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TERMS:
Three dollars per annum, paid in advance, or Four dollars at the end of the year.
Advertisements commenced on the first of the month, and charged accordingly. All accounts for advertising, above \$25 and under \$50, 25 per cent. deduction—above \$50, 40 per cent. deduction.

Ague and Fever.
And every Symptom of General Debility,
SPEEDILY AND PERMANENTLY CURED BY
COSTER & COX'S
Original
SOUTHERN TONIC.

COSTER & COX, the inventors of this celebrated medicine, from a long residence in the South, and from the nature of their vocation, have brought immediately into contact with the Ague and Fever in its most obstinate forms, and have frequently been compelled to witness the entire want of success in the practice of the most skillful Physicians. The usual and popular mode of treating this disease has been, first to evacuate the stomach and bowels, and then resort to the use of Tonic—of which class of Medicines a very great variety have been recommended to the Public— all of which have had their advocates, and that which has been by far the most popular one, has been Peruvian Bark and its preparations, particularly that of Quinine. There are insurmountable objections to the administration of Quinine, as to most individuals, (when carried to a salutary point), it produces a roaring in the ears, a redness of the face, very similar to a bilious headache; and when it effects a cure it is seldom permanent. It was the hope of avoiding this state of things that induced us to try "the Southern Tonic," and we are happy to say that its success has surprised even us. As there is no Arsenic, Mercury, or any thing in the least hurtful to the human constitution in it, there can be no objection to the administration of the Southern Tonic to the most tender infant; indeed it will be found the most delicate and effective Medicine known in those cases of Disorganized Stomach and Bowels, and of general Debility, which so frequently prevent themselves of a few Individuals.

We submit the opinion of **J. B. HOGAN**, Collector of the Port of Mobile—formerly Senator from the counties of Mobile, Baldwin, &c. Acting Adj. and Inspector General of the Army in the recent Creek Campaign, &c.

MOBILE, Aug. 18, 1836.
GENTLEMEN—During the late Campaign, I was attacked with the Bilious Intermittent Fever, which for several days confined me to my quarters at Tallahassee. Your "Southern Tonic" was recommended to me, and my friend Dr. Bussey, actually rode from Tallahassee to Montgomery and back in one day to procure me a bottle, which entirely relieved me, and enabled me, before I had taken half a dozen, to proceed on my journey, and join the army on Hatachuchee. Since my return home my son was attacked, and I sent into the city for your Tonic, and regretted to learn there was none for sale in Mobile. Cannot you send some to this place, so that our citizens may enjoy the benefits of this best medicine of the sort? I have every reason to believe that this tonic will confer a favour on the afflicted, and oblige one who has already experienced its beneficial effects. Your obedt. servt.
J. B. HOGAN.

From **J. R. M'LEOD, M. D.**
MONTGOMERY, Nov. 1835.
Messrs. Coster & Cox:
GENTLEMEN—I have used your Southern Tonic in a number of cases, and I have no hesitation in saying that I have found it decidedly more efficacious in Ague and Fever than the remedies in general use. Its merits in its judicious combination of Stimulant, Purgative, Tonic and Diaphoretic qualities. Respectfully,
J. R. M'LEOD.

Extract from a letter from **Capt. STRINGER**, of the U. S. Army.
COLUMBIA, June 13, 1836.
Governor Clay of this State is with us, and has frequently introduced the mention of the great relief he received from the use of your Southern Tonic in my presence. It is evident he is assured that he is indebted to your medicine for his speedy recovery from his recent severe indisposition. His good opinion of it is certainly a high compliment.
Yours, truly,
THOMAS STRINGER.

MONTGOMERY, June 30, 1836.
Messrs. Coster & Cox:
GENTLEMEN—I have used your Southern Tonic with unparalleled success. In several cases of Ague and Fever accompanied with one bottle of this invaluable medicine.
JESSE H. MOSELY.

FROM AGENTS.
CAHAWBA, August 5, 1836.
Messrs. Coster & Cox:
GENTLEMEN—It affords us pleasure to add our testimony, founded on experimental knowledge, to prove the efficacy, and establish the reputation, of your invaluable Southern Tonic. We have sold you sent us except two bottles, which were broken, and we have not heard of its falling in the first instance. You will please send us 10 dozen bottles by the first opportunity, without fail, and oblige yours, &c.
HARVEY & CREIG.

From our representative to the Legislature, Col. **Jno. Campbell.**
GENTLEMEN—No medicine stands so high in my estimation as your Southern Tonic for the cure of Ague and Fever. I used it at first by the advice of my family Physician, with success, and its effects upon more recent cases have been equally gratifying. Yours, truly,
JNO. A. CAMPBELL.

From **Wm. M'LeMore, Esq.**, a member of the Legislature, Alabama.
MONTGOMERY COUNTY, Dec. 1, 1835.
Messrs. Coster & Cox:
DEAR SIRS—I feel gratified by this opportunity of testifying to the merits of your "Southern Tonic." I have used it in many cases in my white and colored family, and not one case failed. In short, I assure the public that it is in my opinion, the best medicine for the cure of Fever and Ague now in use.
Very respectfully,
WM. M'LEMORE.

From **Major J. B. MORSE.**
DEAR SIRS—I have been afflicted with Ague and Fever for a long time, and although the remedies which were prescribed gave me temporary relief, yet none removed the cause of the disease, and thereby permanently cured me till I used your Southern Tonic. It did so. This gave me great confidence, and as I saw that you had recommended it in cases of debility, general weakness, and inactivity of the digestive organs, I induced my wife, who had been laboring under these symptoms for a year or more, to try it. She used one bottle with some evidences of an increase of health, and a few bottles more taken in moderate doses entirely cured her.
Respectfully, yours,
J. B. MORSE.

Prepared only by **COSTER & COX**, at their Laboratory, Montgomery, Alabama, and sold by their Agents in every part of the United States, &c.
Sole Agent for the City of Columbia, A. FITCH.
N. B. Druggists and Country merchants will be supplied at New York Prices.
Dec. 3



Potato Oats.
JUST received a few bushels of this valuable grain, from Thorburn of New York, weighing 50 lbs per bushel. Also three bushels of the eight that is the best that has ever been raised from one quart of the Potato Oats, weighing 45 lbs to the bushel.
At the Garden—Apple Trees, Pear Trees, Green Gage Plum Trees, Damson ditto, Peach do. Some very rare Fig Trees; Ornamental Trees and Shrubs; 1000 Giant Asparagus Roots; Chinese Olub-tree or Tree of Heaven, with leaves 4 feet long; Willow leaved Catalpa, beautiful flowers; Sterculia Platifolia or varnish tree, leaves like a lady's parasol; Moss Roses; Lady Banksea Roses; Velvet do. N. B. The subscriber can always be found at the Seed Store or at the Garden.
R. E. RUSSELL,
Seedman and Florist.
Jan 13 '37

State of South Carolina.
UNION DISTRICT.
IN CHANCERY.
Willis Benson, et al. vs. Bill for Partition.
Elias Benson, et al.
Appearing to my satisfaction that Elias Benson, et al. and Theresa his wife, W. W. Stokes, and his wife Elizabeth, late Elizabeth Foster, William B. Stokes, Melinda Stokes, Hiram Tatum and his wife Ellen, late Ellen Stokes, James Tiquor, and his wife Eliza, late Eliza Stokes, and his wife John Stokes, and his wife Rachael, late Rochae Stokes, Rebecca Stokes, Nancy Stokes, and John F. Stokes, defendants in the above stated case, and heirs at Law of Abner Benson, late of Union District, deceased, reside beyond the limits of this State. It is therefore, on motion of Dawkins, Solicitor for complainants, ordered that said defendant, Elias Benson, et al. be and they are hereby ordered to appear at the Court House, in the City of Charleston, within three months from the publication of this order, or the said Bill will be ordered pro confesso, as to them.
Commissioner's Office,
Union C. H. Jan. 10th, 1837.
D. WALLACE, C. E. U. D.
January 21



DR. PETERS' Vegetable Anti-Bilious Pills.
HAVING now acquired an exalted reputation in private practice by an invincible efficacy which could only have resulted from their exalted worth, has convinced the proprietor that he has only to make them extensively known to render that reputation universal.
It is only a few years since these Pills were first presented to the Public, but in that time some thousands of persons might be found who would solemnly declare that they believed their lives were saved by them, and in many cases after they had tried most of the common remedies in vogue. Wherever they are known they are rapidly coming into use and thus affords the most substantial and convincing proof of their merits.
They are composed entirely of vegetable matter, and honestly promise no more than they faithfully perform.
A physician of eminence who had witnessed the efficacy of these Pills in his own private practice, had the candor recently to acknowledge to the proprietor, that he had never used an article that answered a better purpose for what they are recommended, and that they ought deservedly to stand at the head of the whole class of such remedies. Perhaps no article of the kind ever offered to the Public, supported by testimonials of a character so decisive, from sources as respectable, or that has met with more general favor.
These Pills have been most successfully employed in almost every variety of functional disorder of the Stomach, Bowels, Liver, and Spleen; such as Heart Burn, Acid Eructations, Nausea, Head Ache, and other disorders of the Stomach and Bowels, such as Indigestion, Cholera, Jaundice, Flatulence, Habitual Costiveness, Loss of Appetite, Sick Head Ache, &c. They are a safe and comfortable aperient for females during pregnancy, and subsequent confinement, relieving sickness of the Stomach, Head Ache, Heart Burn, and many other nervous Affections, in young men, students, and most other persons of sedentary habits, find them very convenient. Those who indulge too freely in the pleasures of the table, find speedy relief from the sense of oppression and distention which follow, by taking the Pills. Those who are drinking Mineral Waters, and particularly those from Ague and Fever districts, will find them a valuable adjunct. Those who are exposed to the vicissitudes of weather, on voyages or journeys, can take them at all times with perfect safety.
Dr. P. having been educated under the most eminent American and European Medical professors, and practiced his profession many years in different climates, considers himself well qualified to judge of the nature of invertebrate disease.
Prepared by Joseph Priestly Peters, M. D., at his institution for the cure of obstinate diseases, by means of vegetable remedies, No. 129 Liberty street, N. Y. inventor and sole proprietor. Each box containing forty Pills. Price 50 Cents.

DEATH AND DISEASE.
Mens sana in corpore sano.
'A mind well lodged, and masculine of course.'
DEATH AND DISEASE the other day,
And thus they gossiped on the way.
DEATH—How comes it friend, in every shape,
You see so many folks escape?
A few years hence, and you may find
One sick, you laid upon the shelf.
Dyspepsia then had power to kill—
Asthma defied the doctor's skill—
The lancet too at all times sought,
Its hecatomb of victims brought;
Then Costiveness could fatal prove,
And Rheumatism no power remove,
A simple cold where'er you went,
A subject to my kingdom sent.
How comes it then, that now-a-days,
Folks slip your gripe and go their ways?
Asthma subsides—Dyspepsia's cured,
A few years hence, and you are dead,
The sick to day forget sorrow,
And laugh at both of us to-morrow.

DEATH AND DISEASE.
DISEASE—Dreadful! I use all means I can.
To abbreviate the life of man,
I dog his footsteps from his birth,
'Till he returns to mother earth;
And though 'tis true that my success
Is daily growing less and less,
This satisfaction I can feel,
I have not slackened in my zeal—
I use all means I used of old:
Changes of weather—hot and cold;
I give them colds; I give them pains,
I rack their bones; I fire their veins;
I poison them with rancid bile,
In place of the digestive chyle,
Yet death—How's that!
DISEASE—They all take Peters' Pills.

A large and fresh supply of these celebrated Pills with the Patent Vegetable Medicines Stomachic and Hepatic, for the cure of Dyspepsia and Liver complaints.
Just received and for sale wholesale and retail by
W. W. WALLACE, C. E. U. D.
Sole Agent for the City of Columbia.
N. B. Druggists and Country merchants will be supplied at New York Prices.
Dec. 3

5 Very Prime Negroes and 1 Old Woman.
W. B. Yates and wife, vs. A. Wallace and Sally C. Taylor.
BY virtue of the Decree in Equity I will offer for sale on the first Monday in March next, all the real estate of David P. Saxon, dec'd, viz: the houses and lots situated in the Village of Laurens, fronting the Court House, adjoining lots of Fleming & Mills, and W. G. Davis, the lot lying on the road leading to Greenville Court House, adjoining the Jail lot and Thomas B. Lockhart. Terms of sale, on a credit of one and two years (except the costs of Partition which are to be paid in Cash.) The purchaser to give bond and security, with a mortgage of the premises.
JAMES L. CLARK, C. E. R. D.
Feb. 9, 1837

In Equity--Laurens.
Ex Parte. Robt. McNea, and wife and others. Bill for Partition.
BY virtue of a decree of the Court of Equity made in the above case, will be sold at Laurens Court House, on the first Monday in March next, all the real estate of David P. Saxon, dec'd, viz: the houses and lots situated in the Village of Laurens, fronting the Court House, adjoining lots of Fleming & Mills, and W. G. Davis, the lot lying on the road leading to Greenville Court House, adjoining the Jail lot and Thomas B. Lockhart. Terms of sale, on a credit of one and two years (except the costs of Partition which are to be paid in Cash.) The purchaser to give bond and security, with a mortgage of the premises.
JAMES L. CLARK, C. E. R. D.
Feb. 9, 1837

Splendid Real Estate for Sale.
John P. Smith, and Catherine G. Smith, vs. Judith W. Smith, and Jas. M. Smith, Adm'rs. Bill for account sale and division.
BY virtue of a decree of the Court of Equity I will offer for sale on the first Monday in March next, before the Court House, that large and elegant three story Brick House, in the Town of Columbia, and the lot on which it is situated, fronting on Richardson street, 37 feet 4 inches, extending back on Taylor street, 223 feet more or less; on the corner of Richardson and Taylor streets, long known as a superb stand for a Public House, and at present occupied partly by Jas. M'Fie, as a Dry Good and Grocery Store, and dwelling, and sold subject to a lease of said Jas. M'Fie.
Also a very good dwelling house, and the lot on which it is located in the rear of the said Brick house, on the north side of Taylor street and adjoining the house and lot lately occupied by W. E. Harvey, being the same premises occupied by Dr. George E. Smith, at the time of his death.
Also one square of 4 acres of land in the said Town of Columbia, below the Steam Water Works, and well adapted for planting, bounded by Pulaski, Hugler, Plain and Washington streets.
Also 2 acres of land in the same neighborhood composed of 4 lots known in the plan of the Town as Lots No. 9, 10, 11 and 12, bounded south on Plain street, east by Gaslight street, and west by Wayne street. Terms of Cash, balance on credit of 1, 2 and 3 years, interest from date, good personal security, and a mortgage of the premises.
JAMES L. CLARK, C. E. R. D.
Feb. 9, 1837

South Carolina.
SECRETARY'S OFFICE.
COLUMBIA, Feb. 6th, 1837.
TO all whom it may concern, be it known that J. M'Pherson Lee, of Dallas county in the State of Alabama, lately appointed and commissioned by His Excellency, the Governor of this State, a Commissioner to take the acknowledgment of any deed, mortgage, or other conveyance of any lands, tenements, or hereditaments lying or being in this State, or of any contract, letter of attorney or any other writing under seal to be used and recorded in this State, did on the 16th day of January last, take and subscribe an Oath of Office, and a solemn and true Oath of Fidelity and Allegiance to the Constitution of the State of South Carolina, and to the duties required of him under and by an act of the State of South Carolina, authorizing the appointment of commissioners to take the acknowledgments of Deeds, &c. in the several States and Territories, passed in December 1834, which said oath is duly filed in the Office of the Secretary of State at Columbia, pursuant to the requisitions of said act.
B. H. SAXON, Sec. of State.

Splendid Fork Lands IN EQUITY.
Wm. Scott and wife, and others, vs. Adam Edgar, Executor of Wm. Edmondson and others, heirs and representatives of Axton Whitcotton.
BY virtue of the Decree in Equity, I will offer for sale on the first Monday in March next, all that well known plantation in the Fork of the Congaree and Wateree Rivers, whereon the late Axton Whitcotton resided, between 600 and 1000 acres of first rate lands, in the best cotton region this side the Mississippi lands—bounded by Legare's lands, Bab Carter's, and George Pickering's, on Joe's Branch. A more particular description will be submitted on the day of sale. Terms, 1, 2, 3, and 4 years credit, interest from date, bond, personal security, and a mortgage of premises. The purchaser will be required to pay sufficient money to defray the expenses of the suit and costs of sale.
Also, at same time, a negro fellow, named Sharper. Credit on year, interest from any bond, personal security and mortgage. **J. L. CLARK, C. E. R. D.**
February 11, 1837.

Selling off at Cost.
THE Subscriber intending to relinquish the Grocery business, offers for sale his entire stock of well selected
GROCERIES, WINES, and LIQUORS.
at reduced prices. Merchants and Families wishing to purchase will do well to call and examine the stock.
The Subscriber will continue to keep on hand a general assortment of
CROCKERY, CHINA and GLASS WARE.
Together with the following articles:
Knives and Forks, Astral Lamps, Looking Glasses, Waiters, Andirons, Shovels and Tongs, Hearth Brooms, Bellows, Brass and Green Fenders, Floor Mats, Straw and Hair Brooms, White Wash and Scrubbing Brushes, and every other article in that line.
Together with a large assortment of BASKET and WOODEN Ware.
I. D. MORDECAI,
No. 3 New Brick Range.
Feb. 11th.

Beat this who Can.
WE do challenge the world to simplify or improve the principle of Cooper's Tumbling Shaft Horse power.
It has only 2 small cast wheels, one with 29 cogs and the other 9, with a motion or power that requires no cotton Gins, horse Mills, turning Laythes, or Wheat Rice Machines, can be obtained. The cost is not half that of any of the old plans, is much easier propelled, and more durable.
The said power is now in operation, in the lot of William W. Purse, Cabinet Maker, near the Commercial Bank, where it can be seen at any time. Any persons wishing to purchase the right for Machines or Districts, will apply to Dr. Frederick W. Green, our agent, just below the Branch Bank, who will make conveyances for the same.
ROBERT M. MAUPIN,
JOHN W. LANGHORNE.

POETRY.
From the American Magazine.
THY NAME.
It comes to me when healths go round,
And o'er the wine the garland's wreathing
The flowers of wit with music wound,
Are freshly from the goblet breathing.
From sparkling songs and sally gay,
It comes to steal my heart away,
And fill my soul 'mid festive gleams,
With sad, sweet, silent thoughts of thee.

It comes to me upon the mart,
Where cars in posting crowds is rife,
Where avarice goads the sordid heart;
Or cold ambition prompts to strife;
It comes to whisper, if I'm there—
'Tis but with thee each prize to share;
For fame were not success to me,
Nor riches wealth, unshared with thee.

It comes to me when smiles are bright
On gentle lips that murmur round me,
And kindling glances flash delight
In eyes whose spell would once have bound me.
It comes—but comes to bring along
Remembrance of some look or tone,
Dearer than ought I hear or see,
Because 'twas worn or breathed by thee.

It comes to me where cloistered boughs
Their shadows cast upon the sod,
Awile in Nature's face my vows
Are lifted from her face to God;
It comes to tell that all of worth
I dream in heaven or know on earth,
However bright or dear it be,
Is blended with my thoughts of thee.

DOMESTIC.
LAWS OF THE UNITED STATES PASSED AT THE SECOND SESSION OF THE TWENTY FOURTH CONGRESS.
[PUBLIC. No. 5.]
AN ACT to provide for the payment of horses and other property lost or destroyed in the military service of the United States.
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That any field, or staff, or other officer, mounted militiaman, volunteer, ranger, or cavalry, engaged in the military service of the United States since the 18th June, eighteen hundred and twelve, or who shall hereafter be in said service, and has sustained damage, without any fault or negligence on his part, while in said service, by the loss of a horse in battle, or by the loss of a horse wounded in battle, and which has died or shall die of said wound, or being so wounded shall be abandoned by order of his officer and lost, or shall sustain damage by the loss of any horse by death, or abandonment, in consequence of the United States failing to supply sufficient forage, or because the rider was dismounted and separated from his horse, and ordered to do duty on foot at a station detached from his horse, or when the officer in the immediate command ordered or shall order the horse turned out to graze in the woods, prairies, or commons, because the United States failed or shall fail to supply sufficient forage, and the loss or shall be consequent thereon; or for the loss of necessary equipage, in consequence of the loss of his horse as aforesaid, shall be allowed and paid the value thereof: Provided, That if any payment has been, or shall be made to any one aforesaid, for the use and risk, or for forage after the death, loss, or abandonment of his horse, said payment shall be deducted from the value thereof, unless he satisfied or shall satisfy the paymaster at the time he made or shall make the payment, or thereafter show, by proof, that he was remounted, in which case the deduction shall only extend to the time he was on foot: And provided, also, if any payment shall have been, or shall hereafter be made to any person above mentioned, on account of clothing, to which he was not entitled by law, such payment shall be deducted from the value of his horse or accoutrements.

Sec. 2. And be it further enacted, That any person who, in the said military service as a volunteer, or draughted militiaman, furnished or shall furnish himself with arms and military accoutrements, and sustained or shall sustain damage by the capture or destruction of the same, without any fault or negligence on his part, or who lost or shall lose the same by reason of his being wounded in the service, shall be allowed and paid the value thereof.
Sec. 3. And be it further enacted, That any person who sustained, or shall sustain damage by loss, capture, or destruction by an enemy, of any horse, mule, or wagon, cart, boat, sleigh, or harness, while such property was in the military service of the United States, either by impressment or contract, except in cases where the risk to which the property would be exposed was agreed to be incurred by the owner, if it shall appear that such loss, capture, or destruction, was without any fault or negligence on the part of the owner; and any person who, without any such fault or negligence, sustained or shall sustain damage by the death or abandonment of his horse, mule, or ox, while in the service aforesaid, in consequence of the failure on the part of the United States to furnish the same with sufficient forage, shall be allowed and paid the value thereof.
Sec. 4. And be it further enacted, That the claims provided for under this act shall be adjusted by the Third Auditor, under such rules as shall be prescribed by the Secretary of War, under the direction or with the assent of the President of the United States; as well in regard to the receipt of applications of claimants, as the species and degree of evidence, the manner in which such evidence shall be taken and authenticated, which rules shall be such as, in the opinion of the President shall be calculated to obtain the object of this act, paying a due regard, as well to the claims of individual justice as to the interests of the United States, which rules and regulations shall be published for four weeks in such newspapers in which the laws of the United States are published as the Secretary of War shall direct.

Sec. 5. And be it further enacted, That in all applications of said Auditor upon the claims above mentioned, whether such judgment be in favor of, or adverse to, the claimant, shall be entered in a book provided by him for that purpose, and under his direction, and when such judgment shall be in favor of such claimant, the claimant, or his legal representative, shall be entitled to the amount thereof, certified by said Auditor to the Treasury of the United States.
Sec. 6. And be it further enacted, That in all instances where any minor has been or

shall be, engaged in the military service of the United States, and was, or shall be provided with a horse or equipments, or with military accoutrements, by his parent or guardian, and has died, or shall die, without paying for said property, and the same has been, or shall be lost, captured, destroyed, or abandoned in the manner before mentioned, said parent or guardian shall be allowed pay therefor, on making satisfactory proof as in other cases, and the further proof that he is entitled thereto, by having furnished the same.

Sec. 7. And be it further enacted, That in all instances where any person other than a minor, has been or shall be engaged in the military service aforesaid, and has been or shall be provided with a horse or equipments, or with military accoutrements by any person, the owner thereof, who has risked or shall take the risk of such horse equipments or military accoutrements on himself, and the same has been or shall be lost, captured, destroyed, or abandoned in the manner before mentioned, or which the property would be exposed was agreed to be incurred by the owner, if it shall appear that such loss, capture, or destruction was without any fault or negligence on the part of the owner; and any person, who without any fault or negligence sustained or shall sustain damage by the death or abandonment of his horse, mule, or ox, while in the service aforesaid, in consequence of the failure on the part of the United States to furnish the same with sufficient forage, shall be allowed and paid the value thereof.

To establish a claim under this provision, the claimant must adduce the evidence of the officer under whose command he served when the loss occurred, if alive, or if dead, then of the next surviving officer; describing the several articles lost, the value of each, whether or not the same were furnished by the claimant, in what way, and when the loss occurred, and whether or not it was sustained without any fault or negligence on his part.

THIRD CLASS OF CASES.
The third section of the law enacts "That any person who sustained or shall sustain damage by the loss, capture, or destruction, by an enemy, of any horse, mule, or wagon, cart, boat, sleigh, or harness, while such property was in the military service of the United States, either by impressment or contract, except in cases where the risk to which the property would be exposed was agreed to be incurred by the owner, if it shall appear that such loss, capture, or destruction, was without any fault or negligence on the part of the owner; and any person, who without any fault or negligence sustained or shall sustain damage by the death or abandonment of his horse, mule, or ox, while in the service aforesaid, in consequence of the failure on the part of the United States to furnish the same with sufficient forage, shall be allowed and paid the value thereof."
To establish a claim under this provision, the claimant must adduce the evidence of the officer under whose command he served when the loss occurred, if alive, or if dead, then of the next surviving officer; describing the property, the value thereof, the time and manner in which the loss happened, and whether or not it was sustained without any fault or negligence on the claimant's part. The evidence should also, in case the claimant was remounted, after the loss, state when he was remounted, how long he continued so, and explain whether the horse whereon he was remounted had not been furnished by the United States or been owned by another mounted militiaman or volunteer, to whom payment for the use and risk thereof, or for its forage, whilst in the possession of the claimant, may have been made; and if it had been thus owned, should name the person, and the command to which he belonged. And in every instance in which the claimant may extend to equipage, the several articles of which the same consisted, and the separate value of each, should be specified.

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

the service, shall be allowed and paid the value thereof."
Each claim under this provision must be established by the evidence of the officer who commanded the claimant when the loss happened, if alive; or, if dead, then of the next surviving officer; describing the several articles lost, the value of each, whether or not the same were furnished by the claimant, in what way, and when the loss occurred, and whether or not it was sustained without any fault or negligence on his part.

THIRD CLASS OF CASES.
The third section of the law enacts "That any person who sustained or shall sustain damage by the loss, capture, or destruction, by an enemy, of any horse, mule, or wagon, cart, boat, sleigh, or harness, while such property was in the military service of the United States, either by impressment or contract, except in cases where the risk to which the property would be exposed was agreed to be incurred by the owner, if it shall appear that such loss, capture, or destruction was without any fault or negligence on the part of the owner; and any person, who without any fault or negligence sustained or shall sustain damage by the death or abandonment of his horse, mule, or ox, while in the service aforesaid, in consequence of the failure on the part of the United States to furnish the same with sufficient forage, shall be allowed and paid the value thereof."
To establish a claim under this provision, the claimant must adduce the testimony of the officer or agent of the United States who impressed or contracted for the property mentioned in such claim, and also of the officer under whose immediate command the same was employed at the time of capture, destruction, loss, or abandonment; declaring in what way this property was taken into the service of the United States, the value thereof, whether or not the risk to which it would be exposed was agreed to be incurred by the owner, whether or not, as regarded horses, mules, or oxen, he engaged to supply the same with sufficient forage, in what manner the loss happened, and whether or not it was sustained without any fault or negligence on his part.

SIXTH SECTION OF THE LAW ENACTS.
"That in all instances where any minor has been, or shall be engaged in the military service of the United States, and was or shall be provided with a horse or equipments, or with military accoutrements, by his parent or guardian, and has died, or shall die, without paying for said property, and the same has been, or shall be lost, captured, destroyed, or abandoned, in the manner before mentioned, said parent or guardian shall be allowed pay therefor, on making satisfactory proof as in other cases, and the further proof that he is entitled thereto, by having furnished the same." A parent or guardian of a deceased minor, will, therefore, in addition to such testimony applicable to his claim as is previously described, have to furnish proof that he provided the minor with the property therein mentioned; and that the minor died without paying for such property; and that he, the parent or guardian is entitled to payment for it, by his having furnished the same.

SEVENTH SECTION OF THE LAW ENACTS.
"That in all instances where any person, other than a minor, has been or shall be engaged in the military service aforesaid, and has been, or shall be provided with a horse or equipments, or with military accoutrements, by any person, the owner thereof, who has risked, or shall take the risk of such horse equipments, or military accoutrements on himself, and the same has been or shall be lost, captured, destroyed or abandoned in the manner before mentioned, such owner shall be allowed pay therefor, on making satisfactory proof as in other cases, and the further proof that he is entitled thereto, by having furnished the same, and having taken the risk on himself."

WAR DEPARTMENT,
January 25, 1837.
RULES IN RELATION TO CLAIMS, PROVIDED FOR BY AN ACT OF CONGRESS PASSED 18th JANUARY, 1837, ENTITLED "AN ACT TO PROVIDE FOR THE PAYMENT OF HORSES AND OTHER PROPERTY LOST OR DESTROYED IN THE MILITARY SERVICE OF THE UNITED STATES," DESCRIBED IN PURSUANCE OF THE 4th SECTION OF THE SAID ACT.
All claims under the provisions of this act must be presented at the office of the Third Auditor of the Treasury Department before the end of the next session of Congress, and each must be substantiated by such evidence as is hereinafter designated, with respect to cases of the class under which it falls.
By the first section of the law it is enacted:
"That any field, or staff, or other officer, mounted militiaman, volunteer, ranger, or cavalry, engaged in the military service of the United States since the 18th of June, 1812, or who shall hereafter be in said service, and has sustained or shall sustain damage, without fault or negligence on his part while in said service, by the loss of a horse in battle, or by the loss of a horse wounded in battle, and which has died, or shall die, of said wound, or being so wounded, shall be abandoned, by order of his officer, and lost, or shall sustain damage by the loss of any horse by death, or abandonment, in consequence of the United States failing to supply sufficient forage, or because the rider was dismounted and separated from his horse, and ordered to do duty on foot at a station detached from his horse, or when the officer in the immediate command ordered or shall order the horse turned out to graze in the woods, prairies, or commons, because the United States failed or shall fail to supply sufficient forage, and the loss or shall be consequent thereon; or for the loss of necessary equipage, in consequence of the loss of his horse as aforesaid, shall be allowed and paid the value thereof: Provided, That if any payment has been, or shall be made to any one aforesaid, for the use and risk, or for forage after the death, loss, or abandonment of his horse, said payment shall be deducted from the value thereof, unless he satisfied or shall satisfy the paymaster at the time he made or shall make the payment, or thereafter show, by proof, that he was remounted, in which case the deduction shall only extend to the time he was on foot: And provided, also, if any payment shall have been, or shall hereafter be made to any person above mentioned, on account of clothing, to which he was not entitled by law, such payment shall be deducted from the value of his horse or accoutrements."
Sec. 2. And be it further enacted, That any person who, in the said military service as a volunteer, or draughted militiaman, furnished or shall furnish himself with arms and military accoutrements, and sustained or shall sustain damage by the capture or destruction of the same, without any fault or negligence on his part, or who lost or shall lose the same by reason of his being wounded in the service, shall be allowed and paid the value thereof.
Sec. 3. And be it further enacted, That any person who sustained, or shall sustain damage by loss, capture, or destruction by an enemy, of any horse, mule, or wagon, cart, boat, sleigh, or harness, while such property was in the military service of the United States, either by impressment or contract, except in cases where the risk to which the property would be exposed was agreed to be incurred by the owner, if it shall appear that such loss, capture, or destruction, was without any fault or negligence on the part of the owner; and any person who, without any such fault or negligence, sustained or shall sustain damage by the death or abandonment of his horse, mule, or ox, while in the service aforesaid, in consequence of the failure on the part of the United States to furnish the same with sufficient forage, shall be allowed and paid the value thereof.
Sec. 4. And be it further enacted, That the claims provided for under this act shall be adjusted by the Third Auditor, under such rules as shall be prescribed by the Secretary of War, under the direction or with the assent of the President of the United States; as well in regard to the receipt of applications of claimants, as the species and degree of evidence, the manner in which such evidence shall be taken and authenticated, which rules shall be such as, in the opinion of the President shall be calculated to obtain the object of this act, paying a due regard, as well to the claims of individual justice as to the interests of the United States, which rules and regulations shall be published for four weeks in such newspapers in which the laws of the United States are published as the Secretary of War shall direct.

Sec. 5. And be it further enacted, That in all applications of said Auditor upon the claims above mentioned, whether such judgment be in favor of, or adverse to, the claimant, shall be entered in a book provided by him for that purpose, and under his direction, and when such judgment shall be in favor of such claimant, the claimant, or his legal representative, shall be entitled to the amount thereof, certified by said Auditor to the Treasury of the United States.
Sec. 6. And be it further enacted, That in all instances where any minor has been or

shall be, engaged in the military service of the United States, and was, or shall be provided with a horse or equipments, or with military accoutrements, by his parent or guardian, and has died, or shall die, without paying for said property, and the same has been, or shall be lost, captured, destroyed, or abandoned in the manner before mentioned, said parent or guardian shall be allowed pay therefor, on making satisfactory proof as in other cases, and the further proof that he is entitled thereto, by having furnished the same.

THIRD CLASS OF CASES.
The third section of the law enacts "That any person who sustained or shall sustain damage by the loss, capture, or destruction, by an enemy, of any horse, mule, or wagon, cart, boat, sleigh, or harness, while such property was in the military service of the United States, either by impressment or contract, except in cases where the risk to which the property would be exposed was agreed to be incurred by the owner, if it shall appear that such loss, capture, or destruction, was without any fault or negligence on the part of the owner; and any person, who without any fault or negligence sustained or shall sustain damage by the death or abandonment of his horse, mule, or ox, while in the service aforesaid, in consequence of the failure on the part of the United States to furnish the same with sufficient forage, shall be allowed and paid the value thereof."
To establish a claim under this provision, the claimant must adduce the evidence of the officer under whose command he served when the loss occurred, if alive, or if dead, then of the next surviving officer; describing the property, the value thereof, the time and manner in which the loss happened, and whether or not it was sustained without any fault or negligence on the claimant's part. The evidence should also, in case the claimant was remounted, after the loss, state when he was remounted, how long he continued so, and explain whether the horse whereon he was remounted had not been furnished by the United States or been owned by another mounted militiaman or volunteer, to whom payment for the use and risk thereof, or for its forage, whilst in the possession of the claimant, may have been made; and if it had been thus owned, should name the person, and the command to which he belonged. And in every instance in which the claimant may extend to equipage, the several articles of which the same consisted, and the separate value of each, should be specified.

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