INDIANA LEGISLATURE.

Reported for the State Sentinel.

SENATE.

TUESDAY, January 5, 1847.

Senate met.

Mr Coffin, by leave, made a report of the bill amending an act incorporating the trustees of the Asbury University, with an amendment.

Mr Goodenow moved that Hanover College partake of the same benefits.

Mr Coffin remarked, if the gentleman would make a proposition placing all the colleges on the same footing, he would support it. But he wanted this bill to stand upon its own merits, and not to be trammeled. Let gentlemen show their hands. There were several colleges which should have the same favor shown to them, and he was ready to vote so.

Mr Robinson moved to lay the bill and proposed amendment on the table; not carried.

A call of the Senate was ordered; and while the absentees were being sent for,

Mr Davis proposed that the matter be informally passed over, until a report could be made from the minority of the committee on the Mexican war; not carried.

Mr Berry of M. then moved that the bill of Mr Coffin and the proposed amendments be postponed until two o'clock, P. M; carried.

Leave granted to Mr Davis to make a report from the minority of the committee on federal relations, on the subject of the Mexican war.

Mr Davis moved to lay on the table the report of the minority.

Mr Berry of M. then moved that 2,000 copies of the majority report be printed.

Mr Osborn moved to amend by adding the report of the minority; accepted by Mr Berry of M.

Mr Hamick moved to lay on the table the motion to print; not carried.

Mr Howell then moved a division of the question.

Mr Holloway was opposed to printing. The Senate ought not to manufacture public opinion. Gentlemen were not sent here to instruct either those above or below the Legislature in great questions. He hoped the Legislature were not disposed to spend the hard earnings of the people for the purpose of spreading the private opinions of members.

Mr Orth would inquire if the printing could be completed prior to the adjournment day. He thought it could not be done. Again: he was opposed to spending the amount of money required. He was willing the two reports should be spread upon the journals.

Mr Davis had no personal choice in the matter; but if one was printed, he wished both to be printed: let one go with the other, that both sides of the question may be seen. He should go for the printing, for there was a strong feeling on the subject.

The division of the question was then called, and the reports were not ordered to be printed.

ORDERS OF THE DAY.

A bill providing for holding a convention to revise the constitution of the State being the special order of the day.

Mr Beard moved to recommit the bill to a select committee, with certain instructions.

Mr Read was glad Mr Beard had made that motion, for the question then was direct before the Senate, whether any convention should be called or not. A majority of the votes, by a vote of 5,000 or 6,000 were in favor of a convention. There could be no doubt as to the constitutionality of the question.

He contended that the majority of all the votes upon the subject of a convention or no convention were in favor of a convention, and that it was then the duty of the Legislature to call the convention. The people had an inalienable right to revise the constitution at all times. True it was, that it was the duty of the Legislature to lay the subject every twelve years before the people; but they could recommend a call of a convention at any time. They had made that call at the last election. Aside from party questions he believed the call was made, for it was not made a party question at the election last summer.

His opinion as to the expediency of the matter was this: He believed that every community had a right to act upon its own form of government. Constitutional reform was the order of the day. Look at Mississippi, Louisiana, Texas, New Jersey, &c. Ask the laborer, the mechanic, the people—all but the politicians were in favor of a convention. Ask every man, and they will tell you the evil is, there is too much government—there is too much legislation—biennial legislation was sufficient.

Another point, relative to impeachment: He spoke from knowledge—by experience. How many officers are there in the State? Was there ever heard of an impeachment of a justice of the peace? He never had. There were too many guards around officers to bring them to justice for dereliction of duty. Owing to the difficulty of impeachment, time and expense required by an impeachment, gross dereliction by those officers was committed and suffered. The change in this matter should be, that they be tried in the several courts as other wrongs.

Again: The Legislature should not be suffered to effect loans. The new constitutions of the States referred to by him in the beginning, had prohibited this evil. The want of this provision in our constitution was the cause of the present debt in our State.

Another objection was the subject of divorces. This was now by some considered unconstitutional. This was merely an opinion; it should be settled.

Another objection was the matter of fines and forfeitures. Now, by our constitution, the fines were dragged from the widow and fatherless, to erect a school house at the county seat, to benefit the children of the rich. He was in favor of erecting schools in the separate townships.

Again: Reprieves by the executive. This should not be so. The juries at the place of the commitment of the crime should fix the penalty prescribed by the law. It should not be left to one man; it might be turned to personal or private advantage. The whole subject should be left to some court—say the Supreme Court.

There were some parts in the present constitution liable to be broken—for instance the law of execution. This infinged upon the provision that no contract should be impaired.

Then there was a provision that no new county should be formed out of an old county, reducing it less than four hundred square miles. This had been broken by the formation of new counties—for instance in the formation of Ohio county. Then there was a provision in the present constitution prescribing certain periods for the formation of new counties. This provision has frequently been broken by the formation of new counties in the south.

Again: The constitution prohibits the emission of bills of credit, and yet we find our streets filled with notes by our State.

He merely referred to this matter to show that a revision was needed. That the majority of the people thought so, was evident from the vote of last August. All he wanted was that the voice might be obeyed—that it might be referred to the people.

Mr Osborn then moved an amendment to the instructions of Mr Read.

Mr Beard accepted the proposition of Mr Osborn.

Mr Stewart said, as his views on the subject of a convention would probably be different from the views of the Senators with whom he usually acted, he felt it due to himself and to those whom he had the honor in part to represent on this floor, to explain the position which he occupied on this question. Personally he was in favor of a convention to revise the constitution; but the only question, he conceived, before the Senate was, whether there had been a call for a convention. The Legislature had passed a law last winter requiring the people to vote for or against a convention. He said that the law was not binding on the people, because the Legislature had no right to pass such a law. To contend that they had the right, would be to assume the strange and novel doctrine that the Legislature could change the constitution under which it held its existence. But the truth is, that the constitution is a law to the Legislature, as the law is a rule of decision to the judge. Beyond the law the judge cannot go; beyond the constitution the Legislature cannot go, so as to bind the people. The constitution is made by the people for the people, and is responsible to the people. They alone have the power to change it; they have the right to change their constitution at any time, and it is immaterial whether it be expressed in the constitution or not; it is an inalienable right. But had the Legislature last winter the right to order a call for a convention? If so, was it binding on the people? Were the people compelled to vote because the Legislature said so? Certainly not. The acts of the Legislature are binding upon the people only so far as they are within the powers conferred by the constitution. The constitution is superior to the Legislature, and the people are superior to the constitution. He said the supreme or sovereign power of society resides in the citizens at large; and that therefore they *always retain* the right of abolishing, altering, or amending their constitution, in whatever manner a majority of the whole people shall deem expedient. The question for a call of a convention, he was pleased to see, was not viewed by Senators as a political question. To support his position that the Legislature had no right beyond the constitution, and that the people were superior to the constitution, the sovereign power at all times remaining in the people, he read from Wilson's works.

He thought, then, that if the position which he assumed was correct, the people alone had the right to change the fundamental law whereby they were governed. Then the question resolved itself into this: Did the people, in the exercise of the sovereign power which always resides in them, by the vote given at the last August election, call a convention? It had been said by the Senator from Clark, that the people of Clark county were by a large majority in favor of a convention. Now, he saw by examination that the number of votes in that county on that subject was seven hundred less than that given for Governor at the same election. The votes given for a convention, at the last August election, were not a majority of all the voters of the State who had a right to vote on that subject. He said the vote given for a convention was 32,468, and the number of votes given for Governor at the same election was 126,158, consequently the vote given for a convention is less than a majority of all the votes given for Governor by 30,611.

He then read from Story, and other authorities, to show that in the exercise of a sovereign power, *minorities* never govern, and that, in our government, the supreme, absolute, and uncontrolable power remains in the people, and that they alone have the right to exercise it. The constitution is the work of the people themselves, in their original sovereign and unlimited capacity, and is liable only to be revoked or altered by a majority of the whole people.

The conclusion then was, that the sovereignty does not reside in the Legislature, but in the *whole people*—they alone have a right to exercise it, and it requires a majority of those who have a right to exercise this power, to vote for a convention to change the constitution before one can be called. No such majority voted for a convention to revise the constitution, at the last August election, consequently there is none called.

The Senate adjourned.

AFTERNOON SESSION.

Senate met.

Mr Parks moved that the further consideration of the bill for a call of a convention to revise the constitution of the State, be postponed until Monday next; carried.

Leave of absence was given Mr Parks.

Leave given Mr Parks to make a report of a bill amending an act entitled "An act to modify the thirtieth section of chapter sixteen of the Revised Statutes," which passed.

The bill amending the act incorporating the Asbury University was taken up.

Mr Murphy moved an amendment to the amendment; adopted.

The Senate reconsidered the vote upon Mr Murphy's amendment, when he withdrew the same.

Mr Allison moved an amendment, that the loans be paid in par funds; adopted.

Mr Robinson then moved an amendment.

Mr Orth moved to lay it on the table; not carried.

Mr Berry of F. then moved an amendment; which was accepted.

Mr Robinson's amendment was then adopted.

Mr Murphy moved an amendment; adopted.

Mr Edmonston moved to lay the amendment of the committee on the table; carried.

And the bill passed to a third reading on to-morrow.

Ordered, That the bill making appropriation for the settlement of claims for the arrest of Silas Doty be taken from the table; passed.

The President laid before the Senate a communication from the Governor, enclosing a communication from the Warden of the State Prison, relative to a female convict.

The Senate adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, Jan. 5.

The House met.

Mr. Parks presented a petition from citizens of Marshall county praying the repeal of the "Black laws;" laid on the table.

Reports from Standing Committees.

Mr. Porter, from the judiciary committee, reported back the bill declaring the meaning of the section of the R. S. of 1843, in relation to assigning breaches in a declaration; passed to a second reading.

Mr. Julian, from the same, to whom was referred the bill for the relief of Jesse Wolf, a convict in the state prison, reported that the facts in the preamble of said bill were true, and that one of the great objects of punishment, reformation, was effected; but that it was inexpedient to pass said bill, but would recommend him to the favorable consideration of the Governor.

Mr. Secrest moved that the House refuse to concur in the part of the report that recommends his case to the Governor.

Mr Secrest said he would have no objection to signing a petition requesting the exercise of the executive clemency individually, but he would not consent officially to implore his excellency to interpose his pardon; we are a co-ordinate branch of the government, and as such, have no right to interfere in the matter.

Mr. Yaryan advocated a concurrence in the entire report. [The part objected to was not concurred in.]

Mr. Harvey, from the same, reported back the bill authorizing clerks of Circuit Courts to issue writs to other counties; read the third time and passed.

Mr. Sleeth, from the same, reported back the bill amending the act regulating the fees of county officers, and recommended its passage.

[The bill relates to officers issuing fee bills for debts due their predecessors.] Passed to the third reading.

Mr. Porter, from the same, reported a bill in relation to Sheriffs advertising sales; ordered to be engrossed.

Mr. Hunt, from the committee on education, a bill to loan funds to the Trustees of the Indiana Asbury University; passed to the second reading.

Also, a bill for the relief of inhabitants of certain school districts in Orange and Washington counties; passed to a second reading.

Mr. Fuller, from the committee on military affairs, to reorganize the militia of the State of Indiana; passed to the second reading.

Mr. Dole, from the committee on canals, &c., reported back the bill in relation to canal certificates, and recommended its reference to the judiciary committee; so referred.

Reports from Select Committees.

Mr. Carr of L., that it was inexpedient to attach part of Grant county to that of Blackford.

Mr. Jones of B., from the minority of the same committee, a counter report.

Mr. J. advocated at some length the importance of attaching that part of Grant in question to Blackford.

Mr Harlan opposed Mr. J's report, and advocated a concurrence in the report of the majority.

The ayes and nays were called in the concurrence of the majority report, and negatived; ayes 33, noes 56.

The minority report was then referred to a select committee with instructions to report a bill.

Mr. Clark reported a bill to extend the jurisdiction of justices of the peace in Lagrange county.

Mr. Wilson reported a bill to locate a State road in Noble county.

Mr. Thompson from the committee to whom was referred so much of the Governor's message as relates to "Free trade."

Mr. Colons moved to lay on the table, and that 2000 copies be printed.

Some conversation arose on the printing; ayes 44, noes 51.

Mr. Suit moved that 1000 copies be printed; ayes 50 nays 44.

Mr. Miller reported back the bill for the relief of purchasers of Seminary lands in Gibson and Monroe counties; passed to the third reading.

Mr. Hatfield, a bill to incorporate the Greenfield and Shelbyville rail road.

Resolutions Introduced.

By Mr. Fuller, that the committee on ways and means allow a specific appropriation of $3 00 per day to Thos. P. Baldwin, for services rendered to the military committee.

By Mr. Lewis, to inquire into the expediency of assessing a tax of ten cents on the hundred dollars valuation for common schools; adopted.

By Mr. Meredith, that a committee be appointed to investigate certain facts in relation to the obligations of the lessees of water power on the central canal; adopted.

By Mr. Lommonds, that the committee on education inquire into the expediency of printing the school laws in the German language; adopted.

By Mr. Gordon, on the subject of making the law more explicit in relation to naturalizing citizens; adopted.

By Mr. Holland, that the Auditor of State inform the House how many clerks are necessary to perform properly the duties of that office; not adopted.

By Mr. Colons, a joint resolution in relation to the Wabash and Erie canal scrip; passed to the second reading.

Bills Introduced.

By Mr. Stanfield, to change the time of holding Probate courts in the county of St. Joseph; read three several times and passed.

By Mr. Balding, to regulate the price of tax deeds; read the first time.

By Mr. Gilleece, amendatory to the Revised Statutes in relation to making inventories and appraisements; read the first time.

By Mr. Hatfield, to regulate the fees of the Auditor of Hancock county; read the first time.

By Mr. Hendricks, to amend the act relating to overseers of the poor; read the first time.

Bills to change the time of holding courts in the 7th judicial circuit; to amend sections of the Revised Statutes in regard to supervisors of high ways in Sullivan county, were read the third time and passed.

AFTERNOON SESSION.

The House met.

Mr. Palmer introduced a bill changing the time of holding courts in the 8th judicial circuit, in lieu of the one returned by the Governor with his objections; which was read three several times and passed.

The House then resolved itself into the committee of the whole on the State Convention bill.

Mr. Dunham concluded his argument, when the House was addressed by Messrs. Julian, Neal and Balding,

When the committee rose.

Mr. Thompson said he thought sufficient time was already consumed in the discussion of this question, at this late period of the session; it is important to husband time for other matters of equal interest. He therefore would move the committee have not leave to sit again; carried.

The House then adjourned.

SENATE.

WEDNESDAY, Jan. 6.

The Senate met.

Reports from Standing Committees.

By Mr. Henry, from the Judiciary committee, recommending the indefinite postponement of a bill to amend the 8th art. of the 17th chapter of the Revised Statutes of 1843; concurred in.

By Mr. Clements, from the same committee, a bill enabling executors to settle estates; concurred in.

By Mr. Murphy, recommending certain papers to be sent to the committee on claims.

By Mr. Robinson, of a bill relative to guardians, with an amendment: concurred in.

By Mr. Orth, reccommending a bill to be sent to the committee on education; concurred in.

By Mr. Milligan, from the committee on roads, of a bill to establish a State road in Jay county; concurred in.

By Mr. Milliken, of a bill defining duties of auditors and supervisors in Dearborn county; concurred in.

By Mr. Zenor, that it was inexpedient to legislate further upon the subject of roads; concurred in.

By Mr. Verbrike reporting it expedient to refer a certain matter to a select committee; concurred in.

By Mr. Robinson, that E. F. Lucas's petition be laid upon the table; concurred in.

By Mr. Read, from the committee on federal relations, a joint resolution expressive of the approbation of the General Assembly of the State of Indiana, of the conduct of our soldiers in the Mexican war.

Mr. Davis proposed an amendment, and thereupon Mr. Edmonston moved a call of the Senate, which was ordered, and the absentees sent for.

Mr. Edmonston moved the previous question; seconded.

The question on the engrossment of the original resolution being taken,

Upon the name of Mr. Osborn being called to vote, he remarked, that the preamble states that the United States had declared war against Mexico. This every one in the Senate and in every part of the world knew to be a falsehood. Was it honest or honorable to place Senators in this position, to vote for a preamble containing an untruth or to vote against the remainder of the resolution which they favor. He could with all heartiness support a resolution appropriating any amount of money, but not for the preamble.

Mr. Davis said that he felt it to be due to himself before he voted, to say that in many things he heartily concurred in the resolution, but as the majority of the Senate had determined that no amendment should be made either to the preamble or resolutions, and as the preamble contained what he believed to be a falsehood, he would vote in the negative. He understood that Congress never had declared war against Mexico. There had only been a recognition of the existence of war by the act of Mexico.

In regard to the praise bestowed upon the officers and men engaged in the war, he fully and heartily concurred. They all deserved well of the country. He was in favor of instructing our Senators and requesting our Representatives in Congress, to vote all necessary appropriations for the vigorous prosecution of the war to a speedy and honorable termination. But, as stated before, sooner than endure what he believed to be a palpable falsehood in the preamble, he would vote in the negative.

Mr. Winchell said, when his name was called that he might record his vote, that he never would favor such damnable falsehood as stated in that preamble. Should he knowingly vote for a statement which was clearly a mistatement? He would vote from morning till night recommending the appropriation of money for our soldiers in Mexico; but it should not be in favor of a lie. The preamble of this joint resolution was so utterly false that he would distinctly and decidedly vote No!

Mr. Zenor remarked, that as reasons had been given why votes could not be given in favor of this resolution, he would state the reasons governing him in his vote.

He was in favor of many of the provisions, and would vote for them were they thrown into a shape more seemly. But as the preamble in this joint resolution ran, he never could reconcile it with his conscience to record his vote in the affirmative. He desired to be excused.

When the joint resolution was ordered to be engrossed by a vote of ayes 25, noes 22

By Mr. Davis, of a bill authorizing a settlement with Mr. Horace Smith by the superintendent of the sinking fund; and the bill passed.

By Mr. Bowers, repealing an act for the preservation of wild fruit on government land, so far as relates to the county of Pulaski; report concurred in.

By Mr. Berry of F., of a bill amending an act incorporating the Richmond Turnpike company; concurred in.

By Mr. Henry, of a bill fixing a time for the report of the Trustees of the Deaf and Dumb Asylum; concurred in.

By Mr. Beard, of a bill to confirm a deed to the Methodist church, in Greenfield, Hancock county; passed.

By Mr. Osborn, that it was inexpedient to legislate upon a subject referred to the judiciary committee; concurred in.

By Mr. Jackson, fixing a certain annual compensation to the auditor of Madison county; concurred in.

By Mr. Morgan, of a bill for the relief of Daniel Dayhuff; referred to the committee on claims.

By Mr. Allison, repealing certain actions applicable to appraisement of property; concurred in, and the bill passed.

By Mr. Chenowith, authorizing the superintendent of the Wabash and Erie canal to settle with certain creditors; concurred in.

By Mr Holloway, of a bill for the improvement of the Cambridge City and Ft. Wayne State road in Wells county; concurred in.

By Mr. Robinson, of a bill creating the 13th judicial circuit, with an amendment; concurred in, and the bill ordered to be engrossed.

By Mr. Davis, of a bill reducing the expenses of Floyd county, with amendments; concurred in, and ordered to be engrossed.

Resolutions Introduced.

By Mr. Miller, that the Senate will not consider bills out of their regular order; not adopted.

By Mr. English, that the orders of the day be suspended and the messsge of the Governor vetoing the bill for the completion of the State prison; so ordered.

Upon the vote being taken, the bill did not pass, by a vote of ayes 22, noes 24.

By Mr. Clements, that the House return to the Senate the resolution of the Senate adjourning the Legislature *sone die* on the 18th inst.

Mr. Davis moved to lay on the table; adopted.

Leave was given Mr. Milliken to report a bill, and ordered that it lie upon the table.

Bills Introduced.

By Mr. Orth, a bill providing a fund to settle the debt of the State.

By Mr. Goodenow, abolishing the office of school commissioner in Jefferson county.

By Mr. Jackson, extending the provisions of the 15th chap. part 3d of the Revised Statutes of 1843, to Hancock county.

By Mr. Winchell, a bill relative to negroes and mulattoes, giving them the right to give testimony in certain cases.

By Mr. Berry of F., incorporating the Laurel Turnpike company.

A bill authorizing the collection of certain taxes therein named, was taken from the table and passed.

Orders of the Day.—Bills passed.

A bill legalizing the acts of masters of chancery in Huntington county.

A bill extending the time of receiving and working out road tax in counties therein named.

A bill making non-residents pay road taxes, equal to settlers, in certain counties therein named.

A bill defining the width of roads in Clinton county.

A bill extending the benefit of a certain act to Clinton and Carroll counties.

A bill amendatory of an act for the relief of Delaware and Grant counties.

A bill authorizing the sale of certain land therein named.

A bill giving the Secretary of State authority to make a deed in a certain case.

A bill amending an act incorporating the Trustees of the Asbury College.

A bill enabling executors to settle estates.

A bill amending the Hagerstown canal company charter.

A bill for the relief of certain persons therein named.

A bill to amend the practice in Probate courts.

The Senate adjourned.

AFTERNOON SESSION.

Leave was given to Mr. Hamer to introduce a joint resolution on the subject of organizing our light companies with rifles; referred to tine committee on military affairs.

A call of the Senate was ordered, and the absentees sent for.

A joint resolution on the subject of the Mexican war was on the second reading, when Mr. Berry of F., proposed an amendment. Mr. Edmonston moved the whole matter be indefinitely postponed; so ordered.

A bill authorizing the removal of obstructions in Brandywine, in Shelby county; passed.

The Senate adjourned.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, January 6, 1847.

The House met.

The Speaker laid before the House a communication from the Governor, enclosing sundry resolutions of the General Assembly of New Hampshire, on the subject of slavery, the Mexican war, etc.

Mr Secrest, remarking that the House had not time to discuss the resolutions, moved to lay the message on the table—ayes 51, noes 39.

On motion of Mr Thompson, the petition of Z Casterline and others, on the subject of the repeal of the "Black Laws" was taken from the table.

Mr Secrest moved to lay the petition again on the table, and called for the ayes and noes—ayes 46, noes 46.

Mr Yaryan moved that the petition be referred to a select committee.

Mr Anthony said he voted against laying on the table, because he wished it referred to a committee, and give them an opportunity to report, so that the matter may be forever quieted.

The ayes and noes being demanded, the petition was so referred—ayes 62, noes 29.

Petitions Presented.

By Mr Wise, from Mary Howell, praying a legalization of marriage; referred to a select committee.

By Mr Watts; referred without reading.

By Mr Dunham, from John Williams, a purchaser of saline lands in Washington county, praying an extension of the time of payment; referred to a select committee.

By Mr Scott, from John Owen, for a divorce; laid on the table.

By Mr Dobson, for a divorce; laid on the table.

Reports from Standing Committees.

Mr Nofsinger, from the committee on education, reported back the bill for the improvement of common schools, amended, accompanied with a report on the subject of common schools.

Mr Thompson moved to lay the report on the table, and that one thousand copies be printed; agreed to.

Mr Secrest moved to take from the table the bill providing for the election of a State superintendent, and recommit it, with the bill just read, to the committee, with instructions to consolidate the two in one; agreed to.

Mr Hicks, from the committee on education, reported back the bill amending the law on the subject of common schools; passed to a third reading.

Mr Hunt, from the committee on education, reported it inexpedient to revise or change the present school laws; concurred in.

Mr Moore, from the committee on education, reported, that inasmuch as all teachers of common schools are now permitted to teach the German and other languages, and inasmuch as a division of the common school fund would create more complication in the common school laws, and inasmuch as our laws and public documents are usually printed in the English language, the committee are of the opinion that it would be inexpedient to legislate on that subject.

Mr Meredith moved not to concur in the report; lost.

The report was concurred in.

Also, a bill on the same subject, recommending that it be laid on the table; concurred in.

Mr Porter, from the committee on corporations, reported back the bill to incorporate the "Eclampsea Vitus" association, and recommended its indefinite postponement.

The bill was laid on the table.

Also, to incorporate the Lafayette Bridge Company; ordered to be engrossed.

Mr Wilson, from the same committee, reported back the bill to incorporate the Lafayette Hydraulic Company; laid on the table.

Also, to incorporate the Upper Wabash Company; ordered to be engrossed.

Mr Cassatt from the same committee, reported a bill to incorporate the Grand and Subordinate Divisions of the Sons of Temperance; passed to a second reading.

Also, to incorporate the Trustees of the Fort Wayne Female College; ordered to be engrossed.

Mr Harlan, from the same committee, reported a bill to incorporate the town of Columbus, in Bartholomew county; ordered to be engrossed.

Mr Dole, from the committee on canals and internal improvements, reported a bill to provide for the expenses of selecting lands donated to the State by Congress.

Reports from Select Committees.

By Mr Parker, to authorize the surrender of canal lands in certain cases; passed to a third reading.

By Mr Anthony, a bill to correct a mistake in enrolling the bill in relation to the Vincennes and New Albany Turnpike.

By Mr Wolfe, against the expediency of legislation on the subject of a new county out of Sullivan and others; concurred in.

By Mr Cassatt, a bill to authorize the citizens of Wabash county to build a bridge across the Wabash river; read a second time.

By Mr Jones of B., a bill to attach additional territory to the county of Blackford; read first time.

Mr Dowling made a lengthy report against any change in the present law in relation to the public printing.

Mr Hedman moved to lay the bill on the table; negatived.

Mr Meredith moved to indefinitely postpone the bill—ayes 52, noes 45.

Mr Noel moved to reconsider the vote just taken; negatived—ayes 36, noes 65.

Bills Introduced.

By Mr Dunham, a bill relative to grand juries in Washington county; read first time.

Also, in relation to township assessors in Washington county.

By Mr Battell, to regulate and change the time of holding courts in the fourth judicial circuit.

Resolutions Introduced.

By Mr Fuller, that the committee on military affairs inquire into the expediency of making additional allowance to the Secretary of State for extra sevices during the last year; adopted.

By Mr Noel, that the superintendent of the central canal inquire into the expediency of employing Stearns Fisher to make examination of the injury done the said canal by the late freshet; adopted.

By Mr Wolfe, that the use of the Hall be granted to the use of the citizens, to inquire into the mode, &c. of repairing bridges and roads destroyed by the late freshet; adopted.

By Mr Huff, requiring the committee on ways and means to make certain inquiries in relation to the duty of county treasurers before they shall report any one delinquent.

The House adjourned.

AFTERNOON SESSION.

House met.

Mr Dunham, on leave, introduced a petition, with accompanying matter not read, in relation to voters authorizing county boards to grant license to sell liquors; referred to a select committee.

The special order of the day being the bill for calling a convention,

Mr Yaryan moved that the bill be indefinitely postponed.

Mr Y. having concluded his argument in favor of its indefinite postponement,

The ayes and noes were demanded, which resulted as follows:

AYES—Messrs Addleman, Anthony, Brown, Battell, Cassatt, Clark Colons, Cravens, Dean, Decker, Dole, Dowling, Edwards, Fuller, Gordon, Griffis, Green, Hall of W., Hamilton, Harding Harvey, Hendricks, Hicks, Hill, Holland, Hostetter, Huddleston, Huff, Hull, Hunt, Jenison, Jones of B., Jones of G., Julian, Keir, Lewis, Logan, Lutz, McCormack, Meredith, Monk, Moore, Neal, Parker, Porter, Powell, Secrest, Smiley, Stanfield, Stewart of F., Stewart of L., Summers, Tait, Thomas, Thompson, Walker, Wise, Yaryan, and Mr Speaker—59.

NOES—Messrs Arnold, Balding, Carr of C., Carr of L., Carnahan, Crockshank, Dobson, Dunham, Ferguson, Gilleece, Hall of P., Hanna, Harlan, Hatfield, Holman, Huffstetter, Johnson, Lemmonds, Mason, May, Miller, Nofsinger, Norton, Osborn, Parks, Scott, Shields, Sleeth, Tackett, Tebbs, Wiley, Wilson, Wolf, Woodruff, and Young—35.

Bills read the third time and passed.

To amend the Revised Statutes in regard to writs of *ad quod damnum*; for the protection of the property of married women; to amend the Revised Statutes so as to exempt property held for educational purposes; for the relief of Dempsey Linton, of Randolph county; to amend the Revised Statutes, in relation to crimes committed on the Ohio and Wabash rivers; in relation to roads in Huntington county; to locate a State road; to define the boundary line between Warrick and Gibson counties; to legalize the election of trustees; to repeal an act regulating road tax in the county of Jasper; amending the Revised Statutes in relation to counties having special road laws; amending the Madison city charter; fixing the time of holding the terms of the probate court in Marion county; to extend a certain road law to Madison county; to appropriate necessary means for the arresting and recapture of fugitives from justice; the joint resolution in relation to appropriating certain land for a road in Brown county; to amend the law relative to the advertising of sheriff's sales; relative to granting letters of guardianship; to compel non-residents to pay a road tax equal to that of residents; to vacate certain streets and alleys in Cambridge City; for the relief of William Tagget and his securities; to legalize the proceedings of the board of Adams county; for the relief of purchasers of saline lands in Orange county; to legalize the acts of the board of county commissioners and auditor in Sullivan county; to amend the turnpike road charter from Cambridge City to Muncietown; to provide for the election of supervisors for road districts in Boone and Wabash counties; to incorporate a church in Randolph county; to authorize the receiving of road tax separate from other taxes; to amend the charter of Cambridge City; to amend the law in relation to fee bills; to incorporate the Greenfield and Shelbyville railroad company; to extend the jurisdiction of justices of the peace in Lagrange county; to provide for the further erection of the Indiana Hospital for the Insane; authorizing the construction of a road in Dearborn county; in relation to county roads in the counties of Putnam and Jefferson; in relation to supervisors in Daviess county; changing the name of Frances Ann Fisher to Frances Ann Smith; for the benefit of volunteers in the Mexican war; to authorize the Governor to order a special election for Congress in certain cases; to extend the time of working out road tax in several counties; relative to decrees in chancery; to authorize clerks of circuit courts to issue process to other counties; to increase the number of pilots on the Ohio river; relative to the allowance of guardians; a joint resolution; for the relief of the purchasers of seminary lands in Gibson and Monroe counties; to authorize Nelson Conner to build and keep up a mill dam across the Mississinneway; repealing the act providing for removing obstructions in Buck creek; for the relief of David Burr; to facilitate the building of school houses; to change the time of holding courts in the eleventh judicial circuit.

To change the mode of doing county business in Dearborn county; to prevent county officers and other officers to purchase real estate sold for taxes; to amend the Jeffersonville city charter; to legalize an election; to authorize certain persons to build and keep up a mill dam in Grant county; in relation to retailing liquors in Wayne county; to extend the time of holding Courts in Vanderburgh county; in relation to the auditor of Warrick county.

The bill for the better preservation of the inhabitants living along the White Water Canal, was discussed by Messsis. Wiley, Crookshank, Meredith, Julian and Moore, after which it was indefinitely postponed.

The House then adjourned.

ROYAL PORK.—There must be distinctions in all sorts of society. The Pork royalty in this country, or at least a high order of nobility, belongs to the family of Byfield. They have better limbs and better proportions every way, than a great deal of the two legged nobility. A day or two ago, being up among the packers, we fell upon an assembly of as fine porkers as were ever *dressed* for a party. They were 12 to 15 months old, and yet many of them weighed near four hundred pounds each. Their shoulders seemed to enclose their heads, just as a dandy's whiskers do his face; and as to legs, they were very small indeed, also much like a dandy's, though not so long. In fact, there was little about them except clear white pork of the choicest quality,—too fat for the English market,—just fat enough for our own. The best of them sold at 6 cents per lb. The following is a memorandum of the farmers who raised them, and the weights of their respective lots:—

Anthony Hoffman	21 hogs	8,080
Joshua Culver	20 "	7,295
A. Schuyver	9 "	3,165
D. D. Gifford	11 "	4,060
J. Conklin	4 "	1,420
Geo. Barton	21 "	6,920
C. Heusted	4 "	1 540
J. Ferris	10 "	3,225
Benj. Conger	9 "	2,790
Egbert Smith	11 "	3,962
John Stickle	2 "	800
	122 "	44,557

All from Pine Plains, Dutchess county, freighted by barge Milan, Capt. Wm. S. Cramer, from Rhinebeck, and consigned to G. Leland & Co.—*N. Y. Jour. of Com.*

The average wealth of the members of a volunteer company, raised in Kentucky, by Captain WILLIAMS, is said to be $30,000 each.

Bill for the relief of purchasers of Canal Lands.

Mr. Hall of W., moved to reconsider the vote taken against striking out the 10th section; which section provided for the postponement of the intermediate payments of the principal for five years.

Mr. Dole said, he was satisfied from the vote taken on Saturday upon this question, that its importance was not properly appreciated by members of this House. He was satisfied that there was at least a majority here who would not legislate against the rights of one portion of the State for the benefit of another portion, which they certainly would do by the passage of this bill without striking from it the 10th section. He regretted that the friends of this measure would not consent to take such relief as the urgency of the case seemed to require immediately at the hands of the Legislature, and which he believed would be granted (without opposition) without attempting to fasten upon it another and a different proposition. He thought they should not attempt to avail themselves of the sympathy which seemed to be universally felt by the members of this house in favor of granting the relief petitioned for by their constituents to pass through this house another and a different kind of relief which, if granted, would injure very materially that section of the State which he in part represented. It should be recollected that the payments upon canal lands which by this section of the bill it is proposed to postpone for five years, is the basis of the canal scrip which the State has authorized to be issued for the construction of the Wabash and Erie canal, and the holders of this scrip have the right to expect that it will be redeemed, and promptly redeemed by the punctual payments of the dues upon the lands sold for that purpose, and every postponement of the payment either of principal or interest upon this debt, while it benefits the purchaser of these lands, works a corresponding injury to the contractors, laborers and others, upon the line of the canal below Lafayette, and must result in the end in the entire abandonment of the work upon that part of the line. Some of these lands were sold upon a credit of seventeen years, and in the meantime the purchasers have had the opportunity of paying for them in a currency depreciated some 50 or 60 per cent., when at the same time they contributed to this depreciation more or less by neglecting to pay even the interest due upon their purchases. In some cases, said Mr. D., the purchasers of these lands in consequence of a failure to pay the interest as it became due, are indebted to the State to a larger amount than the original purchase money, although they paid one fourth at the time of the purchase. Mr. D. contended that these lands did not belong to the State of Indiana, they were only held in trust by the State for a specific purpose. They were donated by the Congress of the United States for the construction of the Wabash and Erie canal, and any Legislation which diverted the funds arising therefrom even for a time, causing thereby the abandonment of this work, was a breach of the trust confided to the State. He was willing to grant the relief prayed for in the different petitions presented to this House upon this subject, but he was unwilling to go further. He was willing to vote for the bill reported to the House by the committee of canals and internal improvements, which provided for the postponement of the sale of lands forfeited for the non-payment of interest from 1st January to the 1st of October next, but he was unwilling to agree to the postponement of the payment of the principal of the debt for five years, or for any number of years, unless it was through the arrangement which it is presumed will be made with the creditors of the State. In that case he would have no objection, as the bondholders would then take upon themselves the completion of the canal, the trust of the State in these lands would pass into their hands, and the postponement of the payments upon them could then work no material injury to the lower division of the canal. Mr. D. objected to this section of the bill for another reason; it was calculated to deceive. It was obscure in its meaning. It declares what the 25th section of the State debt bill shall be construed to mean, while that bill is not yet and may not hereafter become a law. It has been said here by the gentlemen from Wabash and others, that the purchasers of those lands were deceived by supposing that the State debt bill had gone into effect and that the 25th section of that act already secured them the five years postponement upon the principal of their debt which they now ask, if so, will they not be again deceived by the passage of an act merely declaratory of the meaning of the 25th section of the act referred to, should this Legislature pass by and that act still not become a law? Either they will be again disappointed, or they must construe the 10th section of this bill into a direct grant of the relief referred to in it, a construction which I am satisfied, this Legislature does not intend it to bear. Mr. D. said, he trusted the vote would be reconsidered, and that the friends of the bill would consent to strike out the section about which there was a contest, and let the bill pass. They could, if they chose, bring up the question in a separate bill, and let it stand or fall upon its own merits, disconnected with a measure about which there is no difference of opinion.

Mr. Palmer thought the interest of the people concerned required some action from the Legislature. That they are entitled to some relief has not been on this floor questioned. If relief is to be afforded them it must be soon, or it will come too late. Should the Butler bill go into operation those lands will be removed beyond the power of the Legislature, and the purchasers can have nothing to hope for at our hands.

Mr. Gilleece said, during the course of this debate he heard from the opposition many expressions of sympathy and many professions of kindness for the class we desire to assist, but he must regard all such professions as hypocritical if not accompanied with some effort to extend towards them substantial benefit. What advantage is all this profession of benevolence, and still a disposition to withhold from them the proper aid. Neither are the purchasers of those lands willing to become beneficiaries; they do not wish the debt obliterated; they expect ultimately to pay every cent. They ask nothing from this Legislature but time. By the passage of this bill the rights of no one will be impaired, without interfering with the interest of a single individual in the State, it will afford well timed and necessary relief to a meritorious class; a class that has contributed much to produce the present prosperity of the State: a class characterized by industry and enterprise. It is necessary that whatever is done for them should be done quickly; in a few days the time for payment will take place, and in default, their land and the result of years of labor will be exposed to sale. He did not think Indiana would become a usurer, a Shylock, and oppress her citizens—deprive them of the proceeds of their hard and honest industry. To do any thing beneficial, it must be done immediately, and with promptness. He hoped that this bill would be passed and passed soon.

Mr. Cassatt said he hoped the motion to indefinitely postpone would not prevail. In order that this House might understand that injustice properly, he would give a brief history of the conditions upon which these lands were sold. The lands in 1830 and '32 were sold for one fourth in advance and the remaining three fourths in 17 and 15 years; those of 1840 were sold for one fourth in advance, one fourth in twelve months, and the remaining half in ten years; and those sold in 1844, for one fourth annually till paid. Now sir, the 25th section of what is commonly called the "Butler Bill," postpones the *final* payment on all those lands for five years, and while the final payment means