

To memorialize Congress, to continue the National road;

To provide Asylums for our paupers, so as to comply with the requirements of the constitution;

To punish habitual drunkenness; To declare a distinction between grand and petit larceny, and fix appropriate punishments to each;

To require all courts to permit juries to answer on oath, whether they have formed or expressed a decisive opinion, in the case the are empannelled to try, at the request of either party in the suit, to ascertain whether any cause of challenge exists or not;

To incorporate Agricultural societies, with the view of more effectually improving the breed of animals, and of forcing that honorable branch of business into a science;

To encourage the culture of tobacco, hemp, cotton, wool, and flax, to a greater extent than they have hitherto been, by authorizing premiums to be given for the best specimens of each;

To appropriate for a library in the county of Marion such a sum of money, as will place her upon an equal footing with the other counties;

To procure a fire engine, for the better preservation of the public buildings, at this place, to be placed under the care of a fire company, organized in the town of Indianapolis, whose duty it shall be to use it to the best advantage, in case of fire on the state's property, and whose privilege it may be, to make use of it for the like purposes, on private property, as an equivalent for the attention bestowed on the public interest;

To acknowledge our adhesion, to that system of just and equal policy, in the national legislature, which unlocks the common treasure, of every American citizen, and distributes a portion of it back amongst them from whom it came, for internal improvements;

And to that system of home protection and encouragement, which gives us our real independence, and protects those who save our country in time of peril;

And to enquire into the practice of the three per cent. fund road commissioners, in cutting down timber in the public highways, and suffering it to remain there an unreasonable time, to the public annoyance, and to provide a remedy;

And to appoint a day, in the ensuing year, for returning thanks to the Great Dispenser of universal good, for the blessings that surround us.

Reserving to myself the privilege of communicating to you in separate messages, at all times, whatever else, touches the public interest, and is proper to be made known; and relying upon your superior wisdom, to originate every good measure, called for by your constituents. It is with deep reverence, that I submit to you, some of the reflections of a fallible mind, at this time.

Recognizing your ardent aspirations, to labour assiduously, that you may in good time, return to your fellow citizens and families, my co-operation shall be cheerfully accorded. May God help us.

JAMES B. RAY.

December 2, 1828.

## Indiana Legislature.

[From the Indiana Journal.]  
IN SENATE.

Monday, Dec. 1, 1828.

The Senate was called to order by the Hon. John H. Thompson, lieutenant governor, when it appeared the following members were present, to wit: From the counties of—

Rush, Henry, Randolph and Allen—Amaziah Morgan.  
Jackson, Scott and Bartholomew—William Graham.

Washington—Marston G. Clark.  
Clark and Floyd—John S. Simonson.  
Harrison—Daniel C. Lane.  
Spencer, Perry and Crawford—John Daniel.  
Posey, Vanderburgh and Warrick—Thomas Green.

Gibson, Pike and Dubois—Isaac Montgomery Knox, Daviess and Martin—John Evans.  
Montroe, Owen and Green—David H. Maxwell.  
Lawrence and Orange—John Milroy.  
Vermillion, Putnam, Patke, &c.—James Blair.  
Wayne—James Ruriden.

The following newly elected members of the Senate appeared, produced their credentials, were sworn into office by the Hon. B. F. Morris, and took their seats, viz: From the counties of—

Marion, Hamilton, Madison, &c.—Calvin Fletcher.  
Shelby, Decatur, Johnson and Morgan—James Gregory.

Fayette and Union—Newton Claypool.  
Franklin—John T. M. Kinney.  
Dearborn—John Watts.  
Switzerland and Ripley—Stephen C. Stephens.  
Jefferson and Jennings—John Sering.  
Vigo, Sullivan and Clay—William C. Linton.

On motion the Senate now proceeded to the election of officers.

JAMES DILL, was unanimously elected Secretary.

CHARLES H. TEST, was elected Assistant Secretary, on the 2d ballot.

JAMES M. RAY, was elected Enrolling Secretary, on the first ballot.

ANANIAS MORGAN, was elected Door-keeper, on the 3d ballot.

Tuesday, Dec. 2.

Mr. Stevens laid before the Senate a memorial from the securities of Ralph Cotton, deceased, late sheriff of Dear-

born county; and also a joint resolution for their relief, which was read and ordered to a 2d reading to-morrow.

## HOUSE OF REPRESENTATIVES.

Monday, Dec. 1.

At 10 o'clock, A. M. the House was called to order by the Clerk, when the following members appeared, produced their credentials, were sworn into office by the Hon. Isaac Blackford, and took their seats, viz: From the counties of—

Wayne—Abel Lomax, William Elliott, William Steele and John Finley.  
Dearborn—Horace Bassett, James T. Pollock, George H. Dunn and Arthur St. Clair.  
Clark—Isaac Hawk, John M. Lemon and Joseph Work.

Washington—Hugh M'Pheters, Robert M'Intire and Ezra Child.  
Harrison—Dennis Pennington, Jas. B. Slaughter and Robert F. Bell.

Franklin—David Wallace and Daniel St. John.  
Switzerland—John Dumont and John F. Du-four.

Jefferson—David Hillis and Nathan B. Palmer.  
Orange—James Lynd and John B. Moyer.  
Knox—Samuel Judah and John C. Riley.

Fayette—Samuel C. Sample & Marks Crume.  
Union—James Levinston.  
Rush—William J. Brown.  
Decatur—Thomas Hendricks.

Ripley—Merritt S. Craig.  
Jennings—Ezra F. P. body.  
Marion—George L. Knoward.  
Jackson—William Marshall.

Scott—James Goodhue.  
Floyd—Isaac Stewart.  
Crawford—Seth M. Levenworth.  
Lawrence—Vinson Williams.

Monroe—Emos Blair.  
Sullivan—George Boon.  
Vigo—Dennis D. Mang.

Posey—Jesse Y. Welborn.  
Vanderburgh and Warrick—William Trafton.  
Spencer and Perry—Samuel Frisby.

Pike and Dubois—Jany's Ritchie.  
Daviess and Martin—James G. Read.  
Green and Owen—John M. Young.

Putnam and Jay—Joseph Orr.  
Parke and Vermillion—Eliphalet Allen.  
Montgomery Fountain &c.—Robert Taylor.

Shelby and Johnson—Sylvan B. Morris.  
Morgan, Hendricks &c.—Thomas J. Matlock.  
Randolph, Allen &c.—Daniel Worth.

Henry Madison and Hamilton—Elisha Long.  
Bartholomew—Philip Sweetzer.

The House then proceeded to the election of a Speaker. On the 1st ballot the vote was as follows:

Samuel Judah 24; Isaac Hawk 12; Philip Sweetzer 11; Dennis Pennington 9; Merritt S. Craig 1.

Second ballot.  
S. Judah 26; I. Hawk 17; scattering 14.

Third ballot.  
S. Judah 27; I. Hawk 24; scattering 6.

Fourth ballot.  
S. Judah 28; I. Hawk 27; scattering 2.

Fifth ballot.  
I. Hawk 29; S. Judah 26; scattering 2.

Mr. Hawk, having received a majority of all the votes given, was declared duly elected, and was conducted to the chair by Messrs. Pennington and Reid, whence he returned his thanks to the House in a brief & appropriate address.

The House then proceeded to the election of a principal Clerk, and James F. D. Lanier, was unanimously elected.

The House then went into the election of Assistant Clerk, and William H. Hurst was elected on the 4th ballot.

Henry H. Talbot was elected Enrolling Clerk on the 3d ballot; and John C. Parker Door-keeper on the 4th ballot.

The Senate was then informed that the House was organized and ready to proceed to business.

Tuesday, Dec. 2.

The Speaker announced the appointment of standing committees, as follows:

On Elections—Messrs. Reed, Matlock, McIntire, Finley and Brown.

Ways and Means—Messrs. Hillis, McPheters, Pennington, Riley, Elliott, Hendricks and Levinston.

On the Judiciary—Messrs. Sweetzer, Judah, Craig, Dunn, Wallace, St. Clair, Frisby and Dumont.

On Education—Messrs. Bassett, Child, Slaughter, Levenworth, Pabody, Morris and Trafton.

On Military Affairs—Messrs. Marshall, Orr, Steele, Bell, Stewart, Lemon, Long, and Kinnard.

On the Affairs of the State Prison—Messrs. Palmer, Goodhue, Wellburn, Blair, Lynd and Dufour.

On the Affairs of the town of Indianapolis—Messrs. Child, Kinnard, Long, Crume, Morris and Worth.

On Claims—Messrs. Boon, Young, Ritchie, Williams and Work.

On Roads—Messrs. Lomax, Pollock, St. John, M. Intire, Reed and Moyer.

On Canals and Internal Improvements—Messrs. Judah, Deming, Allen, Worth, Taylor and Young.

Mr. Boon introduced a resolution to instruct the committee on ways & means to report a bill providing for an ad valorem system of taxation—laid on the table.

Mr. Sweetzer offered a resolution fixing the hour of meeting hereafter at ten and adjourning at four o'clock, so as to have but one session each day—laid on the table.

Mr. Reed, from the committee appointed to wait on the governor, reported that he would meet the two houses in the hall of the House of Representatives, at 2 o'clock this evening and deliver a message.

Two o'clock, P. M.

On motion of Mr. Reed, the Senate were invited into the representatives' hall, where, in person, the governor communicated his annual message to both houses.

The message, on motion of Mr. Child,

was committed to a committee of the whole House for consideration on Tuesday next, and 1200 copies ordered to be printed.

A select committee, consisting of Messrs. Levenworth, Dunn, and Sweetzer, were appointed, on motion of Mr. Levenworth, to inquire into the claim Indiana has to unappropriated lands within her territory.

On motion of Mr. Goodhue, the committee on the judiciary were instructed to inquire into the expediency of authorizing justices of the peace to collect on bonds forfeited by justices and constables, where the same does not exceed their jurisdiction.

Congress.—The 2d Session of the 20th Congress commenced at Washington on the 1st instant. Little business, other than organizing the two Houses, was transacted on the 1st day's sitting, to which time our dates extend. On calling the rolls the following members answered to their names; those absent are marked with a star.\*

## SENATE.

Maine. John Chandler, (one vacancy.)

New Hampshire. Levi Woodbury, Samuel Bell.

Massachusetts. Nat. Silsbee, Daniel Webster.\*

Connecticut. Calvin Wiley, Samuel A. Foot.

Rhode Island. Nehemiah R. Knight, Asher Robbins.

Vermont. Dudley Chase, Horatio Seymour.

New York. Martin Van Buren,\* Nathan Sanford.

New Jersey. Mahlon Dickerson, Ephraim Bateman.\*

Pennsylvania. William Marks, Isaac D. Barnard.\*

Delaware. Louis M'Lane, Henry M. Ridgely.\*

Maryland. Samuel Smith, Ezekiel Chambers.

Virginia. Littleton W. Tazewell,\* John Tyler.\*

North Carolina. John Branch, (one vacancy.)

South Carolina. Robert Y. Hayne, William Smith.\*

Georgia. John McPherson Berrien,\* Oliver H. Prince.

Kentucky. John Rowan, Richard M. Johnson.

Tennessee. John H. Eaton, Hugh L. White.

Ohio. Benjamin Raggles, (one vacancy.)

Louisiana. Dominique Bouligny,\* Josiah S. Johnson.

Indiana. William Hendricks, James Noble.

Mississippi. Thomas H. Williams, Powhatan Ellis.

Illinois. Jesse B. Thomas, Elias K. Kane.

Alabama. Henry Chambers,\* Wm. R. King.\*

Missouri. David Barton, Thomas H. Benton.

HOUSE OF REPRESENTATIVES.

Maine. John Anderson, Samuel Butman, Rufus M. Intire, Jeremiah O'Brien, James W. Ripley, Peleg Sprague, Joseph F. Windgate.\*

New Hampshire. David Barker, jr. Ichabod Bartlett, Titus Brown, Joseph Healey, Jonathan Harvey, Thomas Whipple, jr.\*

Massachusetts. Samuel C. Allen, John Bailey, Isaac C. Bates, Benj. W. Crowninshield, John Davis,\* Henry W. Dwight, Edward Everett, Benjamin Gorham, James L. Hedges,\* John Locke, John Reed, Joseph Richardson, John Varnum.

Rhode Island. Tristram Burges,\* Dutee J. Pearce.

Connecticut. John Baldwin, Noyes Barber, Ralph J. Ingersoll, Orange Merwin, Elisha Phelps, David Plant.

Vermont. Daniel A. A. Buck, Jonathan Hunt, Rolin C. Mallory, Benjamin Swift, George E. Wales.\*

New York. Daniel D. Barnard, George O. Belden,\* Rudolph Bunner,\* Churchill C. Cambreleng, Samuel Chase, John C. Clark, John J. DeGraff, John D. Dickinson, Jonas Earle, jr. Daniel G. Gransey, Nathaniel Garrow, John Hallock, jr. Selah R. Hobbie, Michael Hoffman, Jeromus Johnson, Richard Keese, John Magee, Henry Markwell, Henry C. Martindale, Dudley Marvin, John Muaynard, Thomas Taber, Henry R. Storrs, John G. Stower, James Strong, John W. Taylor, Phineas L. Tracy, Stephen Van Rensselaer, Gulian C. Verplanck,\* Aaron Ward, John J. Wood, Silas Wood, David Woodcock, Silas Wright, jr.

New Jersey. Lewis Condit, Thos. Sinnekson, Isaac Pierson, Samuel Swan, Jas. F. Randolph, Ebenezer Tucker,\* Samuel Anderson, Stephen Barlow, James Buchanan, Richard Coulter,\* Chauncey Forward,\* Joseph Fry, jr. Innis Green, Samuel D. Ingham,\* Adam King, George Kremer, Joseph Lawrence,\* Daniel H. Miller, Charles Minner, John Mitchell,\* Samuel M'Kean, Robert Orr, jr. William Ramsey, John

Sergeant,\* James S. Stevenson, John B. Sterigere, Andrew Stewart, Joel B. Sutherland, Espy Van Horn,\* James Wilson, George Wolf.

Delaware. Kensey Johns, jr. Maryland. John Barney, Clement Dorsey, Levin Gale, John Leeds Keer, Peter Little, Michael C. Sprigg, George C. Washington, John C. Weems, Ephraim K. Wilson.

Virginia. Mark Alexander,\* Robert Allen, John S. Barbour, Philip P. Barbour, Burwell Basset,\* Nath. H. Claiborne, Thos. Davenport,\* John Floyd,\* Isaac Leffler, Lewis Maxwell, Charles F. Mercer, Wm. S. Archer, Wm. Armstrong, William M'Coy, Thomas Newton,\* John Randolph, William C. Rives, John Roane, Alexander Smyth, Andw. Stevenson, Speaker, John Taliaferro, James Trezvant.

North Carolina. Willis Alston, Dan'l L. Barringer, John H. Bryan,\* Samuel P. Carson, Henry W. Conner, John Culpeper, Thomas H. Hall, Gabriel Holmes,\* John Long, Lemuel Sawyer,\* Augustine H. Shepperd, Daniel Turner, Lewis Williams.\*

South Carolina. John Carter,\* Warren R. Davis,\* William Drayton,\* James Hamilton,\* jr. William D. Martin,\* George McDuffie,\* Thomas R. Mitchell,\* Wm. T. Nuckolls, Starling Tucker.

Georgia. John Floyd,\* Tomlinson Fort, Charles E. Haynes,\* George R. Glimmer, Wilson Lumpkin, Wiley Thompson, Richard H. Wilde.

Kentucky. Richard A. Buckner, James Clarke,\* John Chambers, Thomas Chilton, Henry Daniel, Joseph Le-compte, Robert P. Letcher, Chittenden Lyon, Robert M'Hutton, Thomas P. Moore, Charles A. Wickliffe, Joel Yancey.

Tennessee. John Bell, John Blair, David Crockett,\* Robert Desha, Jacob C. Isacks, Proyer Lea, John H. Marble, James C. Mitchell, James K. Polk.

Ohio. Mordecai Bartley,\* Philemon Breecher,\* John Davenport, James Findlay, William M'Lean, William Russell, John Sloane,\* William Stanberry, Joseph Vance, Samuel F. Vinton, Elisha Whittlesey, John Woods, John C. Wright, (one vacancy.)

Louisiana. William L. Brent, Henry H. Gurley, Edward Livingston.\*

Indiana. Thomas H. Blake, Jonathan Jennings, Oliver H. Smith.

Mississippi. — Huds.

Illinois. Joseph Duncan.

Alabama. Gabriel Moore, George W. Owen, John M'Kee.

Missouri. Edward Bates.

DELEGATES.

Michigan. Austin E. Wing.

Arkansas. Ambrose H. Sevier.

Florida. Joseph M. White.

From the National Journal.

WASHINGTON CITY, Dec. 1.

Indian War Dance.—On Friday last our citizens were afforded much amusement by the sons of the forest, who assembled in front of the President's House, Captain Hickey's National Volunteers, and the Washington Guards, commanded by Captain Seaton, attended pursuant to Brigade Orders. The Band of the latter corps having played some national military airs, they seemed delighted with the martial sound, proving that "Music has charms to soothe the savage breast." When the band ceased, the Warrior Chief of the Winnebago Tribe gave the signal for action, when the whole body, consisting of sixteen, who were previously squatted, sprang up leaving one Squam still prostrated, as if to protect their blankets; and having lustily yelled the war-whoop, they commenced, with their own music, "The Discovery Dance." It would puzzle a *Vestris* or *Caruso* to describe the figure and movements. We shall only explain the dance as given by the Interpreter.

On any declaration of war, the defensive party send a few outcasts, distinguished for their talent in the military *comp d'ail* and topography, to reconnoitre the position, force, &c. of the offensive party. On their return and report of discovery, the whole tribe prepare for action, and join in this dance. If the enemy is represented to be of superior force, they proceed by stealth, and surprise and attack them by day-break, commencing with a mortal fire of musketry. Should the enemy's force happen to be inferior, they fall upon them with the Tomahawk, and make them prisoners, avoiding unnecessary slaughter.

When the dance was finished, the Winnebago Chief described the battle with the Chippeway Indians, and the part he had taken therein. He said, that having met a Chief of the Chippeways who insultingly boasted that his tribe was the most powerful & numerous of all Indians, and that the Winnebago Tribe had no more strength than so many old women. On his return he communicated this insulting language to his tribe, and they determined to put the boasters to proof of their superiority, whom in a desperate defeat they made sensible that they were not the Lions of the forest. Of himself he said, he was then only a boy, but having a previous desire of distinguishing himself by some heroic action in the field, (for Naval like,

he had heard of battles, and he longed to follow to the field some warrior" chiefly he rejoiced at this opportunity of gratifying his ambition, and discovered in the action, that at the age of a boy he had the strength of a man; returning home in triumph, flushed with the pride of conquest, he pursued some smaller game for a sensual repast, and in chasing some birds had occasion to cross a small river on which he beheld an Indian foe and and squaw in a canoe. He took a circuitous route through the woods, and lay in ambush to meet them. On their approach he shot and scalped the man, and took the woman prisoner, whom he intended to adopt as his sister, being young. This custom is to save all their female prisoners, the young they adopt as sister, and the old as a mother. Thus in the barbarous state of nature they have an instinctive regard for creation's most perfect work—"lovely woman." The brave barbarians would not tarnish the glory of their conquest, by the unhalloved slaughter of helpless woman; yet the christian victors frequently consign these unoffending victims and their hisping babes to the sword and flames, their motto being—*non salus victis—nallam sperare salutem*, or as Dryden would say—

"Then let us fall amidst our foes,  
"Despair of life the means of living shows."

Though cases of extremity in war may sometimes oblige a cautious man to infringe established rules, yet the horrors of war should always be checked by acts of humanity.

On the Indian's return to his tribe, his prisoner was slain. This provoked him exceedingly, but he could not resent her murder, as they alleged in justification, that the blood of their relations was shed by her friends. They also danced the "R. Joyce Dance," after the victory of the Chippeways, and others occasionally, regaling themselves with what *Pat* would call "Adam's ale," as pure and unadulterated as the water of their Lake.

The corps having formed a large circle within which the warriors were placed, afforded an opportunity to an immense multitude to enjoy the delights of the day with the most perfect order and convenience. The motions of the Indians could not offend the most rigid and fastidious delicacy.

From Mexico.—A letter from a respectable gentleman in Mexico, speaking of Mr. Zavala, states, that a majority of the Senate, being of the opposite party, impeached him upon the most inconclusive evidence, principally of anonymous letters—that the Court appointed to try him, was composed of his personal enemies, and Government sent a body of troops to conduct him as the State prisoner to Mexico, to be confined in the barracks. Being warned by his friends that he would be condemned, with, or without evidence, he sought for safety in flight. The printed address from him to his countrymen will appear in this paper as soon as it is translated. Zavala was a warm friend to the United States, and a man of the most respectable character.

It is stated in some of the Vera Cruz accounts, that Mr. Poinsett was to embark in a short time at Tampico, for the United States. We learn that letters were yesterday received from Mr. P. by a gentleman in this city, in which he states that he is only staying in Mexico until the Senate of the United States shall have definitely acted upon the Treaty which has been negotiated with the government of Mexico. As soon as that treaty is ratified—if ratified at all—Mr. P. will take his departure from the Mexican Capital.—*N. Y. Com. Adv.*

The Tea Case. One of the celebrated cases which grew out of failure of Edward Thompson, of Philadelphia, commonly called the "Tea Case," has just been tried. Francis H. Nicoll, of New York, was plaintiff, and the marshal of the district of Pennsylvania, defendant. The marshal had seized the tea to satisfy debts due the United States for duties, and Nicoll claimed it by virtue of responsibility bonds, executed to him by Thompson before his failure, in security or satisfaction of the debt. The testimony established the validity of the bonds, and, of course, the soundness of Nicoll's claim. On the part of the defence, an attempt was made to prove fraud in the transactions between Thompson and Nicoll, which failed. On Monday last the jury returned a verdict in favor of Nicoll, awarding him the full amount of the property claimed, (\$220,000), and \$33,249.66, damages. The marshal having acted in behalf of the United States, the latter are the real defendants in the case. In his charge to the jury, Judge Washington took occasion to animadvert with great severity on the custom house officers of Philadelphia, of 1825; he said that "they were not only negligent and lazy, but unfaithful; that the frauds were caused by acts of theirs, not only of omission, but of commission, and that they actually threw the shield of lawfulness over the whole transaction, by furnishing Thompson with documentary proofs of fairness."