

means of returning light for light, while we have neither observatory nor observer upon our half of the globe, and the earth revolves in perpetual darkness to our unsearching eyes?

When on the 25th of October, 1791, the first President of the United States announced to Congress the result of the first enumeration of the inhabitants of this Union, he informs them that the returns gave the pleasing assurance that the population of the U. States bordered on four millions of persons. At the distance of about 30 years from that time, the last enumeration, five years since completed, presented a population bordering upon ten millions. Perhaps, of all the evidences of a prosperous and happy condition of human society, the rapidity of the increase of population is the most unequivocal. But the demonstration of our posterity rests not alone upon this indication. Our commerce, our wealth, and the extent of our territories, have increased in corresponding proportions; and the number of independent communities, associated in our Federal Union, has, since that time, nearly doubled. The legislation of the States and People, in the two Houses of Congress, has grown with the growth of their constituent bodies. The House, which then consisted of sixty-five members now numbers upwards of two hundred. The Senate which consisted of twenty-six members, has now forty-eight. But the Executive, and still more the Judiciary Departments, are yet in a great measure confined to their primitive organization, and are now not adequate to the urgent wants of a still growing community.

The naval armaments, which, at an early period, forced themselves upon the necessities of the Union, soon led to the establishment of a Department of the Navy. But the Departments of Foreign Affairs, and of the Interior, which early after the formation of the Government had been united in one, continue so united at this time, to the unquestionable detriment of the public service. The multiplication of our relations with the nations and Governments of the old world, has kept pace with that of our population and commerce, while within the last ten years a new family of nations, in our own hemisphere, has arisen among the inhabitants of the earth, with whom our intercourse, commercial and political, would, of itself, furnish occupation to an active and industrious Department. The constitution of the Judiciary, experimental and imperfect as it was, even in the infancy of our existing Government, is yet more inadequate to the administration of national justice at our present maturity. Nine years have elapsed since a predecessor in this office, now not the least, the citizen who, perhaps, of all others throughout the Union, contributed most to the information and establishment of our Constitution, in his valedictory address to Congress immediately preceeding his retirement from public life, urgently recommended the revision of the Judiciary, and the establishment of an additional Executive Department. The exigencies of the public service, and its unavoidable deficiencies, as now in exercise, have added yearly accumulative weight to the considerations presented by him as persuasive to the measure; and in recommending it to your deliberations, I am happy to have the influence of his high authority, in aid of the undoubting convictions of my own experience.

The laws relating to the administration of the Patent Office are deserving of much consideration, and perhaps, susceptible of some improvement. The grant of power to regulate the action of Congress on this subject, has specified both the end to be attained, and the means by which it is to be effected—to promote the progress of science and the useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries. If an honest pride might be indulged in the reflection, that on the records of that office are already found inventions, the usefulness of which has scarcely been transcended in the annals of human ingenuity, would not its exultation be allayed by the inquiry, whether the laws have effectively insured to the inventors the reward destined to them by the Constitution, even a limited term of exclusive right to their discoveries?

On the 24th December, 1790, it was resolved by Congress that a marble monument should be erected by the U. States, in the capitol, at the city of Washington, that the family of General Washington should be requested to permit his body to be deposited under it; and that the monument be so designed as to commemorate the great events of his military and political life. In reminding Congress of this resolution, and that the monument contemplated by it remains yet without execution, I shall indulge only the remarks, that the works in the capitol are approaching to completion; that the consent of the family,

desired by the resolution, has been requested and obtained; that a monument has been recently erected in this city, at the expense of the Nation, over the remains of another distinguished patriot of the Revolution, and that a spot has been reserved within the walls where you are deliberating for the benefit of this and future ages, in which the mortal remains may be deposited of him whose spirit hovers over you, and listens with delight to every act of the Representatives of his Nation which can tend to exalt and adorn his and their country.

The constitution under which you are assembled is a charter of limited powers. After full and solemn deliberation upon all or any of the objects, which urged by the irresistible sense of my own duty I have recommended to your consideration, should you come to the conclusion, that, however desirable in themselves, the enactment of laws for effecting them would transcend the power committed to you by that venerable instrument, which we are all bound to support; let no consideration induce you to assume the exercise of powers not granted you by the people. But, if the powers to exercise exclusive legislation in all cases whatsoever over the District of Columbia; if the power to lay and collect taxes, duties, imposts, and excises, to pay the debts, and provide for the common defence and general welfare of the United States; if the power to regulate commerce with foreign nations and among the several States, and with the Indian tribes; to fix the standard of weights and measures; to establish post-offices and post-roads; to declare war; to raise and support armies; to provide and maintain a navy; to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and to make all laws which shall be necessary and proper for carrying these powers into execution: If these powers, and others enumerated in the constitution, may effectually be brought into action by laws promoting the improvement of Agriculture, Commerce, and Manufactures, the cultivation and encouragement of the Mechanic and the elegant Arts, the advancement of Literature, and the progress of the Sciences, ornamental and profound,—to refrain from exercising them for the benefit of the people themselves, would be to hide in the earth the talent committed to our charge—would be treachery to the most sacred of trusts.

The spirit of improvement is abroad upon the earth. It stimulates the heart and sharpens the faculties, not of our fellow-citizens alone, but of the nations of Europe, and of their rulers. While dwelling with pleasing satisfaction upon the superior excellencies of our political institutions, let us not be unmindful that Liberty is Power; that the nation blessed with the largest portion of liberty, must, in proportion to its numbers, be the most powerful nation upon earth; and that the tenure of power by man, is, in the moral purposes of his Creator, upon condition that it shall be exercised to ends of beneficence, to improve the condition of himself and his fellow men. While foreign nations, less blessed with that freedom which is power, than ourselves, are advancing with gigantic strides in the career of public improvement, were we to slumber in indolence, or fold up our arms and proclaim to the world that we are palsied by the will of our constituents, would it not be to cast away the bounties of Providence, and doom ourselves to perpetual inferiority? In the course of the year now drawing to its close, we have beheld, under the auspices, and at the expense of one State of this Union, a new University unfolding its portals to the sons of science, and holding up the torch of human improvement to eyes that seek the light. We have seen, under the preserving and enlightened enterprise of another State, the waters of our Western Lakes mingled with those of the ocean. If undertakings like these have been accomplish in the compass of a few years, by the authority of a single member of the Confederation, can we, the Representative Authorities of the whole Union fall behind our fellow-servants in the exercise of the trust committed to us for the benefit of our common Sovereign, by the accomplishment of works important to the whole, and to which neither the authority nor the resources of any one state can be adequate.

Finally, fellow-citizens, I shall await with cheering hope, and faithful co-operation, the result of your deliberations; assured that, without encroaching upon the powers reserved to the authorities of the respective States, or to the people, you will, with a due sense of your obligations to your country, and of the high responsibilities weighing upon yourselves, give efficacy to the means committed to you for the common good.—And may He who searches the hearts of the children of men, prosper your exertions to secure the blessings of peace, and promote the highest welfare of our country.

JOHN QUINCY ADAMS.

Washington, Dec. 6, 1825.

## Indiana Legislature.

THURSDAY, Dec. 8, 1825.

### IN SENATE.

Mr. Rariden introduced a bill to regulate actions of slander, trespass, and malicious prosecution.

Mr. Stapp offered a resolution, appointing a committee to enquire into the expediency of memorializing Congress to advance the state of Indiana a certain portion of three per cent. fund which will be hereafter due to the state for the purpose of commencing a Canal at Jeffersonville, which resolution was rejected.

Mr. Gregory offered the following resolution, which was adopted:

Resolved, That the thanks of the Senate be tendered to the Hon. Jonathan Jennings, former Governor of Indiana, and now one of the Representatives in Congress from said state, for the patriotism by him manifested in procuring, at his own expense, and now deposited in the office of the Secretary of State, the superb and elegant bust or statue of the illustrious Major-General Lafayette.

### H. OF REPRESENTATIVES.

On motion of Mr. Lemon, the judiciary committee was instructed to enquire into the expediency of repealing an act of last session authorizing called sessions of the Circuit Court.

Messrs. Palmer, Richardson, Beckes, Posey, Marshall, Pepper, Hannah, Paxton, Clendenin, Simms, Robertson, Keen, Howk, Johnson, Stanford, Rose and Blair, were appointed a committee to report a bill to the House, making an apportionment of Senators and Representatives.

Five hundred copies of the Governor's Message, which was this day delivered, were ordered to be printed for the use of the House.

On motion of Mr. Hannah,

Resolved, That the committee on the judiciary be and they are hereby instructed to inquire whether any alterations in the judicial districts or circuit courts in this state are necessary, and whether the creation of one or more new circuits, and the increasing the number of terms to three in each year, would contribute to the means of administering justice.

FRIDAY, Dec. 9.

On motion of Mr. Child,

Resolved, That the committee of ways and means be instructed to inquire into the expediency of so amending the act to provide for commissioning sheriffs and coroners and regulating their duties, as to give to the sheriffs of the counties respectively the appointment of collector of the state and county revenue of their counties, if they, or any of them, should choose to accept the same, and furthermore to provide that such sheriffs shall keep their offices at the seats of justice of their respective counties.

### IN SENATE.

SATURDAY, Dec. 10.

On motion of Mr. Ewing,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of repealing so much of the act regulating the jurisdiction of justices of the peace as authorizes the appellant in judgment to receive and file the transcript and original papers in the Circuit Court; and to amend said act so as to render it the duty of the justice to hand over the papers to the clerk, or be responsible for the same.

MONDAY, Dec. 12.

The Senate went into committee of the whole on the Governor's Message, and reported a string of resolutions, referring the several parts of the message to appropriate committees.

The Senate disagreed to an amendment of the House of Representatives to the bill providing for contesting the election of Governor, &c., which amendment provided that the joint committee for trying the contest should be composed of four from the Senate and nine from the House of Representatives, the Senate insisting on having an equal number with the House.

A committee of conference, consisting of Messrs. Graham and Stapp, were appointed by the Senate, to meet a similar committee on the part of the House of Representatives on the subject of the disagreement between the two Houses, relative to the bill providing a mode by which the election of Governor and Lieutenant Governor may be contested.

### H. OF REPRESENTATIVES.

On motion of Mr. Reed,

Resolved, That the Auditor of public accounts be directed to report to this House what part of the \$13,963 02, due from collectors on the first Monday in February last, yet remains unpaid, from what counties and what year, and whether or not suits have been commenced for such sums, distinguishing those for which suits have not been instituted.

On motion of Mr. Palmer,

The resolution fixing the ratio of Senators and Representatives was taken up.

On motion of Mr. Lomax,

The number 1000 was stricken out.

Mr. Hannah moved to insert 900 for Representatives, which was decided in the negative.

Mr. Sweetser then moved to fill up the blank with 800 for representatives, which was decided in the affirmative.

Mr. Sweetser then moved further to amend said resolution, by adding at the end thereof the words "and for Senators 2000 dollars;" which was also adopted—Ayes 24, noes 21.

Mr. Child then moved further to amend said resolution, so as to give the county of Washington three members, which was decided in the negative.

Said resolution was then read as amended, and adopted by the House.

The Speaker laid before the House a communication from his Excellency the Governor, enclosing communications, relative to the abolition of slavery, and to an amendment proposed by the Georgia legislature, to the constitution of the United States.

The engrossed joint resolution on the subject of obtaining further indulgence to the purchasers of public lands, was read a second time and committed to a committee of the whole House for to-morrow.

### IN SENATE.

WEDNESDAY, Dec. 14.

Mr. Depauw, from the committee on that subject, reported a bill apportioning Senators and Representatives to the General Assembly, in the several counties in this state, which was read and ordered to be read a second time to-morrow.

Seventy copies of the above bill were ordered to be printed.

The President laid before the Senate the following communication from the Agent of the state at Indianapolis.

AGENT'S OFFICE, Dec. 13, 1825.

The Hon. the President of the Senate:

Sir—I herewith transmit a schedule of all the lots sold in the town of Indianapolis, from October 1821 to May 1825, with the gross amount of sales; also a statement of all monies received on account of sales of lots, rent and timber.

|                                |            |
|--------------------------------|------------|
| 314 Lots sold October 1821 for | \$35795 75 |
| 17 lots sold May 1825 for      | 8328 25    |
| 20 out lots sold May 1825 for  | 1469 60    |
| 20 do do January 1825          | 1955 60    |
| 3 Brick Yards,                 | 344 00     |

Whole amount of sales, \$42693 20

Of the Lots sold in October, 1821,

|  |            |
|--|------------|
| 107 have been paid out, amounting to     | \$11866 69 |
| 6 on which 4 payments have been made     | 683 41     |
| 9 on which three payments have been made | 623 69     |
| 23 on which two payments have been made  | 1331 08    |
| 109 on which one payment has been made   | 3727 60    |

Of the 17 Lots sold in May, 1825,

|                                  |        |
|----------------------------------|--------|
| On one 2 payments have been made | 30 00  |
| On sixteen 1 do has been made    | 650 65 |

\$18913 11

Of the Out Lots sold in January and May, 1825.

|  |          |
|--|----------|
| 6 have been paid out, making               | \$418 15 |
| 2 on which two payments have been made     | 59 71    |
| 22 on which one payment has been made      | 556 63   |
| 1 Brick Yard paid out                      | 81 00    |
| 2 do do on which one payment has been made | 52 60    |

Whole amount paid on Lots, \$20031 29

Amount paid on rent account, 234 47

Amount paid on timber account, 27 56

Whole amount as per books of this office, \$20343 24

Respectfully submitted,

B. J. BLYTHE,

Agent of State for Indianapolis.

Which communication was referred to a standing committee on the affairs of Indianapolis, consisting of Messrs. Oliver, Gregory, Graham of Floyd, Pennington, and Givens.

### H. OF REPRESENTATIVES.

The House resolved itself into a committee of the whole on the bill increasing the jurisdiction of justices of the peace, Mr. Posey in the Chair, and after some time spent therein the committee rose, and the Chairman reported the same with several amendments, in which the House concurred.

Mr. Sweetser moved further to amend said bill, by adopting the following as an additional section:

"In all cases determined in the Circuit Court, which originated before a justice of the peace, no attorney's docket fee shall be hereafter paid or taxed in the costs of either party."

Which amendment was adopted—ayes 25, noes 19.

The bill was then ordered to be engrossed and read a third time to-morrow.

THURSDAY, Dec. 15.

The engrossed bill extending the jurisdiction of justices of the peace in civil cases to \$100, was read the 3d time and passed—ayes 34, noes 2.