

lector or other person doing county business, offending against the provisions of this section, on conviction thereof upon indictment or presentment, shall be fined for every such offence in any sum not exceeding five hundred dollars.

Sec. 20. That the qualified voters residing within the several townships, of the several counties of this state, shall meet together at the usual places of holding general townships elections, on the first Monday in April next; and annually on the first Monday in April thereafter, for the purpose of electing as many constables in such township as there are justices of the peace within the same, and shall at the same time elect one inspector of elections for each township; two fence viewers, two overseers of the poor, and as many superintendents of highways as there are now or may hereafter be allotted the respective townships by the proper board of commissioners; and in all cases of failure on the part of the qualified voters, to elect any such townships officers, it shall be the duty of the board of commissioners at the next session after the time such election should have been held, to appoint such officers to remain in office until the time for the next election. Nothing in this act shall be so construed as to affect or repeal the laws now in force, regulating the manner of doing township business, in the counties of Dearborn and Switzerland, except as to the election of the township supervisor.

Sec. 21. The above named township officers shall possess the same qualifications, and perform the same duties, as are required of such officers by the laws now in force; the said township elections to be held and conducted in the same manner that general and township elections are now held and conducted, and the constables shall give such bond and security, for the performance of their duty, as is now required by law.

Sec. 22. That the board of commissioners shall, so soon as may be after the first election held under the provisions of this act, divide the several townships within their respective counties into as many highway districts as they may deem necessary; which districts shall be designated and numbered in numerical order, and recorded by the Clerk of the board of Commissioners. Where any vacancy shall happen in any of the township officers, the said board of commissioners shall, at their next session, appoint a suitable person or persons to fill such vacancy until the next annual election for township officers, when such vacancy shall be filled by an election of the electors of the township.

Sec. 23. It shall be the duty of the said inspectors of elections in each township, within three days after such election, to make out and deliver to the Clerk of the circuit court, a list of the several township officers, whose duty it shall be to make out certificates of the election of the person or persons elected, and the Sheriff of said county shall deliver the same to the township officers elected.

Sec. 24. The circuit courts in counties where court houses shall not have been erected, shall be held for the time being, at the place designated by law or selected by the court; and the boards of commissioners in such counties, shall with all convenient speed proceed to the completion of a court house, jail, and other public buildings for the same, and keep the same in repair.

Sec. 25. The board of commissioners, in their respective counties, at their first meeting after the passage of this act, or some subsequent meeting, shall appoint some fit person as trustee of the public seminary of their respective counties, who, on acceptance of such appointment, shall take an oath of office faithfully to discharge the duties of his said office according to law, and also give bond payable to the state of Indiana, with two sufficient securities, in the penal sum of double the amount as near as may be of the funds of the county seminary, conditioned for the faithful performance of the duties of his office, and for paying over all monies, and delivering over all books, bonds, and papers that may be in his hands as trustee, to his successor in office, when his term of service shall have expired agreeably to law; which bond shall be filed in the office of the clerk of the proper county, and shall not be void on one recovery, but may be put in suit from time to time, as often as occasion may require: *Provided however*, That this act shall in no way be construed so as to interfere with or repeal any existing laws, respecting the county seminary of Switzerland county or any other county, for which special laws relative to county seminaries have heretofore been enacted.

Sec. 26. The board of commissioners shall annually allow the clerk and sheriff of their county, such compensation for their extra services, as they may deem reasonable, not exceeding seventy dollars each; which annual allowance shall be considered a full compensation for all extra services, rendered the board of commissioners, the circuit

court of such county, and the county in any manner whatever.

Sec. 27. The board of county commissioners in each and every county, shall cause a pound to be erected at or near the several court houses, with a good and sufficient fence, gate, lock and key, where stray horses, mules, and asses may be kept, on the first day of the terms of the circuit courts; and the said board shall also appoint some fit person who shall take charge of said pound, and keep the same in repair, and whose duty it shall also be to attend at the said pound, on the several court days, during the time such estrays are directed to continue there, with the key of the same; and the said board shall make such reasonable allowance for the erecting and keeping said pound as to them shall seem proper, to be paid out of the county treasury; and any person being appointed and undertaking the charge of said pound, and failing to discharge his duties agreeably to the directions herein expressed, shall forfeit and pay to the person injured, the sum of eight dollars for every such offence, with costs, recoverable before any justice of the peace of the county where such offence shall have been committed.

Sec. 28. From all decisions of the several boards of commissioners, there shall be an appeal to the circuit court, by any person or persons aggrieved; and the person or persons appealing shall take the same within thirty days after such decision, by giving bond with security, to the acceptance of the clerk of such board, conditioned for the faithful prosecution of such appeal and the payment of costs already accrued, and which may hereafter accrue, if the same shall be adjudged by the said circuit court, to be paid by such appellant; and the clerk shall docket such appeal, with the cases pending in the circuit court, within twenty days after the taking of such appeal.

Approved, January 16, 1831.

#### INDIANA LEGISLATURE.

The Legislature adjourned *sine die* on Thursday last, after an interesting session of nine weeks and a half.

Much important business has been done, and we are inclined to believe that much benefit will accrue to the public from a part of the labours of the late session.

Among the most important acts, of a general nature, are,

The act repealing the usury laws, in such manner that contracts for specified amounts of interest shall be valid and collectable between parties, without regard to established rates, except in cases where no definite rate is named in the contract.

The act changing the mode of transacting county business, from justices' courts to commissioners.

The act regulating the emigration of free negroes to this state, whereby they are compelled to furnish testimonials of good character, and to give security for their good behaviour, and that they will not become paupers upon the county.

The act apportioning the state into senatorial and representative districts.

The act distributing between forty and fifty thousand dollars of the three per cent. fund to the several counties for the improvement of roads.

A general compendium of the Militia laws and also of the road laws.

A complete revision, compilation and reprinting of all the laws of the state.

The above business, together with the election of a United States Senator, the re-organization of the supreme court, the election of president judges, prosecuting attorneys, has contributed to render the session important.

The subject of the Wabash and Erie canal has been an engrossing topic, and the public are apprized that all further operations thereon are *nullified* for one year. We are not aware that the necessities of our state in general are such as to suffer materially by this limited suspension of this great work of Internal Improvement; but we cannot discard our belief that the state has shown bad faith to those adventurers whom she invited by her law of last year to make investments in her canal lands, and who have paid their money into her coffers upon the certain calculation that she would go on to prosecute the work.

*Ind'a Democrat, Jan'y 12.*

*Close of the session.*—Seldom has a scene been presented to the world surpassing the things done and performed within a few days previous to the close of the session.

The senate and governor Ray got at loggerheads on the subject of the nomination of the supreme judges, and several reports, resolutions and messages passed between them, not very courteous in their character nor decorous in language, abounding in severities and insinuations. This state of affairs continued, progressively, until Wednesday, when it was blown into a perfect hurricane by a message from

gov. Ray, which went to impugn the motives of members of the senate in relation to sundry matters. The venerable and highly respectable senator from Dearborn, judge Watts, arose in his place, and in a strain of eloquent, pathetic and manly language portrayed the whole political *rise, progress and fall* of the governor, relating minutely the many acts of his political life which went to show him forth in no very enviable colours. Judge Watts stated that he had been the early patron and protector of the governor, that he had been a member of his family, that the strong ties of relationship existed intimately between them; that his efforts had always been exerted to support and defend the governor; but that the time had arrived, when he felt it his imperious duty to raise his voice against him, and to defend himself from the ungracious imputations which were cast upon him for the first time in his life. He proceeded to detail the acts of gov. Ray since the time he first determined to be a candidate for the United States' senate. The means he had endeavored to enlist in his behalf in order to effect his designs; that he had conveyed to the ears of the old judges that their re-nomination depended upon an intimation from them that he should be supported by the men whom he would nominate. That one of the gentlemen who had been nominated, had been proverbially the reviler and opposer of the governor, and that the executive of a state had thrown aside the dignity of his station and had patrolled the state electioneering for the office of senator, by holding forth the patronage of his station, especially the seats on the supreme bench; that when he found he could not succeed thereby, he endeavored to manage himself on to the supreme bench, but failing in all he now wishes to cast odium upon his benefactors. The judge went on to say that more than all this was true as he knew from *his own knowledge*, and that he as a *senator in his place*, averred its truth, and did he conceive it doubtful he could swear to it before the court of heaven. He stated that disgrace had fallen upon the state by the election of such a man as governor, and he prayed that providence would avert a similar calamity for the future.

The governor sat in the lobby and heard this withering denunciation as it fell from the lips of the hoary headed senator. He arose and attempted to defend; but it was like darting straws against the wind. In a few moments he sat down, surrounded by an immense crowd of hearers who, although they must have pittied one so overwhelmed, yet audibly muttered a general assent to the justice of the chastisement.

But this was not the end of the farce. In a phrenzied heat, the governor lost all control of his cherished dignity, and on Thursday a most disgraceful scene was exhibited by him in the office of the secretary of state. He repaid thither and got into altercation with the secretary in relation to the fact of members of the general assembly having books belonging to the state library, which is intended for the use of members and others, and wished the secretary to furnish him a list of the books in the hands of the members, in order that he might justify himself for having kept books of importance out of the library for more than a year.

The secretary was engaged in attending to a resolution of the senate requiring him to prepare a list of facts for publication, and the general assembly were just on the point of adjourning. The secretary told the governor his engagements, and the impossibility of complying at that time with his request; but gave him the library record to examine. The governor sat a few moments examining the book, and in a rage of passion arose and seizing a chair, poised it in the air threatening to "knock out the brains" of the secretary. The secretary undismayed reproved him for his undignified conduct and told him of the meanness of his course, questioning at the same time the veracity of his assertions and the courage of one who thus essayed to act the bravado. The general attendance of the members of both houses soon caused the gov. to draw in his horns, and to calm down his anger.

At this time the legislature were waiting for the signature of the governor to a number of bills, and in the course of the afternoon he signed them, after which a committee of the senate was appointed to wait upon him, and know if he had any further communications to make. He informed the committee that he had further communications to make; but instead of treating him with any degree of respect, a motion was immediately made, that the senate adjourn *sine die*, which was carried unanimously, and this too, in the presence of gov. James Brown Ray. *Sic transit gloria mundi!!!* *Ib.*

By a recent decree of the emperor of Russia, it is stated that the Jews who cannot pay their taxes are obliged to become soldiers.

#### COMMUNICATION.

##### EXAMINER—No. XIII.

To the electors of the state of Indiana: You are requested to take into serious consideration the propriety of electing farmers, mechanics, and laborers to represent, make our laws, transact and execute all and singular the principal constitutional offices of government, according to their true intent & meaning; whereby our rights may be observed and maintained for the good of the whole.

Fellow citizens, in choosing men of our own class to make our laws, we shall elect persons whose interests are inseparable from ours, and whose aim will be, in making laws, to limit their contents to the capacity of all who can read and understand plain English. In making laws for our republic brevity and simplicity should be observed. They should be brought within the reach of all to understand. In our present mode, the people are imposed upon by a multitude of candidates for office, who present themselves, without being called upon by the people to stand as candidates at the polls, but who have nominated and imposed themselves upon the good people, by whom they wish to be honored and benefitted. In those cases of self-nomination the people cannot anticipate any great good from the result of electing them. In most all elections of this kind, the candidate brings himself forward, from ambitious and sinister motives, totally unconnected with the interest of the people, (as we have reason to believe from past experience;) but which are hidden under great pretensions of friendship and large and extravagant promises to affect (if elected) some great good for the special benefit of the electors.

Fellow citizens, I will quote one act of the general assembly of the state of Indiana, to show you how far our laws are removed from the understanding of the great mass of the inhabitants of this State.—How much of this act has been repealed, I will not pretend to say, but I fancy not much, as it is in the body of our revised code of laws:

An act declaring what laws shall be in force, approved, January 2, 1810.

"Be it enacted &c. That the common law of England, all statutes or acts of the British parliament in aid of the common law, prior to the fourth year of the reign of king James the first, excepting the second section of the sixth chapter of forty-third Elizabeth, the eighth chapter thirteenth Elizabeth, and ninth chapter thirty-seventh Henry eighth, and which are of a general nature not local to that kingdom, and not inconsistent with the laws of this state; and also the several laws in force in this state, shall be the rule of decision, and shall be considered as of full force until repealed by legislative authority."

Fellow citizens, I will appeal to your good judgments, how many of the inhabitants are acquainted with the laws of the state of Indiana. Can it ever be possible for the great mass of the people of this state to become acquainted with those which are to govern our courts of justice, while we have to search the code of Great Britain to learn them?

Fellow citizens, are we not a plain and domestic people? Would not a plain simple code of laws be the most congenial with our habits and interests—such a canon of rules and regulations as would readily be understood by the smallest capacities? Would not such laws obviate and prevent ten thousand cases of litigation, which the people are now afflicted with, whereby all the bad passions of the human heart, viz: malice, hatred, revenge, slander, evil speaking, &c. are brought into action. The greatest number of those law difficulties originates, nine times out of ten, in a misapprehension of the laws of our country.

Fellow citizens, if it is your wish to have the constitution supported, and our laws simplified and brought to the understanding of the people, make that desire manifest at the polls of our elections, by electing such men only as will avow their sentiments and pledge themselves to adhere to and support the constitution of this state, and fashion our laws, as far as possible, to the comprehension of the good people for whose benefit they are made.

Fellow citizens, is it not an evident design of our law constructors, to make them as dark, complicated, ambiguous, and mysterious as possible? Which will render them harder of access and more difficult to be understood. The more liable the people are to err in the support of them, the more litigation and law suits. Permit me to ask the question, for whose benefit are law suits? For the people or the lawyers? I fancy you will not hesitate long in making a decision on this question. Have you ever known an honest, industrious, and working people become rich by being engaged in continued law suits? I have no hesitation in believing your answers will be in the negative. For whose benefit is it then to have litigation and suits at law continually multiplied? Are they not for the sole benefit

of the lawyers? Most assuredly they are, and not for the people.

Fellow citizens, are not most of our acts framed and brought before the general assembly by lawyers, especially those which are of the most difficult for a common understanding to comprehend? So long as it is the custom for candidates to nominate themselves, so long the people will be imposed upon by wicked and designing law makers, and harassed, perplexed, and disturbed.

Fellow citizens, permit me to call your serious attention to the propriety of the people nominating the candidates they intend to support at our elections; and in making a selection, lay aside party animosity and prejudice, and let the all important question be asked, are they honest, capable, and will they support the constitution and seek the good of the whole whom they may represent. In electing farmers and mechanics we shall take them from that great mass of laborers, who are the support and bulwark of the nation, and their interests are so strongly associated with their fellows that it is hardly possible for a separate interest to exist. By pursuing this course a few years a change would be effected in the mode of government; the people would be relieved from that troublesome task of hunting the acts of the British parliament for statutes to govern our courts of justice.

But if it is necessary for the people of Indiana to have some laws, similar to Great Britain, why not enact them in our revised code, and make them plain and simple, by striking out all the words of dead or foreign languages, and supply their places with words in our own language? This would enable the people of Indiana to transact their business, without the trouble of making a voyage to Europe to learn the contents of our laws.

Fellow citizens, how long are you willing to be imposed upon by men, whose interests are in direct opposition to the commonwealth of Indiana? Every lawsuit of any note injures some individual or more, and benefits one, two, and, perhaps, half a dozen lawyers. It is reduced to a moral certainty that the lawyers live on the enigmas of the people, when their living is obtained by the practice of their profession. Would not our errors be of sufficient weight for us to bear, if our laws were so simplified as that we could avoid ten thousand law suits, which we are now ignorantly drawn into; and I must add, for the most part, innocently. In electing lawyers to make our laws, is like unto a man who hires a mechanic to make his shoes, whose whole study in learning his trade has been to spoil his work, by some mysterious and unknown trick that it cannot be of any use, unless some one of the craft attends to putting it on; and when once on, endangers health and fortune. *Examiner.*

*Examiner* presents his respects to the editors in Indiana, and requests them to re-publish the above and subsequent numbers, should they deem them worthy.

The return to the Chief Justice's injunction to the Governor of Georgia to prevent the execution of the murderer—Tassels—reminds us of the famous reply of Gen. Israel Putnam, (who was in the American Revolution the old Hickory of New England, and whose memory will be cherished and honored to the latest times,) to an empty, threatening injunction of a British Commander to prevent the execution of one Nathan Palmer, a British spy—Gen. Putnam wrote back the following letter, which we quote from memory.

*Boston Statesman.*

"Sir—Nathan Palmer a Lieutenant in your King's service, was taken in my camp as a spy, he was tried as a spy, he was condemned as a spy and he shall be hanged as a spy."

*P. S. He is hanged. yours &c.*

*A real Nimrod.* We find in the Bethany, Wayne county, (Pa.) Enquirer, the following notice:—We hope something more than the jackets of friend Fullis's deer friends will find their way to this market; by the way, if any one will visit Sylvester's in sixth street, below market, he may ascertain that a deer skin may not inappropriately be called a jacket. *Phil. Eng.*

"We notice an account of some six or a dozen hunters in one of our back counties, having killed five deer in the course of a day! Why, in Wayne county we think nothing of this. Our friend Ab. Fulls would laugh at it. He has frequently done as much single handed. Last year he took the jackets of ninety seven of the tribe, and this season he has already executed his death warrant on upwards of sixty.

We have an account of an old hunter here, who some years ago, in one day, killed two martins, four deer and a bear, at one shot!!! This is actually the fact; and any critic who will carefully read this statement will not be inclined to doubt it.

Eleven deaths occurred in Cincinnati for the week ending 2d Feb'y.