

LAWS OF THE INDIANA TERRITORY.

An act for the appointment of Coroners, their duty and power.

§ 1. A Coroner shall be appointed in each county in this Territory.

§ 2. Every Coroner within the county for which he is appointed, shall serve all writs and precepts, when the Sheriff or any of his deputies shall be a party to the same, and shall return jurors in all causes where the Sheriff shall be interested, or related to either party. The Coroners, or in case of their absence, any Justice of the Peace of the respective counties, shall take inquests of violent deaths, and casual deaths happening within their respective counties, and shall before they enter upon the duties of their respective offices, be severally sworn affirmed, to the faithful discharge thereof and give security in the same manner as sheriffs are obliged to do.

§ 3. Every Coroner shall, as soon as he shall be certified of the dead body of any person supposed to have come to his or her death by violence, or casualty, found or lying within his county, make out his warrant, directed to the constable of the Township, where the dead body is found, or lying, requiring him forthwith to summon a jury of good and lawful men, of the same Township, not less than eighteen in all (so that twelve may be present) to appear before such Coroner, at the time and place in his warrant expressed, and to enquire upon a view of the body of (name here the person deceased, if known) there lying dead, how, in what manner, and by whom, he or she, came by his or her death; and every constable, to whom such warrant, shall be directed and delivered, shall forthwith execute the same, and shall repair to the place where the dead body is, at the time mentioned, and make return of the warrant with the proceedings thereon, unto the Coroner who granted the same.

Every Constable, failing unnecessarily, of executing such warrant, or of returning the same, as aforesaid, shall forfeit and pay the sum of eight dollars; and every person summoned as a Juror, as aforesaid, that shall fail of appearing, without having a reasonable excuse, shall forfeit five dollars: which fines shall be recovered by action of debt, before any jurisdiction that can take cognizance of the same, and be applied to the use of the county.

§ 4. The Coroner or Justice shall administer an oath, or affirmation, to twelve of the Jurors, that shall appear, to the foreman first; in the following manner:

"You do solemnly swear, [or solemnly, sincerely, and truly declare and affirm as the case is] that you will diligently enquire, and true presentment make, how, in what manner, and by whom, A B, who here lies dead, came to his death, and you shall deliver to me the coroner of this county a true inquest thereof, according to such evidence as shall be laid before you, and according to your knowledge, so help you God."

§ 5. The other jurors shall swear or affirm, as the case may be, in the following form:

"Such oath or, affirmation, as your your foreman hath taken, you, each and every of you, shall well and truly observe and, keep so help you God."

§ 6. The Jurors being sworn, the Coroner, or Justice shall give them a charge upon their oaths to declare of the death of the person; whether he, or she died of felony, or mischance, or accident; and if of felony, who were principals, and who were accessories, with what instrument, he or she was

struck or wounded; and so all prevailing circumstances which may come by presumption, and if by mischance or accident, whether by the act of man, and whether by hurt, fall, stroke, drowning or otherwise; also, to enquire of the persons (if any) were present, the finders of the body, his, or her relations and neighbors; whether he or she was killed in the same place where the body was found; and if elsewhere, by whom, and how the body was brought thence, and of all other circumstances relating to the said death: and if he or she died of his or her felony, then to enquire of the manner, means or instrument, and of all circumstances concerning it.

§ 7. The Jury being charged, shall stand together, and proclamation shall be made for any persons who can give evidence, to draw near, and they shall be heard.

§ 8. Every Coroner or Justice, is further empowered to send out his warrant for witnesses, commanding them to come before him to be examined, and to declare their knowledge concerning the matter in question. He shall administer an oath, or affirmation, to them in the following form:

"You do solemnly swear, or solemnly, sincerely, and truly declare and affirm, that the evidence you shall give to this inquest concerning the death of A B, here lying dead, shall be the truth, the whole truth and nothing but the truth, so help you God."

§ 9. The evidence of such witnesses shall be in writing, subscribed by them; and if it relate to the trial of any person concerned in the death, then shall the Coroner or Justice bind such witness, by recognizance in a reasonable sum, for their personal appearance at the next General or Circuit court, to be holden within the same county, there to give evidence accordingly; and commit to the common jail of the county, any witness or witnesses, refusing to enter into such recognizance; and shall return to the same court, the inquisition, written evidence, and recognizance by him taken; and the jury having viewed the body, heard the evidence, and made all the enquiry within their power, shall draw up and deliver unto the Coroner, their verdict upon the death under consideration, in writing, under their hands and seals.

§ 10. Upon an inquisition found before any Coroner, of the death of any person, by the felony or misfortune of another, he shall speedily inform one or more of the Justices of the same county thereof, to the intent, that the person killing, or being any way instrumental to the death, may be apprehended, examined, and secured, in order for trial.

JESSE B. THOMAS,

Speaker of the House of Representatives.

B. CHAMBERS,

President of the Council.

Approved—September 17th, 1807.

WILLIAM HENRY HARRISON.

An act to authorise and require the Courts of Common Pleas to divide the counties into Townships, and to alter the boundaries of the same, when necessary.

§ 1 The Judges of the court of Common Pleas in the several counties within this Territory, shall in their terms respectively, proceed to divide the said counties into Townships, assigning to such Townships respectively, such limits and bounds, natural or imaginary, as shall appear to be most proper, having due regard to the extent of country and number of inhabitants residing within the same; and the said Townships or any of them to subdivide from time to

time, whenever the interest and convenience of the inhabitants thereof may seem to require it; and the said court of Common Pleas, shall cause their Clerk to enter of record on the docket of the same court, the particular time when each Township is set off and the specific boundaries assigned thereto.

JESSE B. THOMAS,

Speaker of the House of Representatives.

B. CHAMBERS,

President of the Council.

Approved—September 17th, 1807.

WILLIAM HENRY HARRISON.

An act for rendering authentic as Evidence in the courts of this Territory, the public acts, records and Judicial proceedings of Courts in the United States.

§ 1. Every act of the Legislature of any one of the United States, having the seal of such state affixed thereto, shall be deemed authentic, and receive full faith and credit when offered in evidence, in any court of justice within this Territory.

§ 2. And the records and judicial proceedings of the several courts of, or within the United States, shall be proved and admitted in the courts of justice in this Territory, by the attestation or certificate of the Clerk or Prothonotary, and the seal of the court annexed, together with the certificate of the Chief Justice, or one, or more of the Judges, or of the presiding Magistrate of every such court, as the case may be, that the person who signed such attestation or certificate was, at the time of subscribing it, the Clerk or Prothonotary of such court; and the said records, and judicial proceedings, authenticated as aforesaid, shall have full faith and credit given to them in every court within this Territory, as by law or usage they have in the courts of the United States, or of any one of the states, whence the said records are, or shall be taken; any thing in this, or any other act contained, to the contrary notwithstanding.

JESSE B. THOMAS,

Speaker of the House of Representatives.

B. CHAMBERS,

President of the Council.

Approved—September 17th, 1807.

WILLIAM HENRY HARRISON.

THOUGHTS ON THE PLEASURES OF DOMESTIC LIFE.

Of all the gratifications human nature can enjoy, and of all the delights it is formed to impart, none is equal to that which springs from a long tried and mutual affection.—The happiness which arises from conjugal felicity is capable of withstanding the attacks of time, grows vigorous in age, and animates the heart with pleasure and delight, even when the vital fluid can scarcely force a passage through it.

No man ever prospered in the world without the consent and co-operation of his wife: let him be ever so frugal, industrious or successful, all avails nothing if she is unfaithful to her trust, or profusely squanders, in pleasure and dissipation those sums which toil and application gained: but if he unites in mutual endeavors, or rewards his labor with an endearing smile, with what spirit and perseverance does he apply to his vocation; with what confidence will he resort to his merchandize or farm; fly over land; sail upon the seas; meet difficulty, and encounter danger.—if he knows he is not spending his strength in vain, but that his labour will be rewarded by the sweets of home!—How delightful is it to have a friend to cheer, and a companion to soothe the solitary hours of grief and pain! Solitude and disappointment enter into the history of every man's life; and he is but half provided for his voyage, who finds but an associate for happy hours, while for his months of darkness and distress, no sympathizing partner is prepared!

Prudence and foresight can neither ward off the stroke of disease, nor prevent the calamities which are ordained by Heaven. Affluence cannot purchase release from pain, nor tenderness cool a fever in the blood; yet there is an ear open to the married man's complaints; a heart ready to sympathize in his sorrows; an eye bedewed with the tender drops of compassion; and a life that is absolutely bound up in his; and as enjoyment derives additional relish from participation, so misery loses the piquancy of its barb, in the bosom formed for sympathetic kindness.