

GAZETTE.

VINCENNES.

SATURDAY FEB. 13, 1836.

PEOPLE'S CANDIDATE
FOR PRESIDENT IN 1836.

GEN. WM. H. HARRISON,
Of Ohio.

We insert to day the Act of the Legislature respecting our Borough. It should be read and examined carefully, by all who feel an interest in the welfare and prosperity of our growing town.

An excellent set of Hay Scales has been erected on Market Square. This has long been wished for, both by the seller and buyer of that article; for both parties have frequently been deceived in the estimated quantity of a wagon load of hay.

Preparations are making for the celebration of the anniversary of the birth of Washington, by a splendid Ball, to be given at Col. Clark's Hotel. All those who participate in such amusements, should attend.

We the other day, received from Samuel Emison, Esq. residing in this county, a load of wood, drawn by four old, but spirited and fine looking horses, the united ages of which are eighty-eight years, their ages being 17, 21, 23 and 27. It is evidently the oldest team in the United States. We would have received the wood the day before we did, had not the oldest horse, twenty-seven years old, got out of the stable, and eluded all who were engaged in endeavoring to catch him.

The Governor of New York, W. S. Marcey, in his Message to both houses of the Legislature of that State, says:—"Notices have been already published of intended application for ninety three new banks, with capitals including the increase to those of the existing banks, to the amount of more than \$57,000,000.—It is said, and I doubt not, generally believed, that the present banks are unable to afford the necessary accommodations which the increased and rapidly increasing commerce and business of the country demand."

CHARTER

OF THE BOROUGH OF VINCENNES.

An act entitled An Act respecting the Borough of Vincennes.

Whereas it has been represented that the present Charter and its amendments of the Borough of Vincennes are inadequate to the good government of the same, and it appearing that the citizens of said Borough are desirous for a new or amended Charter for the better regulation thereof, wherefore—

Sec. 1. Be it enacted by the General Assembly of the State of Indiana, that the President and Board of Trustees of the Borough of Vincennes, shall be, and the same are declared a body corporate and politic by the name and style of "The President and Trustees of the Borough of Vincennes," and by that corporate name shall be able and capable in law and equity, to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any Court of competent jurisdiction, to make use and have a common seal, and the same to break, alter and amend at pleasure, to ordain, order, establish and put into execution, such by-laws and rules as they shall deem proper and necessary for the convenience of said Corporation, and also adopt and put in force, such laws, ordinances and regulations, as they shall deem necessary for the police and good management of said Borough subject to the restriction, limitation and provisions herein after provided; and not inconsistent with the constitution and laws of this state, or of the Constitution of the United States.

Sec. 2. On the last Monday in March, one thousand eight hundred and thirty six, and on the first Monday of February, annually thereafter, there shall be an election held at the Court House or such other public building in said Borough that may hereafter be erected, convenient for said purpose, to elect by ballot, a President and Trustees, the President to be chosen by the qualified electors from the Borough at large, and two Trustees from each ward by the electors of each respective ward, at which election, each white male citizen of said Borough of twenty-one years and upwards, being either freeholders or householders in said Borough, shall be entitled to vote in said election, twenty days' notice being given of said elections, after the first elections by the President and Trustees, by publishing the same in a newspaper published in said Borough, and in case there be none, by posting notices in three of the most public places in said Borough.

Sec. 3. The President of the Borough shall after the first election, act as Inspector of elections; he shall call to his assistance four other qualified voters, one from each ward, who, with himself, shall be judges of the elections; they shall appoint a Clerk, and having taken an oath or affirmation faithfully to discharge their duties as judges and clerk, shall proceed to receive votes for President and Trustees between the hours of 10 o'clock, A. M. and 3 o'clock, P. M. on said days. Provided, however, if the President should not be present, the qualified voters present shall in that case, choose one of their number to act in his place at such election. And provided also, that if the electors should fail to meet and elect Trustees and

a President at any annual election, the corporation thereby shall not be dissolved, but the President and Trustees then in office, shall so continue until others are elected at an annual meeting of the electors. It shall be the duty of the judges of such election, to certify under their hands and seals, the names of the persons who shall have received the highest number of votes for Trustees, designating therein the respective wards they are elected to represent, and also the name of the person who has received the highest number of votes for President, which certificate shall be filed and spread on the records of said corporation by their clerk, whose duty it shall be to deliver a copy thereof to each of the persons elected Trustees, and a copy to the President elect, which certificate shall be sufficient authority for such person to take his seat as Trustee or President.

Sec. 4. The President and Trustees thus elected, or a majority of them, shall meet and take an oath or affirmation, faithfully, diligently and impartially, to discharge their several duties as Trustees and President. No person shall be eligible to the office of Trustee or President, unless he be a qualified elector, and a freeholder within the bounds of said Borough. When vacancies occur in the office of said corporation by death or otherwise, they shall be filled by the President and Trustees until the next annual election. The majority of the Trustees shall at all times form a quorum, and the President shall have no vote, save when the trustees are equally divided. They shall meet on their own adjournment, and at such stated periods and places, as they may think proper—shall appoint all the officers necessary to carry into effect the provisions of this act, and make such compensation for services as to them shall appear reasonable and proper; and it shall be the duty of the President to sign the records of all their by-laws and journal, or minutes of their proceedings, which shall also be attested by the Clerk of the corporation, and after a copy thereof of a public nature, attested by the Clerk with the seal of the corporation, shall have been published in a newspaper printed in said Borough, if there shall be any, or posted up in three public places within the same, for the space of ten days, such by-laws and ordinances shall be deemed to be in force from and after their publication as aforesaid.

Sec. 5. At the first meeting of the President and Trustees after their election in each year, or as soon thereafter as it may be convenient, they shall proceed to elect a Clerk, Treasurer, Assessor and Marshal, each of whom shall serve one year, and until their successor shall be chosen and qualified. They shall possess the same qualifications as Trustees, take similar oaths, and give bond and security payable to the President and Trustees conditioned for the faithful discharge of their duties respectively, and in case of failure to perform all or any part of the condition of said bond, they shall be liable to pay the President and Trustees aforesaid, the full amount in arrears, together with full costs and ten per cent. damages thereon, and six per cent. per annum, on the whole amount recovered from the time the same should have been paid over until the day of payment, all which may be recovered on motion made before the Circuit Court for the county of Knox, ten days previous notice having been given of such intended motion, and for all which such Court is required to render judgement against such officer, unless he show cause satisfactory to the Court, why judgement should not be rendered against him, and upon which judgement execution may issue as in other cases, returnable in thirty days from the date thereof, without any stay on the same, or on failure to perform all or any part of the conditions of said bonds, the principals and securities, or any two or more or either one of them shall be proceeded against by suit in said Circuit Court, upon his or their official bond and judgement be had thereon for the debts, damages, interest and costs above mentioned, and such other damages as the Court may award for further and other breaches of the condition of said bond upon which execution shall issue returnable as aforesaid.

Sec. 6. The President and Trustees shall have full power and authority to assess and collect a tax on such articles of personal property, as they shall think right and proper, having due regard to the value thereof, and in no case exceeding one per cent. per annum on the value of the same, except in cases hereinafter provided, and also a tax on real property not to exceed one per cent. on the valuation per annum, including improvements, except in case of making improvements hereinafter provided—also on all shows, exhibitions and amusements, which may be exhibited or performed for gain, a tax of not more than twenty-five dollars, nor less than five dollars for each performance or exhibition thereof, and in assessing and collecting the annual and other revenue, under the direction of the President and Trustees, all assessors and collectors shall in all respects be governed by the laws which now are, or may hereafter be in force, regulating the assessment and collection of the state and county revenue, except that the Marshal shall make his return to the precept for the collection of the revenue to the President and Trustees, and shall have power and authority to proceed and sell both real and personal estate for the collection of the same, as is provided in an act regulating the state and county, passed and approved January 30th, 1824; and said real estate shall be subject to the like privilege of redemption as is provided in that act.

Sec. 7. It shall be the duty of the President and Trustees to cause an annual exhibit of the receipts of the revenue of the Borough to be made by a publication of the same in some newspaper printed in said Borough.

Sec. 8. It shall be the duty of the Marshal to serve all process and orders directed to him by the President, except he shall be absent, sick, or interested in the same, in which case it shall be the duty of the President to name some fit person for that occasion, who shall have the same authority as the Marshal in like cases, and to collect the taxes according to the duplicate of the assessment roll—in the service of such process and in the collection of taxes, whether by distress and sale or otherwise, the Marshal shall be governed by the same rules and regulations as sheriffs, collectors and constables are directed to observe in similar cases, and in all cases of distress and sale by the Marshal of real or personal property, on the process directed to him by the President for the collection of taxes, such sale shall be valid in law and equity, and redeemable according to the provision of the act referred to in Sec. 6. of this act.

Sec. 9. The President and Trustees shall, when they may think it expedient, have power to construct docks, piers, wharves, basins or harbours, make or widen, straighten, grade, widen, straighten, grading, or paving said streets or side walks thereof, or to improve the landing by a wharf or wharves, or any other improvements, and two thirds of the resident owners of lots on said street or section of street, by themselves or agents, representing two thirds of the whole number of feet owned by resident owners on such street or section of street, shall by petition represent to the corporation plainly and distinctly, the improvement wanted or contemplated to be made, it shall be the duty of the President and Trustees to cause the same to be done in the best and most economical manner accessible to the wishes of the petition, and the expenses of such improvement shall be assessed and levied on all lots lying on said street or section of street, agreeably to the estimates of the benefit derived from said improvement to all property on said street or streets in such manner as shall be directed by the President and Trustees, and in case of injury or damage thus sustained by any lot or part of lot by said improvement, the same shall likewise be estimated and the amount of injury sustained shall be included in the expense of said improvement, and be paid over to the individual sustaining such injury, in such manner as shall be prescribed by said President and Trustees—such assessment and levy for said improvement, shall be, and remain, a lien upon said lot or lots, as parts thereof, until the amount so assessed and levied shall be fully paid and discharged.

Sec. 10. That whenever the owner of lots or any street or section of street shall be desirous of making any improvement on the same by opening, widening, straightening, grading, or paving said streets or side walks thereof, or to improve the landing by a wharf or wharves, or any other improvements, and two thirds of the resident owners of lots on said street or section of street, by themselves or agents, representing two thirds of the whole number of feet owned by resident owners on such street or section of street, shall by petition represent to the corporation plainly and distinctly, the improvement wanted or contemplated to be made, it shall be the duty of the President and Trustees to cause the same to be done in the best and most economical manner accessible to the wishes of the petition, and the expenses of such improvement shall be assessed and levied on all lots lying on said street or section of street, agreeably to the estimates of the benefit derived from said improvement to all property on said street or streets in such manner as shall be directed by the President and Trustees, and in case of injury or damage thus sustained by any lot or part of lot by said improvement, the same shall likewise be estimated and the amount of injury sustained shall be included in the expense of said improvement, and be paid over to the individual sustaining such injury, in such manner as shall be prescribed by said President and Trustees—such assessment and levy for said improvement, shall be, and remain, a lien upon said lot or lots, as parts thereof, until the amount so assessed and levied shall be fully paid and discharged.

Sec. 11. The President and Trustees shall also have power to make and enforce all necessary by-laws, ordinances and regulations, to preserve order, regulate and establish markets, and such suitable buildings therefor, as also for other purposes for the prosperity and convenience of said Borough, to procure the necessary Engine and apparatus, to guard against destruction by fire, organize fire companies, preserve and improve public property; regulate the manner of using docks, piers, wharves, basins, and harbours, regulate the rate of wharfage, and to collect the same—to prevent the erection of public nuisances and remove the same, and to declare what shall be considered a public nuisance, and for this purpose may extend their jurisdiction one half mile beyond the limits of the town and in front of said Borough co-extensive with the jurisdiction of the state.

Sec. 12. The bounds of said Borough shall be according to the survey including Harrison's addition, which was filed in the office of the Clerk of the Board of Trustees for the Borough of Vincennes on the 15th day of April, A. D. 1821.

Sec. 13. The President shall have the same power to issue under the seal of the President and Trustees, and the Marshal to serve process in any manner relating to any violations of the laws and ordinances of the President and Trustees, and to carry the same into full effect, for any violation thereof as Justices of the Peace, and Constables have now or hereafter may have to carry into effect, any process issued by virtue of any law of this state, and shall be entitled to receive and authorized to demand and collect the same fees, that are or shall be allowed to Justices of the peace, and Constables for performing similar services, and the President when officiating as authorized in this section, shall keep a record, which record or a copy thereof, certified by him with his private seal duly attested, shall be evidence in any court.

Sec. 14. It shall be the duty of the keeper of the jail in Knox County, to receive into his custody any prisoner or prisoners, who may from time to time be committed to his charge, under the authority of said President, and to safely keep every such person or persons according to the warrant or precept of commitment until he, she or they shall be discharged by due course of law.

Sec. 15. The Marshal shall be collector of all the levies of said corporation, whatever he shall be a peace officer, and it shall be his duty to report to the President, all violations and infractions of any of the penal regulations of the corporation, which may come to his knowledge.

Sec. 16. The assessor or assessors shall at or before the first meeting of the President and Trustees, in the month of May, annually make out a correct roll of the names of persons and property or species thereof liable to taxation, arranged and assessed in alphabetical order, and deliver the same to the President and Trustees in session, or to their Clerk if in recess, and said Clerk shall within ten days after such meeting, make out and deliver to the Marshal, a copy thereof with the amount of taxes annexed to said persons' names respectively, and a precept in the name of the President and Trustees, authorizing him to proceed in the collection of the same, in the same manner as collectors of the state and county revenue are directed to proceed by virtue of precepts issued and directed to them by the Clerk of the Circuit Court, with exceptions herein provided for.

Sec. 17. It shall not be lawful for any person or persons within the bounds of said Borough to sell by a less quantity than a quart at any one time, any spirituous liquors, foreign or domestic, or keep what is called a tipping house, unless such person or persons shall, in addition to a license obtained from the Board doing county business, obtain a license from the corporation, and the President with the consent of the Trustees, is hereby authorized to grant the same to such applicant for one year or less, on his, her or their paying into the treasury of the corporation, a sum not exceeding fifty dollars, nor less than five dollars, at the discretion of the President and Trustees, and if any person or persons shall sell any spirituous liquors or keep what is commonly called a tipping house, contrary to the provisions of this act, he, she or they, so offending, shall upon conviction thereof, upon presentment, or indictment, or otherwise, before any Court having competent jurisdiction thereof, be fined in any sum not exceeding one hundred, nor less than twenty-five dollars, for the use of the County Seminary of said county, and for the better government, regulation and peace of said Borough. Also, said corporation is hereby authorized, to pass and adopt laws and ordinances for the suppression of immorality, intoxication, rioting or whatever may detract from the good order of society, and the same to enforce, and all moneys arising from fines for any cause whatever, shall be disposed of as above provided.

Sec. 18. That the said Borough of Vincennes shall be divided into four wards, the first ward to contain all south-west or below Vigo street, the second ward to comprise all between Vigo and Busserron streets, the third ward to comprise Busserron and Perry streets, and the fourth, upper ward, all between Perry street and the north-east boundary of Harrison's addition—Provided, however, it shall be the duty of the President and Trustees, at any time after two years from the adoption of this act on the application of any six or more qualified voters in said Borough, to order at the next ensuing annual election, that the qualified voters express their wishes by endorsing on their tickets "change" or "no change," and in case a majority are in favor of a change, the President and Trustees shall proceed to increase, decrease or change the limits of the wards, having due regard to the wishes of the petitioners, to the population and extent of said wards; but said alterations shall not take effect until a majority of the qualified voters of said Borough have accepted of the same, at a special election ordered for that purpose, held as other elections, when they shall write on their tickets "accept" or "reject," and in case a majority are in favor of said alterations, the same shall be from that time in force, and the Trustees at the annual election thereafter, shall be elected agreeably to such alterations, two Trustees being elected from each ward.

Sec. 19. That if [at] any time hereafter, the Board doing county business, or Court invested with power to grant Ferries in Knox county, shall deem the establishment of a ferry or ferries at Vincennes necessary or proper, such ferry or ferries shall be granted to the President and Trustees.

Sec. 20. That the plat of said Borough of Vincennes now on file in the office of the Clerk of the late Board of Trustees of the Borough of Vincennes, shall be, and remain forever an unchangeable regulation of the streets and cross streets of said Borough, subject, however, to the provision for the opening, widening, straightening and otherwise improving the same, contained in this act, and that said plat shall be recorded by the Recorder of Knox county, sixty days after the adoption of this act.

Sec. 21. That to carry into effect the provisions of this act, it shall be lawful for any number of qualified voters present at the election to be held pursuant to the second section of this act, to choose four of their number, one from each ward, to act as judges of said elections, who shall appoint some qualified voter to act as Clerk. The said Judges and Clerk being first sworn to discharge their duties faithfully, shall proceed to open the polls at the time and place usual at general elections, and at the close thereof, after counting the votes, shall notify the persons elected, of their several offices, and file a certified copy of the returns in the Clerk's Office of Knox county.

Sec. 22. This act shall not take effect

or become a law until it shall have received the sanction of a majority of the legal voters present, of said Borough, in the following manner:—Any two Justices of the Peace for Vincennes Township, may cause an election to be held at the Court House in Vincennes, first giving three weeks notice in the newspapers published therein, of the time and place of holding said election, which shall be conducted in the same manner as general elections, and at such election the voters shall write on their ballots "adopt" or "reject," and if a majority of the votes taken are in favor of adopting, the judges and clerks of such election shall make out two certificates, one of which shall be filed and recorded in the office of the Recorder of Knox county, and the other in the record book of the former Trustees of said Borough, whereupon this act shall take effect and become a law, and public notice thereof be given by the said Justices of the Peace, in the newspapers aforesaid; but if at said election, a majority of said votes are not in favor of adopting this, then and in that case, it shall be void and not take effect or become a law.

Sec. 23. That all acts and parts of acts coming within the purview of this act, are hereby repealed: Provided, however, nothing herein shall take away, abridge, impair, or in any wise affect the rights, privileges and immunities, belonging to said Borough, whether acquired from the original proprietors thereof by acts of Congress of the United States, or by acts of the Territory of Indiana, or State of Indiana, and more especially that nothing herein shall interfere with the right of the Borough to use, control and dispose of the Commons thereto belonging, and all other property belonging to said Borough, in the manner said Borough would have been entitled, prior to the adoption of this act.

Approved, Jan. 27, 1836.

NOAH NOBLE.

CALEB B. SMITH.

Speaker of the House of Rep.

DAVID WALLACE.

President of the Senate.

Indiana, to wit:—

SECRETARY'S OFFICE.

I do hereby certify the foregoing to be a true and correct copy of the original act, now on file in my office, entitled "An act respecting the Borough of Vincennes," passed at the present session of the General Assembly.



In testimony whereof, I have hereunto set my hand and affixed the Seal of State, at Indianapolis, this 28th day of January, A. D. 1836.

WILLIAM SHEETS,

Secretary of State.

Important—From first rate sources at Washington, we learn that there is no question of the British Government, with the consent of France, having tendered its mediation to settle the difficulties between the two Governments, and that the proposition is now before the President, upon which there has been two or more Cabinet consultations. That it will be accepted on our part, there can be no reasonable doubt, however pugnacious Gen. Jackson may be. The National Intelligencer of this morning, thus speaks on the subject:

If ever there was a case in which mediation offered by a common friend, ought to be accepted by two nations, the controversy between the United States and France is preeminently of that character.—Baltimore Patriot.

The workmen are at present employed in preparing a new hall in the Museum of the Mint, in Paris, for the reception of all the coins, moulds, medals, &c. which were cast during the reign of Napoleon. The bust of the Emperor, in white marble, has already been placed in the hall, on the door of which is inscribed "Hall of Napoleon." This addition to the Museum will very shortly be open to the public.

NOTICE.

Mr. Aaron Vandever, the husband of Mary, formerly Mary Evans, and Isaac Montgomery, the husband of Sarah, formerly Sarah Evans, and Philip Evans, will please take notice, together with Enos, John, Silas, Israel, Martha, and Elihu, together with others whose names are not known, infants under age, who are without a Guardian, and all the children of Thomas Evans, deceased, together with said Thomas Evans' widow, Elizabeth Evans,

That I will, on the second day of the next March term of the Circuit Court for Martin county, that being the day of March next, move the said Court to appoint Commissioners to assign to me the dower which George Mitchell's widow was entitled to, but which I now hold as the purchaser of by law—which said dower, you as the heirs and widow of Thomas Evans, deceased, who was the purchaser in his lifetime of the real estate of said George Mitchell, which you are now in the possession of, have heretofore failed to assign to the widow, and which you have failed to assign over to me since my right to the same has accrued—at which time and place you may attend if you think proper.

WM. T. MITCHELTREE.
Mt. Pleasant, Feb. 9, 1836.—37-3t.

FLOUR, FLOUR.

LOUR, by the barrel, or Retail at my Mill, at the rate of three dollars and fifty cents per hundred, or seven dollars per barrel.
H. D. WHEELER,
Vincennes, Feb. 10th, 1836.