

Thursday, to discharge the committee of revision from the further consideration of that subject, and was negatived by a majority nearly as large as that by which the original resolution authorizing the revision was adopted.

Indiana Journal, December 18.

AMERICAN SYSTEM.

Extract from the speech of Major James Shannon, at a recent meeting of the friends of the Administration in the town of Lexington, Kentucky.

"Another ground of complaint, Mr. Chairman, on the part of the Opposition against the Administration, is its hostility to the 'Great American System,' as manifested by the *Veto Message of the President*, and the passage of the law repealing the duty on tea, coffee and cocoa. For my own part, sir, I have never been able to comprehend exactly what is meant by this 'great American System.' I have not been able in my researches, to meet with an intelligible specific definition of the term. I do not find it in any of the approved Lexicons or standard works on political economy. It is, to be sure, found to be a most convenient jockey-word, and makes a most conspicuous figure in the prosing essays we often meet with in the Opposition prints, written by political empirics, who would pass off pedantry for learning, sophistry for truth, and the oracular combination of a set of unmeaning phrases, as the recondite reflections of philosophic wisdom. The description of the 'Great Beast,' seen in the vision of the prophet Daniel, with seven heads and ten horns, comes nearer my idea of an actual personification of the American System than any thing that I have yet seen. The principal difference appears to be that the *great System* has the advantage of the Beast, in the number of heads and horns of which it can boast. In the States of New-York and Pennsylvania, we find some of its heads and horns are aptly represented by political Anti-Masonry, Agrarian Workmen, Indian Sovereignty, &c. &c. Another terrific looking head makes its appearance in Ohio, warring against King Caucus, with the following motto inscribed on its flag: 'Down with the President's Veto—Down with King Caucus!' while in Kentucky, yet another head of the same remarkable animal supports King Caucus as a legitimate monarch, regulates all its movements, and is now actually engaged in erecting a most magnificent throne for his majesty in the capitol of the State, where he is to be regularly crowned on the 9th day of next December, A. D. 1830. Another set of heads and horns may properly represent high duties, heavy taxes, odious monopolies, smuggling, &c. &c. We should be watchful and vigilant, Mr. Chairman, to prevent this many-headed monster from trampling down the settled land-marks of our Constitution, and finally triumphing over those liberties so dearly bought, and so highly to be prized.

"If, said Mr. Shannon, the term 'Great American System,' actually means an unlimited exercise of power, on the part of the General Government, to dig canals, and to make roads thro' the different States, without their consent, and assume a jurisdiction and control over the State territory, not expressly delegated by the Constitution; if it means a corrupt system of intrigue in Congress, where the interests of the weak are to be sacrificed to the interests of the strong, and a profligate expenditure of the public money, which is to exhaust the treasury & prevent the payment of the national debt; if it means a system of high prohibitory duties on imports that encourages smuggling, creates odious monopolies in one section of the country in favor of particular interests, and ruinous and blighting effects upon the trade and commerce of another; if, in fine, its whole scope and tendency is to fan the flames of faction, produce heart burning and discord amongst the different members of the confederacy of States, violate the Constitution and establish upon its ruins a Government of unlimited powers, without check or control—then, sir, the present Administration and its supporters, and all true friends to their country, are in heart and soul opposed to it. It is to a branch of this odious system that our venerable Chief Magistrate has already affixed his veto; and for that act of Roman firmness, the nation will proclaim—it has already proclaimed—'Well done, good and faithful servant.'

Benefit of Advertising.—The Boston Courier tells of a gentleman who having gone four miles on his return home from that city, missed his money, amounting to one hundred and fifty dollars. With much anxiety he returned, and having carefully examined every place where he had been, as a last resort repaired to the Courier to advertise his misfortune. With a sigh the gentleman drew forth his pocket-book to take a remaining dollar for the printer, when lo! all the money was found lying snugly in its proper place.

NOVEL LAW CASE.

The Cincinnati American of 22d instant gives the report of a trial for perjury, which was lately demanded in the Court of General Sessions in Hamilton county, and which exhibits a degree of rancor and vindictiveness on the part of the prosecutor, to which it would be difficult to find a parallel, in the legal annals of the present age. It was, as is already mentioned, an indictment for perjury against J. L. Chapman, a young student of medicine, who had lately made a runaway match with the daughter of Richard S. Wheatly, who was the prosecutor! It appeared that Wheatly, the prosecutor, resides in Louisville, Kentucky, and Chapman, the son-in-law in Cincinnati. The latter became acquainted with the daughter of the prosecutor, in August last, at the mansion of a common acquaintance on the Kentucky side of the river, near Cincinnati, where she was on a visit. Being mutually well pleased with each other, he prevailed on the young lady to come to Cincinnati and 'get married.' The law of Ohio requires that (when the consent of the parents is not given) the young lady must be 18 years of age before she can marry. It also enjoins that a license be procured from the Clerk of the Court before the marriage can be legally celebrated. In obtaining this license, the defendant made oath, to the best of his knowledge and belief, that his intended wife was about 18 years of age. And it was for taking this oath, albeit with that limitation, that Wheatly instituted the prosecution for perjury against his son-in-law. The cause excited great interest in the public mind, and produced, as was quite natural, 'very general indignation against the prosecutor.'

On the part of the state, it was satisfactorily established that the lady was but seventeen years of age; also, that she had so stated her age in presence of defendant; but that statement was in the course of a 'joking conversation' with some young ladies, on the subject of 'old maids.' On behalf of the defendant, it was in evidence that she had, in his presence, stated her age to be over eighteen years; and that 'when the officer went to arrest the defendant, a few hours after the marriage, she exclaimed, as soon as the cause was made known, 'it was not his fault but mine.' It was also proved that her appearance indicated at least 18 or 19. And further, that the prosecutor had made a proposition to defendant that if he would 'make over' his wife's property to him (Wheatly) the prosecution would be dismissed. It was also in evidence that Wheatly the father-in-law, in answer to the expostulations of a friend against persisting in a course which if successful would send the defendant to the penitentiary, where his daughter would undoubtedly follow her husband—rejoined, that 'he did not care if she went to hell, so that he could punish Chapman!'

The young lady is represented as quite pretty and engaging in her manners; and at the examination before the Mayor, (says the Cincinnati American) 'she exhibited the deepest distress at the unlooked for event, and clung with streaming eyes and all the fondness of a devoted wife to the neck of her husband, protesting his innocence, and the cruelty of the prosecutor.'

The trial lasted a whole day—and the jury, with true feeling as well as justice, after an absence of five minutes, returned a verdict of not guilty.

The Governor's Code. It will be seen by the following letter, addressed to the President of the Senate, that his excellency Gov. Ray has not yet completed the 'codification' he promised the people of Indiana. The press of private and official business has been too great, during the two or three past years, to admit of his attending to the work without detriment to the public interest. It is to be hoped that when his excellency shall have 'filled the measure of his' official term, and retired to private life, he will find leisure to perfect his code. 'The eye of the state is upon' him, and he 'is expected to perform his own duty.' The scoffs of a parcel of musty lawyers, who undertake to 'condemn it in advance,' should not for a moment retard his labors. The germinating seeds of enterprise, which sprung forth in the bosom of Columbus, were not suffered to 'wither and die' under the heavy pressure of disappointment and selfish unbelief—otherwise, 'this young and interesting state' would never perhaps have dotted the great map of the civilized world.

Indianapolis, Ind., Dec. 10.

HON. MILTON STARR,

President of the Senate:

Sir: In answer to your letter of this date, enclosing a resolution of the Senate on the subject of a codification, compilation and revision of the laws, permit me to say, that I have procured a blank book at my own expense, and framed in it, one hundred articles of law; but as what is done, forms a part of an entire system, it cannot be attached to the revision and compilation in contemplation by the Senate,—it can have no connexion with it. In the future, I shall only promise what I have in the past—my intentions and exertions to do

all in my power to give a code of laws to the people of Indiana. The great inroad which has heretofore been made upon my time by increased official duties, sickness, domestic concerns, and by my common intercourse with the world, leaving me but a small portion to be devoted to the work in hand, causes me to fear, that my own labours, unaided even by a clerk, will be inadequate to the completion in a year, of the work of years.

This is a subject about which no positive promise ought to be made, by one in my situation; having several thousand executive acts to perform in the course of a year, besides being subject to other unavoidable losses of time, as other men. Neither am I in this service under the employment of the state. My undertaking is a voluntary one, and if circumstances shall render it improper for me ever to submit a code to the Legislature, I shall hold myself accountable to the people for satisfactory reasons for my course. All may be assured of this—that I will not at any time place it in hands that will abuse it. A work which is condemned in advance, by the interested, is not likely to pass the ordeal of a fair examination, when placed under their supervision. I have had much to discourage, and but little to encourage me to prosecute my original design. I shall refrain at this time, from allusion to causes, which have operated to dissipate me from toiling without a prospect of effecting my object. Though I shall never lose sight of being instrumental, in whole or in part, of providing a code of laws for the state,—it will be equally as certain, that until motives shall cease to operate against any thing which comes from me, my fears will be stronger than my hopes for its fate.

Whatever course the Legislature may think proper to take, as to a system of laws, they may rely upon my best exertions to aid them to the extent of my abilities.

I have the honor to be, sir, very respectfully, your obedient servant.

J. BROWN RAY.

The following communication will not, we think, be uninteresting to the public, as explaining the ground on which the acting commissioner of the General Land Office formed his decision respecting the Michigan road lands:

GENERAL LAND OFFICE,

October 5th, 1830.

Sir, I have the honor to enclose a sketch, exhibiting the several Indian cessions in the northern part of the state of Indiana, by the first article of the Potawatamie treaty of the 16th of October, 1826, (Ld. Laws, page 331.) of the tracts coloured blue on that sketch were ceded to the United States. By the second article of the same treaty, the Indians cede to the U. States a strip of land, commencing at Lake Michigan, and running thence to the Wabash river, 100 feet wide, for a road; and also one section of good land contiguous, to said road, for each mile of the same; and also, for each mile of a road from the termination thereof, through Indianapolis, to the Ohio river, for the purpose of making a road aforesaid, from Lake Michigan, by the way of Indianapolis, to some convenient point on the Ohio river. By the same article it was also provided, that the General Assembly of Indiana should have the right to locate the road, apply the said sections or the proceeds thereof, to the making of the same or any part thereof, and that the grant should be at their sole disposal; but by the ratification of this treaty, this provision was rejected, although not so noted in the land laws, (see appendix to laws United States, 2d Session, 19th Congress, page 52.) By the act of Congress approved on the 2d March, 1817 (land laws, page 932.) the General Assembly of Indiana were authorized to locate and make the road above specified, and apply the strip of land and sections ceded for that purpose, or the proceeds thereof, to the making of the same; and the grant was placed at their sole disposal.

It does appear to this office, that the second article was intended to make a cession of lands separate and distinct, from those designated in the first article of the same treaty; that the quantity thus ceded is a strip of 100 feet wide, for the length, that the road may run through the lands belonging to the Indians, and one section of land for each mile of the road from Lake Michigan, through Indianapolis, to the Ohio river. Before the quantity can be ascertained, it appears to me, that the road must be actually laid out, so as to ascertain its course and length, and the number of sections, ceded by the treaty and vested in the state by the act of 1827, that when the road is so laid out, the section of land for each mile it may be run through the Indian country, must be located agreeably to the words of the treaty, contiguous to the road, and that the residue of the lands, thus ceded must be taken out of the lands belonging to the Indians, and not out of the lands ceded to the United States, for another purpose, by the first article

of that treaty, or by any other treaty.

It is not known to this office that the road has been laid out and surveyed, and the subject is now brought before the Secretary for his decision in consequence of the receipt of the enclosed communication from the Commissioners appointed by the State of Indiana, to select the lands granted for the road. I have marked on the sketch, by a red cross, the townships in which they propose to make the selections, by which it will be perceived, that they do not lay in a direct line from the Lake to Indianapolis; that part of the selections are in the tracts ceded by the first Article of the treaty, and that the residue are embraced by the Chicago cession of 1821.

The list has not been critically compared with the plats in this office, but it is known that there will be objections to the approval of some of the selections, in addition to the general one; that they may include lands liable to entry, under the pre-emption law of the 29th of May last.

J. M. MOORE, Act. Comm'r.
SAM'L. D. INGHAM, Sec'y Treas'y.

MISSOURI SENATOR.

The Missouri Republican of the 7th inst. (the leading Clay paper of that State,) says:

'The Senatorial Election took place on Tuesday last, and Col. ALEXANDER BUCKNER was elected on the first ballot. The friends of Mr. Barton, though more numerous than those of any other candidate, had ascertained that he could not be elected, and, therefore, did not nominate him. The vote is given below.

'Our enemies will undoubtedly claim the victory in the election of Col. Buckner as he was one of the candidates nominated by the Beacon, as the successor of Mr. Barton. We will not deny, that the members of the Legislature favorable to Mr. Clay, have been driven from their choice, and been compelled to make a selection among the opponents of Mr. Barton. They have acted as prudent men, in like circumstances, should act: they have chosen the best man in the opposition rank, when they were unable to elect the man of their choice.—That he is the best of the men from whom the selection was to be made, we do not question. The comparison is chiefly between him and Gov. Miller, for all the rest were, by their friends, withdrawn.'

The admissions of the Editor of the Republican must settle the question, as to the political character of Col. Buckner. It is stated, that it was ascertained that Mr. Barton 'could not be elected'—that Col. Buckner 'was one of the candidates nominated by the Beacon,' the leading Jackson paper in Missouri—that 'the members of the Legislature favorable to Mr. Clay have been driven from their choice,' and 'compelled to make a selection among the opponents of Mr. Barton'—and that 'they have chosen the best man in the opposing rank, when they were UNABLE TO ELECT THE MAN OF THEIR CHOICE.'

These admissions are decisive, and cannot be misunderstood. They demonstrate that the Clay party has been again signally defeated in Missouri. The election of a Jackson Senator is the glorious triumph said to have been achieved by the opposition!!

This event will naturally recall to the recollection of the public, the shout of victory raised through the Clay presses, in consequence of what was termed 'the auspicious result' of the Missouri election. Their alleged victories in Indiana, Illinois, Ohio and Kentucky, will prove equally advantageous.

Louisville Ad.

We would invite the attention of the editor of Western Times to the attached article from the Lafayette Free Press. As the editor of the Press is 'of the same church' with Mr. Smith, we expect his opinion will be entitled to some respect.

Michigan Road.—Considerable excitement and not a little dissatisfaction, appears to exist, among the contractors, labourers and others on this road, in consequence of the decision of the proper Department touching the selection of Lands, made by the commissioners of the State, for the construction of the road.—A simple reference to the treaty under which these lands are claimed, must convince any man of common sense, that the proper—the only rational—construction was given it by the commissioner of the Gen. Land Office,—and the only cause for astonishment is that the state should have viewed it differently. It is probable however that her view of it was the same taken and intended by the Indians. They contemplated no additional donation. But they were deceived—grossly deceived—(we say not intentionally)—and being a weak and almost defenceless Nation, they can but submit to the results to which it must lead. A powerful hand is upon them: they dare not resist!—O tempora! O mores!

Pennsylvania legislature.—Both houses met on Tuesday, the 7th instant. At

3 o'clock, on motion of Mr. Brown of Allegheny, the Senate was organized—28 members present. On motion of Mr. Wise, the senate proceeded to the election of a Speaker, when it appeared that Wm. G. Hawkins, of Greene was unanimously elected. On taking the chair, Mr. Hawkins delivered a short and appropriate address, after which Mr. Wise administered the usual oaths of office to him.

The House met at 2 o'clock—96 members present. On motion of Mr. Banks, the house proceeded to the election of a Speaker, and the following was the result—Frederick Smith, of Franklin, received 70 votes—N. Middleswarth, of Union 24.

Greensburg Republican.

United States' Senator. On Saturday last, the 13th inst. the election of a United States' Senator to fill the seat of the Hon. Wm. Hendricks, came on, and on the 1st ballot Mr. Hendricks received 31 votes, Ratliff Boon 26 votes, John Law 12 voter, Charles Dewey 9 votes, and 4 scattering. On the second ballot it was for Hendricks 34, Boon 28, Law 11, Dewey 7, scattering 2. Third ballot—Hendricks 40, Boon 24, Law 13, Dewey 3, scattering 2. Fourth ballot—Hendricks 44, Boon 26, Law 9, Dewey 3, which terminated the contest, and Mr. Hendricks is again our Senator for six years from the 4th of March next. Mr. Hendricks is well known to the public; and he professes distinctly his friendship for Mr. Clay. In this election the Jacksonians were in the minority; and, we need scarcely add, were decidedly in favor of Mr. H. after they were convinced that they could not secure their favorite, Mr. Boon. From the pledges of Mr. Hendricks, and his course last winter as Senator, we are disposed to believe that his election may be considered as favorable to the present administration, although he avows his individual preferences for Mr. Clay. At least seven Jacksonians went for him on every ballot.

Ind. Democrat.

The Memorial for the establishment of a new Land Office in the St. Joseph's country has passed both Houses of the General Assembly.

The committee of Revision are progressing rapidly and harmoniously with the Revision and Compilation of the Laws.

The subject of the Apportionment of Representation, according to the census of this year, is now before both Houses. The probable increase will be five or six Senators and four or five Representatives, and the ratio for a Senator 24 or 25,000—for a Representative from 300 to 1000.

Ohio Supreme Judge. By letters received last night from Columbus, we learn that Ebenezer Lane, of Huron county, was on Saturday last elected a Judge of the Supreme Court of Ohio, in place of E. Hayward resigned.

The Governor elect took the oath of office on Saturday last, and delivered a message on the occasion.

A letter from Judge Miller furnishes us with the state of the ballots, of which there were four. All the members present, except Gen. Cilley, of this county.

| | 1st bal. | 2d | 3d | 4th |
|---------------|----------|-----|-----|-----|
| Reuben Wood | 52 | 52 | 52 | 52 |
| Ebenezer Lane | 43 | 52 | 53 | 55 |
| Calvin Pease | 10 | 2 | 1 | — |
| B. Tappan | 1 | — | — | — |
| J. C. Wright | 1 | 1 | 1 | — |
| | 107 | 107 | 107 | 107 |

It is supposed that with Gen. Cilley's vote, the parties are equal on joint ballot.

Nat. Republican, Dec. 21.

South Carolina Senator. Governor Miller has been chosen Senator in Congress from South Carolina for six years from the 4th of March next, in place of Judge Smith. The vote was for Miller 31, for Smith 77, and one blank.

The legislature of North Carolina have had several ballotings for a Senator, without effecting a choice.

By subsequent information from Raleigh, we learn that Mr. Mangum has been chosen Senator in Congress from the State of North Carolina for six years from the 4th of March next, by a vote of 103 to 84 for Gov. Owen.

Alabama Senator. Governor Moore has been chosen Senator in Congress from Alabama for six years from the 4th of March next, in place of Mr. McKinley.

All the foregoing Senators elect are friendly to Gen. Jackson's administration.

The population of the state of Mississippi is 36,517 males, and 31,348 females. Total 67,865. This state can have but one representative in congress for the ensuing ten years.

The whole population in Rhode Island is 27,226. Should the ratio of representation be increased to 50,000, she would lose a member, at 45,000 she would remain stationary.