

CONGRESS.

In Senate, January 3, 1827.

Mr. HARRISON gave notice that he should, to-morrow ask leave to introduce a bill for the establishment of the Collecting districts of Ohio, Kentucky, and Mississippi.

Mr. NOBLE presented a petition of sundry persons for post roads, in the state of Illinois; which were referred.

Mr. MARKS asked and obtained leave to introduce a bill for the payment of the interest due the State of Pennsylvania; which was read.

The bill for the relief of Benjamin Woodworth was read a second time, and referred.

WESTERN ARMORY.

The resolution of Mr. ROWAN (being a modification and substitute of that originally offered by Mr. JOHNSON, of Kentucky) to authorise an inquiry into the expediency of causing a survey to be made of the Horse Shoe Bend, on Licking river, and Louisville, in the State of Kentucky, and a report as to their fitness as sites for a Western Armory, was taken up; when the several amendments to that resolution, proposed by Messrs. HENDRICKS, WHITE, KING, COBB and EATON, were successively considered, and agreed to.

On the amendment, offered on a former occasion, by Mr. NOBLE, being taken up, some conversation arose between Mr. JOHNSON and Mr. NOBLE. Mr. J. observed that he thought the proposition too sweeping. A survey, according to this direction, would be a very heavy undertaking. He wished the gentleman would so modify it as to confine the investigation to certain points on the White Water, or in that part of the country. He should then vote for it with great pleasure; and, indeed, he should do so in its present form, if it was not modified. It was not from any sectional feeling that he wished the modification. The People of Kentucky only wished to claim their just share of attention from Congress, and that share he was heartily willing to have extended to any other section.

Mr. NOBLE said, that, when the gentleman first brought forward his proposition, he (Mr. N.) voted for its reference to the Committee on Military Affairs. Now that the gentleman had connected Louisville with the Horse Shoe Bend, still he was willing to vote for it. But to require of him to withdraw his proposition, and substitute a less comprehensive one, was a request which he could not accede to. He did not wish to deprive the state of Kentucky of any advantage; but he wished to be allowed to consult the interests which he represented.

Mr. JOHNSON of Kentucky, said he did not wish the gentlemen to withdraw his proposition. He only asked a modification, and he would not, by any means persist in the request. He should vote for the amendment.

The question was then taken on the resolution and all its amendments, and it was agreed to. But, on motion of Mr. RUGGLES, the vote was reconsidered, in order to allow him to propose an amendment, naming Zanesville, on the Muskingum river, as an additional site for survey; when the whole was considered and agreed to.

IMPRISONMENT FOR DEBT.

Mr. JOHNSON, of Kentucky, from the Select Committee upon the bill to abolish imprisonment for debt, reported the bill and a great number of amendments, mostly verbal, but including two or three new sections. The bill was read by sections, and the amendments severally considered, and agreed to, in Committee of the Whole.

Mr. J. then moved that the bill be made the order of the day for this day week, and that it be printed; which was agreed to.

Mr. WOODBURY, from the Committee on Commerce, made a report in favor of the memorial of the Chamber of Commerce of Philadelphia, relative to a Breakwater at the mouth of the Delaware, accompanied by a bill making an appropriation for that purpose; which was read.

The report was ordered to be printed. On motion of Mr. HAYNE, the Senate then went into the consideration of Executive business, and, after occupying a short time.

The Senate adjourned.

House of Representatives.

The following resolution, laid on the table yesterday by Mr. STORRS, was taken up, read, and agreed to by the House:

"Resolved, That the Secretary of the Treasury Department be directed, to communicate to this House, the monthly statements of the Bank of the U. States, received since the 30th day of January, 1826."

The House proceeded to the consideration of the following resolution, submitted by Mr. RIVES, on the 29th December.

"Resolved, That the Committee of Ways and Means be instructed to inquire into the expediency of discontinuing the annual appropriation heretofore

made for defraying the expense of such surveys of routes for roads and canals as may be directed by the Executive, and of substituting therefor distinct and specific appropriations for surveying such routes only as shall be authorized by Congress."

Mr. BARTLETT withdrew his amendment, proposed on the same day, and Mr. RIVES'S resolution was then agreed to.

On motion of Mr. BARTLETT, it was,

Resolved, That the Committee of Ways and Means be instructed to inquire into the expediency of requiring that, hereafter all estimates of appropriations for the operations of different Departments of the Government, when the same are to be applied to the construction of works of a permanent character, shall be accompanied with a general description of the work proposed, with an estimate of the entire cost for its completion, and from year to year, with a statement of the sums expended, and the balance which will be required.

On motion of Mr. WICKLIFFE, it was,

Resolved, That the Committee on the Post Office and Post Roads inquire into the expediency of providing for, and authorizing, by law the transportation of the Mail by water in Steam Boats, between Louisville on the Ohio river, and New Orleans.

The SPEAKER laid before the House sundry communications, viz:

EMIGRATION OF INDIANS.

The following letter from the Secretary of War:

DEPARTMENT OF WAR,

January 2d, 1827.

SIR: With a view to a compliance with the resolution of the House of Representatives of the 20th ult. in relation to the Indian Tribes, I directed the Clerk particularly charged with the Indian business, to prepare a report, answering, as far as practicable, the various inquiries embraced in the resolution. With that order he has complied, and I enclose his report.

The difficulty of presenting more satisfactory answers to many of the inquiries will be daily appreciated. My anxiety to present at the earliest period the information called for, leaves me less time than its importance and difficulty requires, to superadd any additional remarks; but I will take the liberty of suggesting that, if the plan recommended in my report to the Committee on Indian Affairs at the last Session, should receive the sanction of the Legislature, and the bill accompanying it be enacted into a law, that it would not fail essentially to promote the object of removal.

The time when the act or any part of the act should be carried into effect, might, by a provision, be made to depend on future events, either detailed in the act or left to the discretion of the President. With the will of the nation thus expressed, the Agents of the Government might be enabled to assure, with confidence, the Indians, of their future fortune. So long as that will is not expressed, the uncertainty of the future must necessarily paralyze any effort which may be made to impress on these People the vast advantages which I have no doubt they would enjoy by their removal.

I have the honor to be,

your obedient

servant,

JAMES BARBOUR.

Hon. JOHN W. TAYLOR.

Speaker of the House of Representatives.

The letter and report were referred to the Committee on Indian Affairs.

A letter from the Secretary of War, transmitting a report of the Committee for locating the National Road, between Zanesville and Columbus, exhibiting the results of an examination of a route by Newark. Referred to the Committee on Roads and Canals.

A letter from the Postmaster General transmitting a list of the Clerks employed in his office in the year 1826, with the pay of each, amounting altogether to \$28,100. Referred to the Committee on Post Office and Post Roads.

A letter from the Postmaster General transmitting a statement of the nett amount of postage accruing at each Post Office in the United States, for the year ending 31st March, 1826, and shewing the nett amount accruing in each State and Territory. Referred to the Committee on Post Office and Post Roads.

The following is the recapitulation of the statement referred to in the preceding entry, and exhibits the nett amount of Postage which accrued in each State and Territory, for the year which ended on the 31st March, 1826.

New York	\$212,536 15
Maine	22,916 07
Vermont	12,305 31
New Hampshire	11,827 78
Massachusetts	92,423 93
Rhode Island	12,662 90
Connecticut	27,640 71
New Jersey	15,584 05
Delaware	4,690 93
Maryland	56,046 13
Pennsylvania	118,066 58
Ohio	27,479 92

Michigan Territory	1,732 51
Virginia	67,294 81
North Carolina	24,505 08
South Carolina	44,763 65
Kentucky	23,111 64
Georgia	39,423 25
Louisiana	27,477 36
Illinois	2,446 64
Tennessee	16,112 07
Alabama	18,092 53
Indiana	4,996 23
Missouri	5,288 65
Arkansas Territory	785 65
Florida Territory	1,579 09
District of Columbia	11,518 44
Mississippi	9,574 97

Grand Total \$912,893 08
The House adjourned.

Indiana Legislature.

[Selected from Indianapolis papers.]

In Senate Jan. 8.

The following bills were read the third time and passed—the engrossed bill concerning the Seminary Townships of land in Gibson and Monroe counties—amendatory to the act incorporating county Libraries—amendatory to an act for the appointment of Trustees to receive deeds for lots or lands given or purchased for the use of schools, meeting houses and Masonic Lodges—to repeal a part of the act to amend the act for opening roads and high ways, approved, January 12, 1825—for the benefit of persons who have or are likely to suffer by the destruction of the records of Dearborn county, which were destroyed by fire in the court house, at Lawrenceburgh on the 6th of March 1826.

House of Representatives, Jan. 8.

Mr. Richardson offered a resolution instructing the judiciary committee to enquire into the expediency, of providing by law, for the Circuit Court to be holden in each and every county three times in a year, and to fix the times for the sitting thereof, which was laid on the table.

The bill for relocating the seat of justice of Madison county, was read a second time, and on motion of Mr. Lomax indefinitely postponed.

The engrossed bill to provide for recording brands, ear marks, and posting estrays in the counties therein named, was read a third time and passed. Ayes 30, Noes 15.

The bill extending the jurisdiction of Justices of the peace, was now taken up and several amendments made in committee of the whole were concurred in.

The question being put on agreeing to the 5th amendment to said bill, which was by the addition, as a 6th section a law heretofore in force giving justices of the peace the privilege of trying small offences, and fining not exceeding \$20. It was contended by several gentlemen that this law was unconstitutional, and by others that it was constitutional. It was agreed to be inserted by a vote of Ayes 44, Noes 12.

Mr. Richardson moved to strike out the 5th section, which provides that justices shall upon the oath of any person, or upon his own view, issue his writ, and bring before him, persons who may be found in any public street, ward or public square, using loud, indecent or criminal language or expressions, or quarrelling or using menacing attitudes and gestures, &c. calculated to disturb the repose of the people, and assess a fine not exceeding 3 dollars.

After several amendments being proposed to the section, and decided in the negative, the question on striking out was decided in the negative. Ayes 21, Noes 37.

Mr. Reed moved to re-commit said bill to a committee of the whole house, and made the order of the day for to-morrow which was decided in the negative. Ayes 12, Noes 46.

Mr. Morgan moved to lay said bill on the table, for the purpose, as he said, of endeavoring first to pass the bill from the Senate; which was decided in the negative. Ayes 18, Noes 38.

Mr. Boon moved to amend the first section by striking out, after the word "Provided" and insert, to wit: "that nothing in this act shall be so construed as to give to a justice of the peace, jurisdiction in any action or suit for the recovery of damages, for any trespass, wrong or injury done to, or committed against the estate of another, when the damages claimed shall exceed fifty dollars—nor in any case of trover and conversion, or detinue, where the damages claimed shall exceed fifty dollars: Provided further, that a justice of the peace shall have no jurisdiction whatever in any case, where the title of land shall come in question, nor in actions of slander, malicious prosecution, abduction or seduction, nor the breach of marriage contract. A division of the question being called for on striking out, the vote was, Ayes 29, Noes 23. The motion was lost.

Mr. Craig moved further to amend by adding that Circuit Courts shall have concurrent jurisdiction with justices where the amount claimed exclusive of interest and cost exceeds fifty dollars, which was decided in the affirmative. Ayes 42, Noes 16.

Mr. Hurst moved further to amend said bill by adding the following as a 2d

proviso to the first section, to wit: Provided further, that in all cases of appeal from the judgment of a justice of the peace, to the Circuit court, where the same exceeds fifty dollars exclusive of interest and cost, an appeal shall be granted from the Circuit Court, to the Supreme Court, in the same manner as appeals are now granted from the Circuit Court to the Supreme Court or, that a writ of error may issue as in other cases, from the Circuit Court to the Supreme Court, and under the same rules and restrictions as writs of error are now granted from the Circuit Court to the Supreme Court, which was decided in the affirmative, and the amendment adopted. Ayes 33, Noes 24.

Mr. Beckes called for the previous question, which was, shall the main question be now put? The main question, to wit: Shall the bill be engrossed and read a third time on to-morrow? It was decided in the affirmative. Ayes 46, Noes 12. So said bill was ordered to be engrossed and read a third time to-morrow.

Mr. Ferris moved to take up the bill from the Senate, extending the jurisdiction of Justices, which was decided in the negative. Ayes 20, Noes 38.

The engrossed bills regulating the marks and brands of stock—for the relief of the securities of Abraham Elliott, late Sheriff of Wayne county—to amend the act entitled an act, regulating the practice in suits at law, were severally read the third time and passed.

Jan. 9. Mr. Stevens from the committee on the judiciary, submitted the following report, to wit:

Your committee, on the judiciary, to whom was referred, a resolution of the House of Representatives, directing them to enquire into the expediency of creating one or more judicial circuits, and the expediency of increasing the number of terms of the Circuit Courts per year, have had the same under consideration, and have directed me to report: That it is not absolutely necessary to increase the number of Judicial circuits at this time, and that unless the Judicial circuits be increased, it is not only inexpedient but impracticable, to increase the terms of the Circuit courts; Therefore, your committee deem it inexpedient, at this time, to either increase the number of Judicial circuits, or to increase the terms of the Circuit court, which report was concurred in by the house.

The bills to amend the act to incorporate the White Water canal company—to enable the citizens of Vigo county, to appropriate their road fund to the removal of stagnant water in said county—declaring the Mississinewa river a navigable and public highway, were severally read a third time and passed.

The bill reattaching a part of Union to Franklin county, was read a third time and committed to a committee of the whole house on this day at 2 o'clock.

The House went into committee of the whole on the bill amending the act relative to crime and punishment, and the bill defining petit larceny and the punishment thereof—the committee made sundry amendments to the first bill and one to the latter, which was by striking it out from its enacting clause.

The House agreed to some of the amendments made in committee of the whole.

On the question on concurring in the second amendment, which was by adding sections, providing that persons stealing articles to the amount of five dollars or less, shall be deemed guilty of larceny and receive not more than twenty stripes upon his bare back, (if a male,) and if a female be confined in the county jail, not exceeding twenty days—and further that persons guilty of unlawfully carrying away in the night time, fruit from any orchard or garden, shall be fined not exceeding fifty dollars. Said amendments were not concurred in. Ayes 27, Noes 27.

On the question of concurrence to the 4th amendment, which provides that persons injuring or destroying the orchard or fruit trees of another, shall be fined two fold the amount, and imprisoned in the state prison, not less than one nor more than ten years, not concurred in. Ayes 21, Noes 35.

On the question on the 7th amendment, which was by striking out a section which provides that persons sentenced to the penitentiary who are unwilling to pay the costs or fine which may be assessed against them, shall work out the same at the rate of twenty-five cents per day, the amendment was concurred in, and the section stricken out. Ayes 32, Noes 25.

Mr. Claypool moved further to amend the bill, by adding a section, providing that persons stealing articles to the value of five dollars, shall be fined not exceeding \$100 and confined in the county jail not exceeding ten days, and disqualified from voting, &c. for the first offence and for the second according to the 6th section of the act relative to crimes and punishments, approved Jan. 20, 1824.

Mr. Sweetzer then moved to amend, so that persons guilty of the above offences (if a male) shall receive not more than 20 stripes on the back, and if a female

confined in the county jail not exceeding 20 days.

Mr. Beckes then moved to lay the said bill on the table—negated.

Mr. Stevens then moved to postpone indefinitely—negated. Ayes 18, Noes 38.

The question was then taken, on a division of the question, on Mr. Sweetzer's amendment and, negated. Ayes 27, Noes 29.

Mr. Ferris then moved to postpone said bill until the first Monday of December next—negated. Ayes 20, Noes 34.

The question then recurred shall the bill be amended, as proposed by Mr. Claypool, which was decided in the negative. Ayes 21, Noes 35.

Mr. Ray then offered an amendment providing that persons convicted and sentenced to imprisonment in the county jail under the provisions of this act, or the one to which it is an amendment, may, by giving security, have the privilege of working the amount of fine and the term of imprisonment for which they may be imprisoned out on public roads and high ways, and debate arising thereon, the main question was called for, by Mr. Johnson of Knox, which is, shall the bill be engrossed and read a third time to-morrow? It was decided in the affirmative, and the bill was ordered to be engrossed and read a third time.

Jan. 12. Mr. Ferris from the committee of ways and means made the following Report.

The committee of ways and means whose duty it has been made by the rules of this house, to enquire into the situation of the financial concerns of the state; have performed that duty as faithfully as the time allowed them, and the circumstance of their being members of this house would permit; and as the result of their investigations present the following statements to the consideration of the house.

No. 1. Contains a statement of the assessment and collection of the revenue for 1826.

No. 2. Contains a statement of the receipts and expenditures of the treasury for 1826.

No. 3. Contains a statement of arrearages due the state.

No. 4. Contains a statement of the situation of the treasury and public debt.

No. 5. Contains a statement of the estimated receipts and expenditures for 1827.

By a proper attention to the above named statements it will be ascertained that there was on the 1st of January 1827 a balance in favor of the treasury of \$34,605 13 of which amount \$32,455 32 consisted of actual cash in the treasury, and the balance in claims due the state for past years; while the prospects of demands on the treasury in the ordinary operations of the Government cannot exceed \$25,000 00; leaving a balance in favor of the treasury (after all the expenses of the government is paid up to the close of the present year) of \$9,605 13 and should the present rate of assessment be continued that there will be received in addition to the above from the taxes to be assessed for the present year the sum of \$35,000 00, which added to the last named balance would leave in the treasury on the 1st day of January 1828, to meet the expenses of that year the sum of \$44,605 13; the expenses of that year in the ordinary operations of the Government (should the succeeding Legislature make two new circuits) cannot exceed the present year more than \$1700, which added to \$25,000 00 as estimated for the expenses of the present year would make the sum of \$26,700 62 which last sum deducted from \$44,605 13 would leave a balance in favor of the treasury on the 1st day of January 1829 of \$17,905 13.

From the foregoing statements which your committee believe are founded on safe calculations, they have after mature deliberations determined to recommend a reduction in the taxes for state purposes, so that hereafter there shall be assessed on land of the 1st qual. at the rate of 80 cts. per hundred acres; on land of the 2d qual. at the rate of 60 cts. per hundred acres; and on land of the 3d qual. at the rate of 40 cts. per hundred acres; and that the poll tax be reduced to 37 1-2 cts per poll.

It is with peculiar satisfaction that the committee find the state of the treasury will justify them in recommending a reduction in the burthen of taxation; without impairing the credit of the state; the whole amount of our outstanding debt at this time consisting in \$169 treasury notes unredeemed and supposed to be lost.

The committee congratulate the general assembly and the citizens of the state generally with the cheering prospect of an entire extinction of the public debt; and the expectation of being able in future (without any increase of taxation) to appropriate considerable sums for promoting benevolent institutions and useful improvements. All of which is respectfully submitted.

EZRA FERRIS Chairman Com. W. & M.
The above report was read and concurred in, and on motion of Mr. Stevens it was ordered that 1200 copies of said report with the accompanying documents be printed.