

INDIANA LEGISLATURE.

IN SENATE—Dec. 9.

Mr. Farrington from the committee on the judiciary, to whom was referred, the resolution “instructing them to inquire into the expediency of amending the 14th section of the act relative to crime and punishment, so as to subject any person, as tenant at will, or for a term of years, or for less term, occupying any building house, &c. of another, to indictment for arson who shall willfully and maliciously burn the same, report that they have had the same under consideration, and herewith report a bill upon the subject embraced by said resolution, “a bill to amend the act entitled an act relative to crime and punishment, approved February 10th, 1831, which was read and ordered to a second reading.

Mr. Farrington from the same committee to whom was referred the resolution instructing them to inquire whether the forms for justices of the peace adopted by the eighty-eighth section of the act entitled an act regulating the jurisdiction and duties of justices of the peace, approved February 10th, 1831 are or are not consistent with the eleventh section of the fifth article of the Constitution, report, that they have had the same under consideration and that according to their construction of the ‘style’ of their forms, they are Constitutional. The report was concurred in and the committee discharged.

Mr. Farrington from the same committee reported a bill authorizing Miles M'Daniel to apply for a writ of ad quod damnum to establish a mill dam on Big creek in Posey county; which was twice read and committed to a committee of the whole Senate.

Mr. Farrington from the same committee to whom was referred, the resolution instructing them to inquire into the expediency of amending the Probate law, so as to allow to administrators and executors for their services a per centage on the amount of decedent's estates, &c. report, that they have had the same under consideration, and that they deem any further enactment upon the subject matter of the resolution, inexpedient, and ask to be discharged from the further consideration thereof. On motion, the report was concurred in and the committee discharged.

Mr. Beard from the committee on that subject, reported the following unfinished business, to wit:

No. 1. A bill to amend the law relative to crime and punishment.

No. 2. A bill to establish a State Bank.

No. 3. A bill to incorporate the Rising Sun Insurance company.

No. 4. A bill for the relief of Moses Matthews. Your committee further report, that they have partially examined the foregoing unfinished business, and from the best view they have been able to take of the subject, recommend the adoption of the following resolution to wit:

Resolved, That the bill No. 1 be referred to the judiciary committee—that bill No. 2 be referred to the select committee to whom that part of the Governor's Message was referred, which relates to the establishment of a State Bank; that bill No. 3 be referred to a select committee, and that bill No. 4 be indefinitely postponed; which report was concurred in and the resolution adopted.

Messrs. Culley, McCarty and Dumont were appointed a select committee on said bill No. 3.

Mr. Hanna from the select committee to which was referred so much of the Governor's Message as relates to giving certain counties additional representations, reported a bill for the appointment of Senators and Representatives in the counties and territory therein named; which was read and passed to a second reading.

And the Senate adjourned.

IN SENATE—Dec. 10.

On motion of Mr. Morrison the Treasurer's report of “a list of the borrowers of the State House fund,” was referred to the committee on the affairs of the town of Indianapolis.

On motion of Mr. Dumont, the resolution heretofore introduced by him and laid on the table, relative to setting apart a portion of the public revenue for the purpose of education, was taken up and adopted.

On motion of Mr. Payne of H., the resolution heretofore introduced by him and laid on the table, relative to repealing so much of the 13th section of the practice act, as requires resident plaintiffs to give security for costs, and also prohibiting plaintiffs in certain actions in tort, from receiving more costs than damages, was taken up, and Mr. Morgan's amendment being agreed to, the resolution, as amended, was adopted.

On motion of Mr. Whitcomb,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of regulating by law the mode of authentication, by which the proceedings of justices of the peace in other states shall be admitted as evidence in the several courts of this state.

On motion of Mr. Farrington,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of providing by law for the admission of the printed laws of any of the states and territories of the United States, that shall be received at the office of Secretary of State, from any such state or territory, as evidence in the several courts of this state.

The Senate went into committee of the whole on the bill to incorporate the Evansville and Lafayette Rail-road Company and made several amendments; which were concurred in by the Senate.

After several other amendments being proposed, the Senate adjourned.

HOUSE OF REPRESENTATIVES.

The House met pursuant to adjournment. Petitions presented by Mr. Thornberry, of citizens of Wayne county, praying a State Bank, and

By Mr. Bardbury, on the same subject; both of which were referred to the committee appointed heretofore, to consider that matter.

The Speaker then laid before the House the annual report of the Auditor of Public accounts which was referred to the committee of ways and means and 600 copies ordered to be printed.

Mr. Brady moved the following resolution: Resolved, That the committee on canals and internal improvements be instructed to inquire into the expediency of authorizing the several boards doing county business in the several counties through which White river runs, to appropriate or lay out so much of the three per cent. fund, allotted to their respective counties from time to time, as in their discretion may seem equitable and right for proving the navigation of said White river, and likewise to make and lay off a river district and or-

der that all the hands living within the same shall be required to work out their taxes on the river in the same manner and under the same rules and regulations that other hands are bound to work on State and county roads.

After an amendment by Mr. Keiser, to make it embrace in its provisions both the White rivers, the resolution was adopted.

On motion of Mr. Fairman,

Resolved, That a select committee be appointed to memorialize Congress, praying in behalf of the state of Indiana, for the right of way, through the public lands, to construct a Rail-road from the town of Lafayette on the Wabash river, to the mouth of Trail creek, eighty feet wide, with the privilege of taking for the use of said road, any timber, stone, gravel or any other material from the public lands.

Ordered, That Messrs. Fairman, Colerick, and Vance, be a select committee, in pursuance of said resolution.

On motion of Mr. Brown of T.

Whereas, many of the sections reserved for the support of Township schools, do not contain the number of acres as returned by the United States Surveyors; and whereas, some of said lands have been sold, as containing a greater number of acres than is really contained in said section:

Resolved, That the committee on education be instructed to inquire into the expediency of further legislation in relation thereto.

On motion of Mr. Evans,

Resolved, That the committee of ways and means be instructed to inquire into the expediency of requiring the Clerks in the several counties in this state, to furnish the Supervisors of roads within their counties, with a list of the delinquents in their respective districts in the payment of taxes, and giving to said Supervisors power to compel said delinquents to work the amount of their state and county revenue on the roads.

On motion of Mr. Yocom,

Resolved, That the committee of Elections be directed to inquire into the expediency of amending the law respecting contested elections, so as to make the contestor responsible for costs, provided he fails in the prosecution of the same, and that they report by bill or otherwise.

On motion of Mr. Hughs,

Resolved, That the judiciary committee be instructed to inquire into the expediency of authorizing the several boards of Commissioners doing county business in this state, to allow all civil officers a reasonable compensation for travelling out of the county, where an offence is committed, so that, if by the exertion of the officer, the offender is apprehended.

On motion of Mr. McDonald.

Resolved, That the judiciary committee be directed to inquire into the expediency of amending the act, relative to the duties of justices of the peace, as that in all actions *ex contractu*, commenced before such justice, the plaintiff shall not be liable to a new suit for any mistake in his form of action, provided the plaintiff shall have so stated his cause of action in writing, as that the defendant, or defendants, be fairly put on their defence.

On motion of Mr. Foster, Resolved, That the committee of ways and means, be instructed to inquire into the expediency of so amending the revenue law as to exonerate all persons from paying a poll tax until they have resided within the limits of this State at least twelve months.

Mr. Willet offered the following resolution: Resolved, That the committee on Roads be instructed to inquire into the propriety of dividing the Michigan road into 3 districts instead of one and electing three commissioners on said road.

Mr. Crume moved to strike out the word “three” where it occurred in the resolution, and insert in lieu thereof the word “two.”

The resolution was then adopted as amended.

IN SENATE—Dec. 11.

The President laid before the Senate the annual report of the Auditor; which was referred to the committee of ways and means.

Mr. Feeny submitted the following resolution:

Resolved, That the committee on education inquire into the expediency of enacting a law, which will make it the duty of school commissioners within the state of Indiana, to report to the treasurer of state, on or before the first Monday in Dec. 1834, the amount of money collected, conscientious fines and others, separately, under an act of last session, entitled “an act for the benefit of education,” with leave to report by bill or otherwise.

On motion of Mr. Farrington, the resolution was laid on the table,

And the Senate adjourned.

HOUSE OF REPRESENTATIVES—Dec. 11.

The House met pursuant to adjournment.

The Speaker laid before the House a communication from the Superintendent of the western division of the National road in this State shewing the progress and cost of the construction of that portion of said road—which was read and referred to the committee on Canals and Internal Improvements.

Bill reported by Mr. Smith of Fayette, from the Committee on the judiciary, a bill to repeal an act, entitled “an act to prohibit the circulation of bank notes of a denomination less than five dollars” approved February 2, 1833.

Which bill was read and ordered to a second reading, on to-morrow.

IN SENATE—Dec. 12.

Mr. Henricks from the committee on Roads to which was referred a resolution of the Senate requesting an inquiry into the propriety of so amending Road Laws, as to exempt lands from taxation for road purposes, and that supervisors be entitled to no further compensation than an exemption from militia services and from serving upon grand and petit juries have according to order had the subject under consideration, and instructed him to report that, in their opinion, further legislation on that subject, would be inexpedient at this time, and ask to be discharged from further consideration of the resolution.

On motion of Mr. Whitcomb the report was laid on the table.

On motion of Mr. Wallace,

Resolved, That the committee on ways and means be requested to inquire into the expediency of so amending the revenue laws to allow to collectors, fees for distraining property and offering the same for sale, after demanding the taxes twice of any person or persons liable to pay taxes and that they report by bill or otherwise.

Five hundred copies of the Journal of the Senate were ordered to be printed.

On motion of Mr. Dumont the joint resolution on the subject of divorces was taken up, and being further amended was ordered to be engrossed for a third reading.

Mr. Culley, on leave granted, introduced the following joint resolution relative to the appointment of the officers of the General Government, to wit:

Resolved by the General Assembly of the State of Indiana, That it is the opinion of this General Assembly, that the appointing of citizens of other States and territories, to the offices and public stations of the General Government within this State, is an unjust implication of the integrity, worth and qualifications thereof.

That this General Assembly cannot indulge a doubt of the talents, integrity, worth and efficiency of the citizens of the State of Indiana, neither can this General Assembly descend to invidious and unjust comparison with, or detract from, the citizens of any other State or territory.

That the political difference of opinion, which respectively characterize the several parties in this State, on national politics, do not result from a want or deficiency of love of country, or high sense of honor and moral character of her citizens; Therefore.

Be it further resolved by this General Assembly, That the Senators in Congress of the United States, from this State, be, and they are hereby instructed to withhold their advice and consent to any appointments made in contravention of the opinion expressed in the foregoing resolution: and that our Senators, in a suitable and becoming manner oppose the confirmation of any such appointments, unless in extraordinary cases of worth merit, and pre-eminent claims of the person appointed, sufficiently recommended from the vicinity where the official duties are to be performed.

Resolved, That his Excellency the Governor, be requested to forward two copies of these resolutions to each of our Senators in Congress.

Which was read and ordered to a second reading on to-morrow.

Bill passed. To incorporate the Evansville and Lafayette Rail Road Company.

The bill for the apportionment of a Senator and two Representatives in the counties and territory therein named was read a third time.

And the Senate adjourned.

Lands for Sale.

SIX EIGHTY ACRE LOTS OF LAND in the town of Manchester, Dearborn county, State of Indiana. Said Lands are in sections 21, 22, and 23, 3 of which have improvements of from 20 to 30 acres each, with Fruit Trees of different descriptions; most of said Lands are on the borders of Tanners Creek and near the School land in said town. The one third payment will be required down, and for the balance a credit given. For terms apply to Isaac Ferris of Manchester, who has the Patents from the United States in his own name, for the same.

November 5, 1833. 43-1f

LOOK OUT!

ALL those knowing themselves to be indebted to the subscriber are hereby notified, that unless settlement be made on or before the first of January next, their accounts will be left with the proper officer for collection.

EPHRAIM HOLISTER.

Nov. 23, 1833. 45-1f

Sale of Land.

PURSUANT to an order of the Dearborn circuit court, made at their September term, 1833, the undersigned commissioners appointed by said court to carry said order into effect, will offer for sale to the highest bidder the S. W. quarter of section 34, town 7, range 1 west, on Saturday the 18th day of January next, between the hours of 10 and 2 o'clock on said day; on the said premises; to be sold as the property of the heirs of Alexander White—on the following terms and conditions, to wit: one fourth of the purchase money to be paid in hand, one fourth in six months, one fourth in twelve months, and the residue in eighteen months from the day of sale, with interest from the time of said sale on such deferred payments, which said payments and interest are to be secured by note and mortgage on the property purchased, together with such personal security as said commissioners shall deem necessary.

SOLOMON MANWARING, *Commissioners*, ARTHUR ST. C. VANCE, WILLIAM MARSHALL, November 4th, 1833. 43-1f

TAKEN UP by Peter Allen, in Laingsburg township, Dearborn county, Ia., on the 11th day of November, 1833, an IRON GREY HORSE, supposed to be 12 years old, fourteen hands and a half high; a square bob tail, light mane and fore-top cut off close; some saddle marked; on each side marked with harness; shod all round; no other marks or brands perceptible. Appraised to \$18, by George Nichols and Wiet Allen, before me this 19th day of November, 1833. A true copy from my estray book. W. CONAWAY, J. P. 47-3*

Nov. 20, 1833.

Mould Candles.

MANUFACTURED in this place, and for sale at Cincinnati prices, by the box or less quantity, by L. W. JOHNSON.

N. B. Cash and the highest price paid for any quantity of good clean Tallow.

Nov. 7th, 1833. 48-3

TAKEN UP by Elijah Rich, Jr. of Manchester township, Dearborn county, one estray CHESNUT SORREL HORSE with a star in his forehead and snip on his nose, the right hind foot white about 15 hands high, and about 6 years old appraised at \$35 dollars, by Robert Slater and John Malatt. Certified by M. McCracken, J. P. 47-3*

Nov. 30, 1833.

TAKEN UP by Aquilla Causen, of Union township, Dearborn county, Indiana, on the 15th day of October 1833, an estray bright BAY MARE, near 15 hands high, somewhat cross fallen, several saddle marks, some white on both hind feet, very old, and nearly blind. Appraised at \$10, by Benjamin Blue and William Blue. A true copy from my estray book. WM. GERARD, J. P. 47-3*

Nov. 12, 1833.

TAKEN UP by Aquilla Causen, of Union township, Dearborn county, Indiana, on the 15th day of October 1833, an estray bright BAY MARE, near 15 hands high, somewhat cross fallen, several saddle marks, some white on both hind feet, very old, and nearly blind. Appraised at \$10, by Benjamin Blue and William Blue. A true copy from my estray book. WM. GERARD, J. P. 47-3*

Nov. 12, 1833.

TAKEN UP by Aquilla Causen, of Union township, Dearborn county, Indiana, on the 15th day of October 1833, an estray bright BAY MARE, near 15 hands high, somewhat cross fallen, several saddle marks, some white on both hind feet, very old, and nearly blind. Appraised at \$10, by Benjamin Blue and William Blue. A true copy from my estray book. WM. GERARD, J. P. 47-3*

Nov. 12, 1833.

TAKEN UP by Aquilla Causen, of Union township, Dearborn county, Indiana, on the 15th day of October 1833, an estray bright BAY MARE, near 15 hands high, somewhat cross fallen, several saddle marks, some white on both hind feet, very old, and nearly blind. Appraised at \$10, by Benjamin Blue and William Blue. A true copy from my estray book. WM. GERARD, J. P. 47-3*

Nov. 12, 1833.

TAKEN UP by Aquilla Causen, of Union township, Dearborn county, Indiana, on the 15th day of October 1833, an estray bright BAY MARE, near 15 hands high, somewhat cross fallen, several saddle marks, some white on both hind feet, very old, and nearly blind. Appraised at \$10, by Benjamin Blue and William Blue. A true copy from my estray book. WM. GERARD, J. P. 47-3*