cases.

The following letter to a gentleman residing in Hempstead county, giving an account of a most unprovoked murder that was recently perpetrated in the Parish of Natchitoches, La., has been placed in our hands, under the hope that its publication may lead to the apprehension of the murderer.

Natchitoches, La. 4th June, 1830.

MR. WM. P. HICKMAN.

Dear Sir—On Thursday last, Mr. *E. Ogsbury*, Dep. Sheriff, went about 7 miles from this place, to serve an attachment on a negro belonging to COLLIN M. GRAHAM, for your debt. Graham induced him to go a short distance into the woods with him, and there shot him in the breast with a pistol. Mr. Ogsbury died in about 10 minutes. Graham immediately took to the woods, and has made his escape. It is thought he crossed Red river last night, near Grand Ecore, and is shaping his course toward Arkansas. A large reward is offered for him—I believe $500. You will please use every exertion to have him arrested, if he should go to Arkansas, and send word down to the Prairie, and to Milam's settlement, as it is supposed he is anxious to go to Texas, and he cannot cross the Sabine below.

Yours, &c. W. L. COCKERILLE.

The following description of the murderer has been furnished us by Mr. Hickman:

Collin M. Graham is about 35 years of age, thin visage, dark complexion and hair, and about 5 ft. 6 inches high; is a man of some intelligence, of good address, very plausible in his manners, and remarkably smooth-tongued in his conversation. He resided and made a crop last year in Fisher's Prairie, Lafayette county, and is pretty well known in the southern part of this Territory.

The following communication comes from a respectable and responsible source; and the writer, in a note accompanying it, says—

"If at any time the name should be called "for, in *person*, by any individual who may feel "aggrieved, and say, in writing, that his object "is honorable or personal satisfaction, you are "requested to give him my name; but not to "gratify curiosity, or in answer to any written "communication from a distance."

For the Arkansas Gazette.

THE INDIANS!—CHAPTER FIRST.

There is a point of endurance in human suffering, beyond which submission is meanness, and silence would be worse than base slavishness. To remedy galling evils, requires some effort; how much greater, then, must be the exertion necessary to overcome vast evils, when a whole community experience the anguish of hope deferred, and promises violated or totally disregarded.

For any individual to undertake, singly, the achievement of any thing truly valuable to mankind, without the hope of a just and faithful cooperation of those in power, would be as vain as it would be ridiculous. But there is a polar star always existing in the moral, as well as the physical world, which should regulate the course of the mariner, sailing on either ocean. My course shall be directed to the genius, integrity, and intelligence, of the President of the United States, as the polar guides, which are to conduct the Philanthropist to that haven, which will secure to the Indians justice and stay the hand of their rapacious and cruel oppressors.

The Indians were induced to migrate to Arkansas—first, by the promises of Jefferson, supported by the treaties of Monroe, and again renewed and strengthened by those of Adams.—They confided in the pledges given, and to the acceptance of which they were invoked by the courtesies of the Government and the kind expressions of its officers—avowing as the object of the whites—the preservation of the Indian tribes—the communication of civilization, intelligence, and morality—perfected into bliss, by the aids of Christ's holy religion. These were exalted motives—such as would reflect real benefits on the Indians, and throw back upon the character of the United States, honor and the brightest sunshine of national glory. It would associate well with the highest achievements of heroism and intelligence that have ever emblazoned the American character! It would sustain the integrity of the country, and comport, seemly, with its character at a distance. It would present the rare and beautiful spectacle, of a country, renowned in arms, vast in her resources, unconquerable by foreign enemies—repusing in the consciousness of her own power—at the same time cherishing a love of justice, in sustaining the faith of treaties—redeeming her pledges solemnly, and voluntarily given to a people, from whom power, united with injustice, can only withhold their fulfilment!

Where stood the Indian of other days? He stood on the shore of the Atlantic, and beheld, each morning, the sun rolling from the bosom of its green waves. In that sun he beheld *his* God, and bowed in homage to the shrine. He felt that no intermediate creature could usurp the throne of *his* Divinity. He was monarch of the wilds, and his bravery and step proclaimed him, "every inch a king." That age has long gone by—the aboriginal character is almost lost in the views of the white man, or by a series of impositions. A succession of injuries has broken his proud spirit, and taught him to kiss the hand which inflicts upon him stripes—to cringe, and ask favors of the wretch, who violates his oath, by defrauding him out of his annuities, or refusing to pay him money promised by treaties—hoarily retaining it, for purposes of speculation—by becoming a partner in trade, with creatures selected for the purpose—or a secrete *partner*, in all contracts for which the Government has selected him as its agent.

If this were the limit of injustice to, and fraud upon, the Indians, and peculation upon the Government, it would be tolerable—but when, added to this, the introduction of ardent spirits, in vast quantities, by the *agents*—the quantity sold by their knowledge, and with *their* connivance, ensures to the Indians, a *certain*, if not a *speedy* destruction!

It would require much time, and attention to this subject, to place it in a situation, where the wisdom the President would be brought to act fairly upon it. For that purpose, the writer of this article will pursue the subject, by chapters, in which he holds himself pledged to exhibit a scene of corruption in the agents of the United States, without a parallel—unless, it is to be found in the conduct of Warren Hastings, while employed in the East Indies. At the same time that he regrets the necessity of exposing delinquents to deserved odium—he will nevertheless feel himself warranted, in so doing, by the facts and circumstances of the case.—They were, or are at this time, public functionaries, and as such they are amenable to public censure. They have betrayed and abused public trust, and therefore deserve public denunciation! And however earnest the writer of this article may be, in his wishes to see all the Indians, now residing East of the Mississippi, removed to Arkansas, he must confess, that until the Government does appoint honest and capable Agents, for the different tribes already here, it would be a hapless journey for those to undertake who are in search of peace or happiness. Were it not for the injustice of the Agents to the Indians, on the Arkansas, I should deem it the most appropriate abode of the Indian. He might indeed look to this, as a land of happiness and contentment. But until suitable Agents are sent to them, they can only regard this as the land of *promises!* where fraud will supplant faith, and injustice triumph over humanity! At this very moment many emigrants are destitute of provisions promised to them by Government, under the treaty of 1828, while hundreds are ready to furnish the accustomed rations at six or seven cents each.—When will justice be done? *Delenda est Carthago!*

TAH-LOHN-TUS-KY.

SUNDAY MAILS.

The following communication, from the Rev. Mr. HENRY, a young, but highly respectable and promising member of the Methodist Church, is published in pursuance of a rule which we have never departed from—that of giving *both sides* an opportunity of being heard, whenever we have opened our columns for a temperate discussion of any subject.

For the Arkansas Gazette.

MR. EDITOR: *Sir*—I have just read Gov. POPE's letter, dated Washington City, March 18th, to his Presbyterian friend, on the subject of Sunday Mails, and offer you the following passing remarks thereon:

We heartily concur with his Excellency, in saying, that "no society in the nation is more respectable for intelligence, good order, and respect for the laws and constitution of their country: none more friendly and liberal to literary institutions;" and, I would beg leave to add, none more strictly observe the Holy Sabbath, than the Presbyterian Society. I am not a Presbyterian, but am happy that a society, so respectable for talent, and intelligence, and which has never been charged with fanaticism, or wild enthusiasm, on religious subjects, should stand as the front rank of those who are pleading for the sanctity of a seventh part of the time, as hallowed by the Supreme Ruler of the Universe, when he rested from his work of creation. His Excellency warmly exhorts his friends, "to desist from annoying Congress with memorials about Sunday Mails," for "with *Sunday*, as a religious matter, Congress have nothing to do." We have now, for the first time, learned that that honorable body, as such, was exhonerated from rendering obedience to the laws of Heaven. He had certainly forgotten, that "the powers that be are ordained of God," and should therefore have respect, in their official capacity, and in *all* their legislative and executive acts, to the laws of Him by whom Presidents rule and Senators make laws. As another reason why they should cease to *annoy* Congress, His Excellency says, "your object, with regard to stopping the Sunday Mail, can never be realized." Whether in this case, the "spirit of the prophet has been subject to the prophet," we leave for time to show; but this, however, we know, that there had not been wanting such prophecies concerning every great enterprize, connected with the establishment of the Redeemer's kingdom among men. How often has infidelity prophesied falsely of every attempt to christianize the heathen? How many viewed the benevolent enterprize of a Howard, as visionary and utopian? And who does not remember the prophecies concerning that most God-like *scheme* of Clarkson and his associates, to put a stop to the African slave trade?

But some of the noble enterprizes have succeeded, in despite of opposition, and others are succeeding beyond the most sanguine expectations of their benevolent promoters. Now, although I am not a prophet, nor the son of a prophet, I will venture to predict, that, before our next national jubilee, this nation will be found respecting and honoring the first day of the week, as the Holy Sabbath, in all its public proceedings.

His Excellency follows Mr. Johnson, in urging the necessity and propriety of the transportation of the mail, and consequent labors of the postmasters, on the first day of the week, in order to the political and commercial safety of the nation. The first of these, never can render it necessary in time of peace; and the last never can endanger the commercial interest of the nation. It may, perchance, endanger the commercial interest of a few individuals, but many of the memorialists to Congress were wealthy, enterprizing, and intelligent merchants; and they apprehended no danger from a suspension of the whole Post-office business on that day. But if commercial interest dispenses the obligation, to keep holy a seventh part of the time, why may not agricultural or mechanical interest? But the truth is, a pecuniary loss can never be a real loss, if it be sustained through obedience to a Divine commandment.

But it is said, Congress cannot suspend the operations of the Post-office Department, without deciding a great religious controversy, and legislating over the consciences of some of the peaceable citizens of these United States. The sophistry of this specious argument is obvious. Suppose Congress should pass a law, suspending *all* the operations of the Post-office Department on the day of the week called Thursday, who would think the conscience of any individual affected by such a law? And as to deciding a religious controversy, we cannot see how that would be. The plain truth is, the state councils, and the national councils of this, and of all christian nations, have ever recognized the first day of the week, as the proper day to be observed, in obedience to the Divine command, as a holy rest.

But that law which requires the transportation of the mail on every day, and postmasters to keep open their offices a certain part of every day, is, as we imagine, an emanation from infidelity, and is manifestly oppressive to the consciences of *all* serving then romans in the post-office department, who believe that God, by Divine appointment, has hallowed a seventh part of the time from secular business. His Excellency farther says, "the extreme rigor of former days has yielded to a more rational observance of the Sabbath." Of this, however, we are not sure, for we cannot find, that the same high authority which enacted, has ever repealed that law, which says: "thou shalt not do *any* work, thou, nor thy son, nor thy daughter, nor thy man-servant, nor thy maid-servant, &c." To His Excellency's Presbyterian friends, if they should see this, and to all others, we would say, pursue steadily, and with a zeal, according to knowledge, your holy purpose—be neither frowned nor flattered from it—and your success is certain.

JOHN A. HENRY.

June 7th, 1830.

Washington City, May 21.

The bill reported yesterday in the H. of R. by the title of "a bill to encourage ship-building in the United States," proposes an allowance to the owner of any vessel of over 20 tons burthen, built, equipped, repaired, or supplied in the United States, of a drawback of the amount of duties which now are or may be hereafter levied on the iron and sail-cloth consumed in the building, &c. on the quantity of hemp and unhackled flax used in the cordage, cables, and sail-cloth, consumed for the purposes aforesaid, when manufactured in the United States; provided that no drawback shall be allowed unless claimed within twenty days after completing the equipment, &c.: that no amount of drawback shall be allowed on foreign canvass beyond the amount of duty which the foreign raw material would have borne had it been manufactured in the United States: and that no amount of drawback shall be allowed less than 50 dollars. The bill also provides for allowing a drawback of two cents per pound on all cordage and cables manufactured in the United States from foreign hemp and exported in conformity to existing laws for the benefit of drawback.

It is not probable that this bill will be acted upon at the present session of Congress. [*Nat. Intel.*

Curiosity induced us to reckon up the number of Clerks regularly employed in the several public offices at the Seat of Government as stated in Force's Calendar. We find the number to be something over two hundred and forty; a considerably smaller number than we had supposed. Of these, one hundred and thirty-eight are employed in the Treasury Department and its dependent accounting offices, and Land Office, and fifty-nine in the Post Office Department. [*ib.*

May 25.—It is understood that the President of the U. S. yesterday transmitted to the Senate a Message nominating *John Randolph* of Virginia, to be Minister to Russia, and *Heman Allen* of Vermont (late Minister to Chili) to be Charge d'Affaires to Brazil.—These nominations have not been acted upon.

From the fact of a bill having been yesterday reported by the Committee of Ways and Means in the H of R., for appropriating 22,500 dollars for *outfits* to a Minister to Russia, and Charges d'Affaires to Brazil, Chili, and Peru, we infer that nominations are also to be made, before the close of the session, to the two latter stations. [*ib.*

May 26.—The Senate, yesterday, after the transaction of Executive business, resolved itself into a High Court of Impeachment, for the trial of James H. Peck, Judge of the United States Court for the District of Missouri; and the Members of the H. of R. preceded by their Speaker, having entered the Senate Chamber, and taken the seats assigned them, and the accused having also been introduced, he was called on by the Vice President for his answer to the article of impeachment. The answer was then read by Mr. Meredith, one of Judge Peck's counsel; and on motion of Mr. King it was ordered to be printed. The court of impeachment was then adjourned, to meet again on the 2d Monday of the next session of Congress. On motion of Mr. Kane, one of the majority, that the Senate reconsider the vote of the 22d inst. on the question of engrossing for a third reading, the bill to exempt merchandise, imported under certain circumstances, from the operation of the tariff act of 1828, and on motion of Mr. Kane, ordered that the motion lie on the table. The Senate then adjourned.

In the Senate, yesterday morning, a short time was spent in the consideration of Executive business, but nothing material done. The rumor of Mr. Randolph's nomination as Minister to Russia, is confirmed. Ethan Brown of Ohio, was nominated as Charge d'Affaires to Brazil. John Ham, of the same state, was at the same time nominated as Charge d'Affaires to Chili. Neither of these three nominations has been acted upon.

The proceedings in the case of the impeachment of Judge Peck broke in upon the day's business of yesterday in both Houses of Congress. Little was done in the Senate beyond the hearing of Judge Peck's argument and plea, by his counsel, to the article of impeachment exhibited against him by the H. of R. An early day in the next session was then fixed upon for entering upon the trial of the impeachment.

In the H. of R. after their withdrawing from the Senate, the Indian bill came up, and another of those votes were taken which are almost without precedent in the history of Congress. On the motion for the previous question on the passage of the bill, the votes were 99 to 98—a single vote only of a majority; and so, the house having determined against having the main question *now* put, the whole business lies over to the next (this) day—the fate of the bill being yet uncertain. The previous question has become an every day question—as familiar almost as that of the third reading of a bill.

The bill subsequently passed the House—ayes 192, nays 97. [*ib.*

Memphis, June 9.

Our last advices from New-Orleans, which are up to the 2d inst. left the Cotton Market in a rather languid state—with a heavy, and accumulating stock on hand. No actual decline in prices had taken place. Pork, Bacon and Flour were in ready request—Coffee and Sugar looking up. [*Adv.*

The great Western mail, which carries to every part of Arkansas, and to some parts of Louisiana and Missouri, arrives every Sunday at 5 P. M. and closes on the same day, at half past 5 P. M. [*ib.*

River News.—On Monday night, the 7th inst. a severe gale was experienced on the river; no damage, however, was sustained except the loss of a few anchors, cables, &c. On Friday the steamer La Fourche, passed this place working her way up with but one boiler, and on the same day the *Helen McGregor*, Tyson master, returned to this place, for the first time since the unfortunate accident which happened to her in February last, having in the mean time, undergone a complete and thorough repair. In coming to, she saluted the town by the discharge of several guns, which were returned, from a field piece on shore. After remaining sufficiently long to afford himself an opportunity to return his obligations to the citizens of our town, and to receive their well wishes for his future prosperity, the Captain proceeded on his journey to New-Orleans. [*ib.*

A scientific correspondent in the Dublin Journal, says that a young Officer of high rank in the army has invented a substitute for steam, in an expansive vapour, which, when produced, does not require any addition of fuel or fluid, for a very long period, as it repeats its works, escaping and returning through the same cylinder. It is derived from a compound of sulphur, charcoal, and two other ingredients which are not named, which, with a tea spoonful of fluid heated to 100 degrees less than boiling water, will give sufficient vapour to raise a ton of water.

The Magnolia (Florida) Advertiser, states that the existence of the *Manitea*, or Sea Cow, in that country can no longer be doubted, the bones and skins of several of them having been obtained from the Indians, by the officers of the garrison at Tampa Bay. Liberal offers have been made to the Indians to produce one entire, dead or alive.

Gold in Tennessee.—We have understood from unquestionable authority, that Gold has been found a few miles South of Tellico Plains, in the Cherokee Nation, and within the limits of Tennessee. Some of the Gold has been brought here, essayed, and found to be of an excellent quality. There are already two or three hundred persons in search of the precious metal at that place. We may expect a fair price for corn next fall!

Three East-India ships with valuable cargoes, arrived in New-York on one day.

R. C. BYRD,

HAS received, in addition to his former stock of Goods, a general assortment of Summer Clothing; a few bbls. of fresh Brandy, and a lot of Kentucky Bacon Hams, Shoulders and Middlings—all of which he will sell low for cash in hand.

Little Rock, June 22. 26-4w

THE members of the Arkansas Bible Society, instituted at Little Rock, April, 1829, are requested to meet at Mr Brown's Academy, on Thursday the 24th inst. at 5 o'clock, P M.

C. P. BERTRAND. *Rec. Sec'y.*

Little Rock, June 22