

Laws of Indiana.

An Act amendatory to the act entitled "An act to organize Probate Courts, and defining the powers and duties of executors, administrators, and guardians," approved February 10th, 1831.

[APPROVED, February 3, 1832.]

Sec. 1. [Be it enacted by the General Assembly of the State of Indiana,] That the probate court of each county shall hereafter hold only four terms in each year, to commence on the second Monday of February, May, August, and November, and shall at each term sit six days if the business thereof require it.

Sec. 2. In any county in which the board doing county business for the same, may now or hereafter be required by law to hold or commence either of its sessions, in either of the aforesaid days, the term of the probate court of said county, appointed by the first section of this [act] to be held on such day, shall in such case be commenced on the Thursday next following the same; *Provided*, That if either of the above named terms of the probate court of any county, shall happen within any time prescribed by law, for holding the circuit court of such county, such term of the probate court shall be deferred to, and commenced on the Monday next following such term of the circuit court.

Sec. 3. All and singular the business and proceedings, done or transacted in or by any probate court within this state, since the passage of the act to which this is an amendment, are hereby legalized to the same extent, and in the same manner, as though the day or days on which such business was so done or transacted, had been appointed and fixed by law for that purpose.

Sec. 4. That the probate court of any county in this state, which now has acquired, or shall hereafter acquire jurisdiction over the estate of any decedent, or the settlement thereof, by letters of administration or testamentary, having been issued by such court, or the clerk thereof, or which has heretofore or shall hereafter acquire such jurisdiction by virtue of any other law of this state, is hereby vested with full power and jurisdiction in and over any real or personal estate of such decedent, situate or being in any other county within this state, whether such estate be held by a legal or equitable title, inchoate or complete, and whether a part or the whole of the purchase money thereof be paid, in the same manner and to the same extent, as though such estate were situate or lying in such county, as to the ordering, adjudging, decreeing, doing, or directing any sale or other disposition of the same, or of the rents and profits thereof, or otherwise. The fifty-fifth section of the act to which this is an amendment, is hereby repealed.

Sec. 5. That in all cases, where the fees of any of the officers of the several probate courts, are not defined by law, or where there is no specific allowance for any item of service performed by any of such officers, the same fees shall be allowed as are specified by law for similar services in the circuit court.

An act to incorporate the Harrison and White Water Bridge company.

[APPROVED, Feb. 3, 1832.]

Sec. 1. Be it enacted by the General Assembly of the State of Indiana, That all persons, who shall become stockholders pursuant to this act, shall be, and are hereby constituted a body corporate, by the name and style of the "Harrison and White Water Bridge Company," and by that name shall be capable of holding real estate, sufficient for carrying into effect the purposes of this act; and of suing and being sued, defending and being defended, in law and equity in all courts whatsoever; and shall have authority to ordain and establish such by laws, rules, and regulations, not repugnant to the constitution or laws of this state or United States, as shall from time to time be found necessary for the management and good government of said corporation.

Sec. 2. The capital stock of the said corporation shall be five thousand dollars, divided into shares of twenty dollars each.

Sec. 3. That William Purcell, Geo. Waldron, John Godley, John D. Moore, George Arnold, Thos. M. Brackenridge, and Jefferson Rittenhouse, shall be commissioners, to open books for receiving subscriptions to the capital stock of the said corporation; and the said books shall be opened on or before the first of September, 1832, and each of said commissioners may receive subscriptions.

Sec. 4. Whenever one hundred shares of the stock of said corporation shall be subscribed, the commissioners shall cause an advertisement to be inserted in some newspaper printed in Lawrenceburg, giving at least three weeks notice, of the time and place of meeting of the subscribers, to choose directors; and at the time and place appointed, the stockholders shall choose seven directors, being stockholders of the said corporation; a quorum of whom shall be competent to transact business. A new election of directors shall be held annually, at such time and place as the stockholders at their first meeting shall appoint; the directors chosen at any election, shall, as soon thereafter as may be, choose out of their number, one person to be president, and also shall appoint a secretary and a treasurer.

Sec. 5. The directors may demand from the stockholders respectively, all such sums of money by them subscri-

bed at such times, and in such proportions as they may think proper, and on the penalty of forfeiting their respective shares, and all previous payments thereon.

Sec. 6. The said corporation may erect a bridge across the White Water river, at or near the town of Harrison, as shall be deemed most advisable.

Sec. 7. Whenever the said bridge shall be completed, the said corporation may erect a gate at either end of said bridge and demand and receive a toll, not exceeding the following rates, to wit: every four wheeled pleasure carriage drawn by two horses, twenty-five cents; if drawn by four horses, thirty-one cents; every two wheeled pleasure carriage ten cents; every wagon or cart, drawn by two horses or oxen, nineteen cents; and if drawn by four horses or oxen, twenty-five cents; each sled or sleigh, and two horses or oxen, ten cents; every one horse cart, wagon, sleigh or cutter, eight cents; every man and horse, six cents; every foot passenger, two cents; every horse, jack, mule, or head of neat cattle, two cents; every sheep or hog, one cent. But all persons going to and returning from places of religious worship; going to and returning from a grist mill with a grist; going to and returning from training, when doing duty in the militia, shall be exempt from paying toll.

Sec. 8. If any person shall wilfully impair or injure the said bridge, he, she, or they so offending, shall forfeit and pay to the corporation, the sum of ten dollars, to be recovered with costs of suit, and shall also be liable to pay to said corporation, treble the amount of damages sustained with costs of suit, to be recovered in an action of trespass, in any court of competent jurisdiction.

Sec. 9. If any person shall forcibly pass the gate without having paid the legal toll, he shall forfeit and pay to said corporation, eight times the amount of the legal toll, to be recovered by action of debt before a justice of the peace.

Sec. 10. If any toll gatherer shall unreasonably delay or hinder any passenger at the gate, or shall receive or demand more than the legal toll, he shall for every such offence, forfeit the sum of five dollars, to be recovered with costs, before a justice of the peace, to the use of the person so unreasonably delayed, hindered or defrauded.

Sec. 11. The said bridge shall be built not less than twenty feet wide, and shall be well secured by a railing on each side, not less than four feet high.

Sec. 12. If the said bridge shall not be constructed in four years from the passage of this act, then in that case, this act shall be null and void; otherwise remain in full force for fifty years.

Sec. 13. The navigation of White Water river shall be preserved free from obstruction, and the bridge shall be built of a sufficient height, to admit loaded boats to pass under it.

A Joint Resolution, relative to the Saline Reserve in the county of Dearborn.

[APPROVED, Feb. 3, 1832.]

WHEREAS, It appears, that the north-east, north-west, and south-west quarters, of section twenty-five, in township, six, of range one west of the principal meridian line, drawn from the mouth of the Great Miami river, lying in the county of Dearborn, was, by and under the authority of the United States, reserved for the use of a salt spring, situate upon said section; and in accordance with the second proposition of the sixth section of the act of congress "to enable the people of the Indiana Territory to form a constitution and state government, and for the admission of such state into the Union on an equal footing with the original states," approved April 19, 1816, was granted to this state for the use of the people of the same, to be used under such terms, conditions and regulations, as the legislature of said state shall direct; in conformity to which reservation and grant, the said state of Indiana has uniformly since the adoption of her constitution, and form of state government, continued to exercise control over said three quarter sections of land, by leasing the same as provided for in the said second proposition of the compact aforesaid; and in particular, that on the fourth day of January, 1830, the Hon. Miles C. Eggleston, the president judge of the third judicial circuit, in which said saline reserve is situate, did, by indenture in writing, lease the same to David Guard, for a term of three years from and after the date thereof, who took possession, and placed certain persons as tenants thereon, to wit: Mary Muir, John Davis and Thomas Branan; and whereas, it also appears that the above named tenants, being advised that they were entitled to a right of entry of said land as occupants thereof, at the minimum price of United States' lands under the pre-emption laws, did proceed some time within the year last past, through the agency of an attorney, in fact, to cause an entry to be made of said land, and have procured patents in their own names to be issued from the general land office therefor, and have, since sold and conveyed the same to third persons, who are now claiming to hold the same in virtue of such sale and conveyance. It also appears, that the above named agent and attorney in fact, of those persons, acting, or pretending to act, under the power so conferred on him by them, did also proceed to sell and convey the said land to one Levi Miller, who is also now claiming the same in virtue thereof; but that previous to such sale being made

by said agent, the power of attorney made to him as aforesaid, had been publicly revoked through the medium of the newspapers. That those lands are of great value, and would command in cash, the sum of eight thousand dollars; and if sold on a short credit, would bring ten thousand dollars; and that being justly and legally the property of the state, under and by virtue of the compact aforesaid, between the United States and the state of Indiana, the necessary steps should be taken by the state authorities to secure and retain the possession and use of the same to the state, for the purposes for which the same was granted: therefore.

Resolved, That the governor of this state, be authorized to open a correspondence with the commissioner of the general land office, either directly, or through the medium of our representation in Congress, relative to the existing difficulties concerning the above described reserve, with a view either to regain the undisputed possession & use of the same, or to obtain grant of other lands of equivalent value in lieu thereof; and that he submit to the next General Assembly, the result of such correspondence, with such other information as may be in his power to obtain; and that he transmit a copy of this resolution to each of our senators and representatives in Congress, accompanied with a request that they will use their co-operation in effecting the object above contemplated.

From the Utica Elucidator.

AN EXTRAORDINARY PERIL.

We have given some notice of the unprecedented rising of the Ohio river and other western waters, and the dreadful calamities which have attended it. The following particulars of an event on the Alum creek, we are permitted to copy from a letter from J. R. Swan, Esq. of Columbus, Ohio to George Brayton, of Western, in this county. Mr. Theodore D. Weld, the subject of it, is a well known citizen of this county, now on a tour as agent for the society in New York, for the promotion of manual labor institutions. The letter originally intended for the eye and ear of private friends, will be read with intense interest, especially by Mr. Weld's numerous friends and acquaintances. The following are the extracts which we shall take.

COLUMBUS, Feb. 16, 1832.

Mr. Theodore D. Weld came here yesterday. The legislature adjourned on Monday last; consequently he was disappointed in not being able to present the object of his tour to them. The country is flooded by rains, and the streams, or at least the Scioto, have not been so high since 1807. The stages are lumber wagons, with four horses. Friday night last, the 10th, Mr. Weld, with one other passenger and two stage drivers, attempted to cross Alum creek, a few miles east of Columbus. The horses plunged in, and were instantly swimming. The wagon tilted and threw the other passenger and drivers upon one side, and they were washed on to the shore. Mr. Weld was thrown near the axle-tree, and caught hold of the upright. The driver jerked his horses so as to bring the leaders up the stream, as they were rapidly floating with the swift current. This movement threw every thing into confusion. Mr. Weld found himself near the heads of the leaders, and they (being martingaled so that their heads were drawn into the water,) were plunging and struggling. To prevent himself from being struck by them, he attempted to seize them by the head stall, but was struck down and came up between the wheel horses and the leaders. He was again struck down and again rose in the midst of the mass of horses and wagon, and found himself entangled.

Having struggled for some time, he was sensible that the lines or whatever else it was that held him, were giving way; he caught hold of the head stall of one of the horses, and, placing one foot upon the breast of the horse, cleared himself and began to swim down the stream. It was about midnight, and the moon had sunk, but there was sufficient light to see that the bank was steep, and afforded no place to ascend. He continued to swim down the stream about a quarter of a mile, when he saw a place that seemed to promise a sloping bank. He made for it, and reaching it, found a place where the torrent had washed under a hill, and there was no means of obtaining rest, except by seizing upon the roots which projected from under the bank. He seized upon a root, but was soon washed away by the rapid current. He then went down for a considerable distance, and perceiving on the other side a place at which he might escape, he made almost a death struggle to reach it. He was now almost exhausted, having gone down about a mile, and having been thrown into a small whirlpool where one of his legs was struck by a log or rock, which rendered it useless in swimming, and being encumbered with his cloak, surtouts, overhauls, and overshoes. He took off his cloak, and (swimming on his back,) endeavored to take off his upper surtouts. This he found he could not do. He then tore the front of it, and finding he could not tear it off he took the skirts, one in each hand, and tore it up the back, but finally gave it up. He pushed off his overshoes, and endeavored to get off his boots. He got one partly off, but they were too much soaked, and his feet too much swollen to enable him to rid himself of them.

He continued to go down the stream without any effort, except keeping himself above water, until he saw a tree which had fallen from the bank into the water. He put forth all his strength to reach it, and was barely able to reach a branch. It was covered with ice: his hand slipped; he caught another branch, but his hands having lost all their power, he could hold on but a moment. At this instant he saw some bushes at a short distance, which he immediately swam to, and there, for the first time, put his feet upon the bottom of the stream. The water

was up to his waist, and looking about, he discovered that the bank was about the height of five feet perpendicular, and that his only foot hold and place of safety was where he was then standing in the water. He could see no light—nothing but an untouched and solitary wilderness about him. He thought it useless to cry for help in that dead hour of night; he was upwards of a mile from the place where he went into the stream, chilled through and exhausted. He did endeavor, however, to cry for help; he could at first hardly raise the sound of his voice, but was at length able to cry out. He cried for help and listened; and cried and listened until he was entirely exhausted, no sound was heard to answer him. He had lost all feeling in his limbs; was in no pain; his eyesight began to fail, and he could no longer hear the voice of the waters. He knew, (seemingly,) that he was dying, but had presence of mind enough to lean over upon the bushes, so that his body should not be swept away. The last ray of reason finally left him, and he had passed the last conscious struggle of life with death. The last recollection was an indistinct vision of light and faces, and when he again opened his eyes, he was lying upon a bed, and the pitying compassionate face of a woman was before him.

Nearly a quarter of a mile from where his cry for help was raised, this woman had heard and been awakened by it. She awoke her husband; it was then half past two o'clock in the morning, and he getting together other neighbors, they started in search of him. He had ceased to cry, and the men having got a canoe, crossed the creek, and being unable on account of the current to go up it, left their canoe, and searching the bank, found him leaning over the bushes senseless. They were barely able to reach over the bank and get hold of the collar of his coat, so as to raise him up. They took him to a cabin, and in about an hour, by friction, &c. brought him to life. He stayed with the woman I mentioned, and her husband, five days, and he tells me he could not have been treated more kindly by his dearest relatives. He says he shall ever after this love a log cabin; and the compassionate and anxious look Mrs. Patch, when he first opened his eyes, will never be forgotten. He had, when here yesterday, entirely recovered, except that the extremities of his fingers, and some of the muscles of his feet were still numb, and retained a peculiar prickly sensation. He lost about two thirds of his baggage, many of his papers, but none of his money. He started this morning for Cincinnati, and intends to remain there two or three weeks, until he can hear from his friends at the east.

From the Western Sun.

Carlisle, Ia. March 12, 1832.

MR. STOUT:

Mr. Samuel Postlewaite, (tinner, formerly of your place,) has just expired under all the horrors of hydrocephalus. His own history of the case, as detailed to me, runs thus. "About nine weeks since he was bitten while walking the streets in this place, by a dog supposed to be affected with canine madness; shortly after, the dog was killed having presented suspicious appearances.

Mr. P. yielding to popular prejudices, submitted to the operation of the mad stone, and to use his own language, "The stone stuck eleven hours, and then would stick no longer," when (according to mad-stone theory) the poison was extracted and consequently the patient free from danger. He suffered no inconvenience from the wound from the time it was inflicted until Saturday the 10th instant, when he was attacked with pain and superficial numbness of the middle finger of the left hand, (the part on which he was bitten.) The pain gradually extended itself up the arm, and increased in acuteness. On Sunday morning he was entirely unable to swallow fluids, and the mere mention of water would create intense pain in the region of the stomach and throat accompanied with spasms, which increased on every return, until the close of his existence. His mind was entirely lucid at intervals; other symptoms were such as are unnecessary to enumerate. Dr. Oliver and myself pursued the course of the treatment indicated, but without apparent benefit. No medical advice however, was sought until after the spasms commenced.

I report this case to you for the purpose of guarding the public against the reputed efficacy of the mad stone, as well as mad dogs.

JOHN W. DAVIS.

Extract from a modern Dictionary. The grave.—An ugly hole in the ground which lovers and poets wish they were in, but take uncommon pains to keep out of.

Constable.—A species of snapping turtle. Modesty.—A beautiful flower that flourishes only on secret places.

Lawyer.—A learned gentleman, who rescues your estate from your enemy, and keeps it himself.

Watchman.—A man employed by the corporation to sleep in the open air.

Honesty.—An excellent joke.

Dentist.—A person who finds work for his own teeth by taking out those of other people.

Poetry.—A division of affected prose into lines of certain length.

Don Pietro Bonaparte, Prince of Canaria, has arrived at N. York from Leghorn.

NEW GOODS.

THE subscriber has just received from Philadelphia, and is now opening, a splendid stock of

NEW GOODS

At his old stand; where he is prepared to wait on his customers and all those who may think proper to give him a call.

JOHN P. DUNN.

March 17th, 1832. 9-

CARDING MACHINES FOR SALE.

THE subscriber wishes to sell her Carding Machines, consisting of a

CARDER AND BREAKER,

And an inclined wheel and the necessary works for propelling the machines by ox or horse power. The whole will be sold together or separately, to suit purchasers. For particulars and terms, apply to the undersigned, Elizabeth town, Ohio.

MARY RADCLIFFE,

March 17th, 1832. 9-

Boots, Brogans, & Shoes.

THE subscriber has a first rate stock of BOOTS, BROGANS, AND SHOES, (COARSE AND FINE,) *FOR MEN, WOMEN, and CHILDREN*

Which he will sell low for Cash.

JOHN P. DUNN.

March 17th, 1832. 9-

Clocks, Watches, &c.

THE subscriber has just received from Philadelphia an extensive and splendid assortment of

Jewelry, Table and TEA SPOONS,

Which he will sell on accommodating terms. He has also on hand a choice selection of materials for

Common Watches, PATENT LEVERS, AND REPEATERS.

Watches and Clocks of all descriptions, repaired and regulated at all times; and other descriptions of work in his line neatly and promptly executed.

F. LUCAS.

Lawrenceburg, March 10, 1832. 8-4w

Iron, Nails, & Glass.

JUST received from Pittsburgh, per Steamer Lady Byron, a quantity of NAILS, Assorted; IRON, Assorted, and GLASS—Also,