Indiana Legislature.

[REPORTED FOR THE INDIANA STATE SENTINEL.]

SENATE.

TUESDAY MORNING, Jan. 25, 1848.

Petitions Presented.

By Messrs. Orth, Day, Walpole, Randall, Holloway, Taber and Martin.

Reports from Standing Committees.

By Mr. Morrison, a bill relative to the taxation of estates in dower read a first time.

By Mr. Orth, a resolution in favor of the existing law, confining voters to the townships in which they reside in casting their ballots.

Mr. Robinson moved to lay on the table which was lost, ayes 15, noes 33, the question on the adoption of the resolution was then put and carried, ayes 33, noes 15.

Mr. Randall reported back a bill amending the act incorporating the Lagrange phalanx.

Mr. Walpole offered an amendment which was calculated to defeat the bill—after some discussion the bill and amendment was laid on the table.

By Mr. Beard, against the prayer of certain petitioners relative to a road—concurred in.

By Mr. Robinson, a bill for the relief of Jesse and Elias Beard—read a first time.

Also a bill for the relief of Patrick McGinly, with an amendment which elicited some discussion, in which Messrs. Davis, Robinson, Murray, Osborn, English and Hubbard, participated.

Mr. Ellis moved to lay the amendments on the table.

Mr Conner moved to include the bill.

A division of the question being called for, the question was put, on laying the amendments on the table and carried, ayes 26, noes 22.

The question being on laying the bill on the table, it was lost.

The Senate adjourned.

AFTERNOON SESSION.

The bill for the relief of Patrick McGinley was again taken up. The merits of the bill was discussed at some length by Messrs. Winchell, Murray, Walpole, Robinson, Davis and Osborn, when several amendments were offered by Mr. Davis, and adopted.

Mr. Walpole offered an amendment.

Mr. Orth moved the previous question which was seconed, and the question being on the engrossment of the bill it carried, ayes 29, noes 20.

The following bills were reported from committees and read a first time.

By Mr. Henry, a bill to amend the revised code of 1843, relative to re-appraising the lands belonging to the sinking fund.

Also a bill authorizing the commissioners of Jay county to borrow money.

By Mr. Randall, a bill for the relief of James Skidmer.

By Mr. Berry, a bill to divorce Mary Cunningham, from W. E. Cunningham her husband.

By Mr. Hubbard, a bill to prevent the sale of ardent spirits in Rushville, Rush county.

By Mr. Holloway, a bill incorporating the Richmond and Hagerstown turnpike company.

By Mr. Berry, a bill for the relief of certain persons therein named.

By Mr. Davis, a bill relative to certain school lands in Floyd county.

By Mr. Marsh, a bill to incorporate the Steuben medical society.

By Mr. Orth, a bill incorporating the Wildcat turnpike company.

Bills reported back and engrossed.

B. Mr. Randall, a bill to locate a State road in the counties of Allen and Dekalb.

By Mr. Goodenow, a bill for the relief of Robert Earl.

By Mr. Millikin, a bill to incorporate the Fainfield Hydraulic company.

Bills reported from committees and passed.

By Mr. Davis, a bill for the relief of John Kamey, and authorizing him to sell certain real estate.

By Mr. Houghton, a bill authorizing the erection of a certain bridge in Martin county.

Resolutions Introduced.

By Mr. Randall, inquiring of the State Printer, the reason why the Governor's message and the farewell address, could not be printed in the German and French languages during the sitting of the legislature; adopted.

Mr. Verbrike, to proceed every afternoon to take up the orders of the day—adopted.

Mr. Coate, instituting a committee to inquire into the expediency of offering a reward for the discovery of the causes producing the disease commonly called milk sickness—adopted.

On motion of Mr. Millikin, the resolution relative to adjournment on the seventh of February was taken up.

Mr. Hubbard moved to strike out the 7th and insert the 14th of February.

A division of the question was called for, and the question being on striking out the motion was lost, ayes 19, noes 30.

The question being on the adoption of the resolution it was adopted, ayes 27, noes 22.

By Mr. Cassatt, inquiring whether the lands transferred to the canal trustees are under the existing laws subject to taxation—referred to the judicial committee.

By Mr. Winchell, that the judicial committee inquire whether the trustees of the Wabash & Erie canal, and the clerk of the land office at Logansport, have not violated the provisions of the law of last winter relative to allowing interest to purchasers of canal lands on scrip offered in payment for such lands.

Mr. Hamrick moved to lay the resolution on the table—lost, ayes 13, noes 32.

The resolution was then adopted.

Senate adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, Jan. 25th, 1847.

Mr. Meredith desired to make a correction of some explanation relative to the remarks made by him, some time since upon printing the Governor's message. He did not say that the majority of the people in Dearborn county could not read. He said that a majority in some few townships of that county could not read, for the reason they were Germans, and of course could not read in English, and he believed they constituted the majority of some few of the townships. He went in for printing the largest number proposed in the German language, that they (the Germans) might read it. He desired the Reporters to notice his explanation.

The Speaker laid before the House a communication from the State Printer, stating it was impracticable to print the Governor's message in German, before the close of the session.

Mr. Stanton offered a resolution inquiring why the message was not printed before the close of the session as directed?—and appointing a committee to inquire.

Mr. Cookerly wanted to know why the message was not printed? there was something rotten in Denmark.

Mr. Meredith remarked that he imagined there had been something printed in English that affected the gentleman.

Mr. Cookerly said, in reply to the personal insinuation of the gentleman from Wayne, that nothing which the editor of the State Journal might say against him, could in the least effect his equilibrium. He considered that paper too much tinctured with abolitionism for him, and that it was better calculated to destroy, than to prosper the success of that great party to which he had always been attached. As for the miscreant who wrote a communication for said paper, over the signature of "a whig" to which he has alluded, nothing that could be said by such a cowardly assassin, could at all disturb him for one moment, for he had always made it a rule never to pay attention to any communication written in regard to himself, over a fictitious signature. He regarded the editor of the State Journal, as being no better than he who wrote the filthy article against him, who signed himself "a whig".

In regard to his voting for Mr. Puett for Canal Trustee, he was actuated alone by the motive of advancing the interests of the people in Vigo county, and for this he must be abused by the editor of that paper; when the intesest of his constituents were involved, no party considerations, however grave, could induce him to forsake their welfate. No party lash, no matter how severe it may be applied, could ever induce him to forget those who honored him with a seat on this floor. That whenever he should be so far forgetful of their rights and interests, as to abandon them for the sake of party, he desired never again to occupy a seat here. But this he never would do under any circumstances. He conscientiously believed, that a majority of his constituents would sanction his course, with regard to this matter, and to them alone would he account for his conduct. He was not a member of the *Indianapolis whig regency*, and hoped he never would be. He now left the long gentleman from Wayne—of the State of Wayne, with his worthy friend and bosom companion, "a whig," to repose upon all the laurels they have won in consequence of their unprovoked attack upon him, fully believing that they are fit associates. He did not believe that the great "I am" from Wayne would be so patriotic in his defence of the editor of the State Journal, were it not for the fact that that editor advocated certain principles which were very dear to him, aside from the true principles of the great whig party. He believed that there was something wrong in regard to this matter, and for one he was not afraid to avow it, and that some measures should be taken to ascertain the reasons why the Governor's message could not be printed, and furnished to the members before the close of the session. Eleven days were permitted to elapse from the time the message was ordered to be printed, before the editor informed this House that the message could not be printed until after the adjournment of the Legislature. It is very strange that this information was not communicated to this House at an earlier day—it did seem to him that had the editor have taken the proper steps, he could have ascertained this matter, and have transmitted the same to this House several days ago.

Mr. Ford remarked it seemed to him that there was something at the bottom of the matter, that the message could not be printed in time. There seemed as if there had been a whig caucus, governing the action of the matter. There was too, it seemed, something at the bottom of their speeches. Because the gentleman from Vigo, had thrown off the party collar, the whigs of the House had seen fit to be thrusting at him.

Mr. Gooding proposed an amendment, why the message was not printed in time at the last session?

After further discussion the previous question was called for, and seconded—the question then being shall the main question be now put; it was carried ayes 51, noes 46.

The resolution then was carried, ayes 92, noes 4.

Mr. Harvey then offered instructions to said committee, why the message was not printed at the last session in time? Decided out of order.

Mr. Dole then moved to reconsider the vote, adopting the resolution appointing the committee; not carried.

Petitions Presented.

By Messrs. Dole, (of citizens of Clinton, for an act of incorporation;) Dobson, Ford, Lane, Campbell, Meredith, Rutan and others. Among other petitions presented was one by Mr. Brown, of the Hon. John H. Thompson, secretary of State praying an investigation of the proceedings in the office of the secretary of State; referred to a select committee.

The House adjourned.

AFTERNOON SESSION.

Petitions Presented.

By Mr. Major of L. W. Ormsby for a divorce: laid on the table—Mr. Jones of S., relative to school funds, and relative to fees of the auditor of Switzerland county—Mr. Thompson of C., relative to the side cut canal at Delphi of the Wabash and Erie canal—also by same for a divorce—Mr. Richmond for an act incorporating the Hydropathic Institution—Mr. Commons, on the subject of jurisdiction of justices of the peace—Mr. Neff, on land limitation and home exemption—Mr. Lowe, on the subject of county officers' fees.

Reports from Standing Committees.

By Mr. Robinson, from committee on elections, reporting that all the members of the House were properly entitled to their seats—also by same, inexpedient to legislate upon the subject of permitting the voters of Jackson county to vote in their adjoining townships; several counties were proposed to be added, when on motion of Mr. Miller, the bill and amendments were laid on the the table, ayes 59, noes 42—also allowing voters in Morgan county to vote in any township they choose; laid on the table.

By Mr. Keiser, indefinitely postponing the bill, fixing the time of preferring complaints before grand juries; concurred in by the House.

By Mr. Kinney, of the committee on education, reporting that the time had arrived for the establishment of free school system—and accompanying therein a report of a bill organizing a system of free schools—ordered to be printed, and made the order of the day Monday next at 10 o'clock A. M.

By Mr. Blythe of the judiciary committee, that the bill authorizing administrators to administer oaths be indefinitely postponed; concurred in.

By the same, of a bill relative to the execution of decrees in chancery; ordered to be engrossed—also relative to the execution laws; passed to a second reading—also from same committee by Mr. Roache, providing for a Library in Pulaski county—also by same, of a bill imposing additional duties on prosecuting attorneys; laid on the table.

By Mr. Cole of same committee, repealing a bill relative to the service of subpoenas in chancery; passed to a second reading.

And the House adjourned.

SENATE.

WEDNESDAY, JANUARY 26, 1848.

The Senate was called to order, and the reading of the journal dispensed with.

Several bills were on leave granted, read a second time and referred.

Mr. Marsh on permission granted, introduced a bill legalizing the acts of the Auditor of Steuben county, for the year 1847, which was passed.

On motion of Mr. Ellis, the vote on the resolution relative to adjourning on the 7th of February, was reconsidered.

Mr. Berry then moved to postpone the further consideration of the resolution until Monday next, which was carried; ayes 26, noes 21.

Resolutions Introduced.

By Mr. Henry, that the committee on corporations be instructed to report in all bills they may hereafter report to the Senate, incorporating manufacturing and steam mill companies, a clause making the stockholders individually liable.

Mr. Ellis moved to lay on the table, which was carried, ayes 28, noes 17.

Those voting in the affirmative were Messrs. Beard, Chenowith, Conduit, Cornett, Davis, Ellis, Goodenow, Green, Hamrick, Harden, Holloway, Howell Houghton, Hubbard, James, Montgomery, Murphy, Murray, Orth, Osborn, Robinson, Rosseau, Simpson, Taber, Verbrike, Waters, Winchell and Zenor.

Nays—Messrs. Barbour, Coats, Day, English, Handy, Henry, Malott, Marsh, Martin, McCarty, Miller, Milligan, Millikin, Morrison, Randall, Read and Walpole.

Bills &c. Introduced.

By Mr. Beard, a bill to revive and amend an act incorporating the Crawfordsville and Wabash Railroad Company.

By Mr. Cossatt, a joint resolution declaratory of the meaning of certain parts of the funded debt law of last winter, in relation to canal lands.

By Mr. Coys, a bill to authorize Roderick Sider, to relinquish his title to certain school lands.

Also, a bill to incorporate the Mooresville branch railroad company.

Also, a bill in relation to the dam and water power on the central canal in Morgan county.

By Mr. Goodenow, a bill authorizing the Madison and Indianapolis railroad company, to take stock in other companies.

By Mr. Halloway, a bill to incorporate the Wayne county turnpike company.

By Mr. Hubbard, a bill to incorporate the Fairfield Academy.

By Mr. Millikin, a bill to authorize the improvement of Hannah's creek, in Dearborn county.

By Mr. Murray, a bill in relation to the law prohibiting Indians from selling lands in this State.

By Mr. Orth, a bill for the benefit of widows and Orphans.

Also, a bill to provide for a new code of practice in the courts of this State.

By Mr. Osborn, a joint resolution relative to the harbor at Michigan city.

By Mr. Randall, a bill to incorporate the Fort Wayne & Goshen turnpike company.

By Mr. Robinson, a bill concerning certain claims therein named.

By Mr. Rosseau, a joint resolution returning thanks to General Taylor and his army, for their gallant conduct, expressive of approval of the conduct of the 2nd Indiana regiment, and inviting General Taylor to visit the State and capital before he resumes his position in the army.

By Mr. Stewart, a bill relative to the water power on the central canal.

By Mr. Taber, a bill to incorporate the lake Michigan, Logansport and Ohio railroad company.

By Mr. Winchell, a bill fixing the compensation of the judge of the Probate court in Ripley county.

The following bills were taken up on their third reading and passed, unless stated to the contrary.

A bill incorporating the Rushville & Lawrenceburgh railroad company.

A bill to incorporate the Crawfordsville and Indianapolis railroad company.

A bill to incorporate the Fairfield Hydraulic company.

A bill to incorporate the Brownstown & Madison turnpike company.

A bill to incorporate the French lick steam mill company.

A bill to amend the 118th section of article 7th, of chapter 12, of the revised code of 1843, in relation to tax sales. The vote being on the passage of the bill it was lost, ayes 3, noes 44.

Senate adjourned.

AFTERNOON SESSION.

Bills Passed.

A bill to amend the revised statutes of 1843, in relation to the duties of county surveyors; declaratory of the meaning of the revised statutes of 1843, relative to writs of error in the Supreme court; a bill in relation to the suit between the Vincennes University and the State of Indiana, giving to the Governor power to employ the necessary counsel for the State; to abolish the office of school commissioner in the county of Putnam; to incorporate the Ripley county medical society; to amend an act to incorporate the Indianapolis and Ohio railroad company; for the relief of Ann Henderson granting a divorce; for the relief of Patrick McGinley; to amend an act to revive an act to incorporate the town of Logansport; for the relief of John Boon; regulating special elections ordered by the Governor; to repeal an act to improve the breed of horses and mules; to locate a State road in the counties of Allen and DeKalb; authorizing the erection of a bridge in the county of Martin.

Several bills were read a second time and referred or engrossed for a third reading.

The joint resolution relative to the Mexican war offered by Mr. McCarty, was taken up.

A motion being made to refer the resolution, Mr. Davis offered some instructions to the committee.

Mr. Ellis said that the present session must necessarily be short, and he was opposed to consuming time in the discussion of the resolution, he therefore moved to lay the resolution and instructions on the table; lost, ayes 25, noes 25, the president giving the casting vote.

Mr. Davis moved that the further consideration of the resolution be postponed until Tuesday next—lost.

Mr. McCarty then offered some amendments, striking out a certain portion and inserting.

Mr. Davis offered an amendment to the amendment.

Mr. Howell moved to lay the amendment to the amendment on the table.

Mr. Davis moved to lay the two amendments on the table.

Mr. Berry called for a division of the question.

The question being on the laying on the table of the amendment offered by Mr. McCarty, it was lost, ayes 24, noes 26.

The question was then put on laying the amendment offered by Davis, on the table, carried, ayes 26, noes 25, the president giving the casting vote.

Mr. Ellis moved to refer the resolution to the committee on federal relations.

Mr. Robinson moved instructions to inquire in regard to the pass given by President Polk—and the veto of the river and harbor bill.

Mr. Osborn offered some instructions to the committee to report that if any territory be acquired in the war with Mexico it shall not contain slavery or involuntary servitude unless for crime.

Mr. Read in order to put the motion right moved a reconsideration of the vote on striking out—carried.

Mr. Conner moved to adjourn—lost.

Mr. Read moved to reconsider the vote laying the amendment offered by Mr. Davis on the table—carried.

Mr. Handy moved the previous question.

The Senate adjourned.

HOUSE OF REPRESENTATIVES.

WEDNESDAY MORNING, Jan. 26, 1848.

Reports.

By Mr. Hankins, from committee on education, that it is inexpedient to grant to Germans separate and distinct schools for teaching the German language—better to assimilate them by all proper means to the character, and institutions of this country; concurred in.

By Mr. Hull, of the committee on the State prison, relative to the conduct of the lessee of the State prison; exonerating him from all blame, and that he has a right to occupy the guard house.

By Mr. Smiley, of committee on claims, refusing a claim relative to the New Albany and Vincennes Turnpike Company—also by same, of a bill for the relief of S. and J. Bottorf—by same, against the claim of —— Aldrich—by same, against further change in the road laws as proposed by a certain bill; concurred in

By Mr. Chambers, of committee on agriculture, of a bill regulating partition fences; concurred in.

Mr. Cookerly asked leave of the House to have the clerk read an editorial of the State Journal, of the 26th instant, headed the "Message in German and French," containing personal remarks upon his course as a representative, after which, leave was granted him to make a few remarks.

He said that the editor had made a base attack upon him in an editorial replete with fat-school, malignity and slanderous matter. That he would take this opportunity to notice it in such a manner as the contemptable editor and his production deserved. It was a direct personal attack upon one of the representatives of the people, and justice, alone, to his constituents, prompted him to take any notice of it.

Other articles had appeared in that great *organ*, containing the most abusive epithets with regard to him, which would have received no notice from him, had he not been provoked into it by a personal allusion, coming from the gentleman from Wayne.

The *worthy, talented* and *high minded* editor had assumed to himself the authority to read him out of the whig party, if he possessed this power, he, (*Mr. Cookerly,*) was ousted and debarred the privilege of belonging to that party, to which he had always been sincerely and devotedly attached. But he denied his right thus to act, and would ask the whigs of this House, whether they had invested him with that important and tyrannical authority. However, he for one was not willing to be read out by such a miscreant as the aforesaid editor, who had once before edited a whig paper, and then a democratic paper in the northern part of this State, and now again conducting a whig paper at the seat of Government. He considered such a political *backslider*, unworthy of the confidence of his party, and entirely too little a *thing* to govern any action of his. He thought that an individual who had turned so many political summersets, was rather an unfit subject to attempt to read a whig out of the party, who had always been *one* and nothing else.

But why has he singled me out as the one upon whom all the wrath of the *thing* is so lavishly poured out. Was it because he had voted for Mr. Puett for canal trustee? If this be so, why are not seven other whigs denounced who also voted for Mr. Puett, some of whom do not hesitate to avow the fact? What right had the scoundrel editor to liken him unto Kelso? What analogy between that individual and himself? He could not see any. He had sacrificed not one of the leading principles of the party. Mr. Puett was not elected to any office that involved anything of a party character. In Kelso's case he voted for a United States Senator, and in this case he had voted for a canal trustee. Now he left it to the public to determine whether the editor has mind sufficient to discriminate between the two cases, or whether or not the villainous heart of the miscreant did not move him to recklessly make the comparison.

Mr. Cookerly further remarked, that he believed his constituents would sustain his course; if they did, he would be proud of it, and if not, he was willing to fall.

That so long as he was honored with a seat on this floor, neither the editor nor the clique to which he belongs could make him swerve from his course. He also stated that he would take peculiar pleasure in paying his respects to the *editor*, next summer. He believed that the paper had done more harm than good, since the present *smart* gentleman took it under his control. He had heard a great deal of complaint relative to the manner in which the paper was conducted by its present editor, and would fearlously assert that it was not entitled to the confidence of any party.

There was scarcely an election of any officer connected with the Legislature, however small, but that this meddlesome editor had something to do with it. He held it to be the duty of an editor pretending to conduct a great paper, to attend to his own business and let that alone which does not particularly concern him. After having said this much about the matter, he would leave the editor to his own reflections, and to consult his own corrupt and vicious heart as to whom he will next throw his poisonous slime upon.

By Mr. Criswell, from the agricultural committee relative to the inspection of Hay.

By Mr. Brown, of committee on benevolent and scientific institutions, approving of the suggestions of the Governor in his late message in reference to houses of refuge.

Reports from Select Committees.

By Mr. Meredith, of a bill relative to amending part of chapter 5 of revised statutes of 1843, relative to the jurisdiction of justices of the peace; by Mr. Fuller, of a bill relative to a change in the State road in Warrick county; by Mr. Jones of S., of a bill improving the roads of Switzerland county; by Dr. Dobson, of a bill relative to the fees of officers of Owen county, and the bill passed; by Mr. Ford, of a bill for a change of a State road in Jackson county; by Mr. Dunnett, incorporating the minute men; by Mr. Sullivan, that the committee had accepted one ancient coat of armour, one portrait of De Cassia, two engravings, and three volumes of books for the State, presented by Captain Simonson, taken from the enemy in Mexico; and recommending the adoption of a joint resolution, of thanks to Capt. Jno. S Simonson.

Mr. Meredith wished to inquire by what means this property was taken—whether by purchase, or how. He did not wish to insinuate anything against the moral worth of any one in the matter, but he wanted to know by what means this property was gained—if by means surreptitious, he would vote against its acceptance by this State. He understood part of the property was church property—one book was marked as "taken from the Halls of the Montezumas," and if such was the case, he would record his vote against it.

Mr. Sullivan remarked that he was sorry the inquiry was made, as it looked like an insinuation against the honesty or honor of Capt. Simonson. From his knowledge of Capt. John S. Simonson, he knew the property was gained fairly and honorably.

Mr. Cookerly said he was sorry these inquiries were made—that although any imputation or insinuation against Capt. John S. Simonson, were disclaimed by the gentleman from Wayne, yet it would read, and be understood from the tenure of the remarks made, that imputations were made against the character of Capt. John S. Simonson in this House.

Mr. Dunham remarked that the inquiry of the gentleman was out of place—it was impolitic, and impeaching the honor of as brave a man as there was in the army. The inquiry was like this: If a man proposed to give him a horse, and he should turn round and say to him, "Sir, did you steal the horse, or did your father steal it; I do not wish to insinuate that you stole it, but did you steal it, or did you buy it?" Capt. John S. Simonson was an honorable, high-souled man, and would scorn a mean act.

Mr. Stanton was a war whig. He thought the war unjust in its beginning, but so long as begun, he wished it closed honorably. He was in favor of voting supplies and fighting until the war is closed honorably. He thought the inquiry a good one; he favored it. It will be recollected that, from a high authority, it was intimated to take church property from the enemy. If this property was so taken—although he might have favored the battering down of the Mexican churches, and melting down, as Napoleon did, their bells—yet he should vote against the acceptance of this property, at least that part of it belonging to the church, if it did so belong originally.

Mr. Lane hoped that no report would be made of the anti-American remarks made upon this subject. Capt. Simonson was an honorable man; a high-souled soldier would scorn to do a mean thing. He should favor the acceptance of the property, as he felt convinced the same was gotten in an honorable way.

Mr. Meredith was not to be gagged; he wanted his remarks to be reported. He was responsible for all he should say, and gentlemen would find him full of moral courage. He was a War Whig. He did not attack the character of Capt. Simonson; he disclaimed anything of the kind. But he wished to know how the property was gained, and if it was gained by taking it from the churches, he should vote against it.

Mr. Lane said that his desire that the remarks upon this question should not be reported was that no idea of an imputation was made upon the character of Capt Simonson in this House, should be had by any one. He hoped the resolutions would pass unanimously

Mr. Ford said he was very sorry to see the debate take the course it had in reference to the trophies presented the State of Indiana by one of her noble sons now in Mexico. Captain John S. Simonson went there at the call of his country, to defend its honor and reputation against the many vile and damnable outrages committed by Mexican citizens against the property and person of American citizens. Sir, said Mr. F., I regret that the report and resolutions of the committee appointed to receive and present to the House the presents made to the State by Capt. Simonson, could not have been received and adopted without debate; but it pleased the gentleman from Wayne to cast a slanderous imputation against the fair fame and time honored patriot of our State, by stating that he could not go for the adoption of the resolution forsooth perhaps Capt. Simonson stole the trophies from some church in Mexico. Now, sir, I do not stand here to defend the honor and integrity of Captain Simonson against the vile and dishonorable insinuation thrown out by the gentleman from the state of Wayne. The character of this gallant officer for truth, honor and noble bravery is so far above suspicion that no remark coming from the gentleman from Wayne, who stands six feet six inches, can impair his standing in the hearts of his countrymen. Every man who knows Capt. Simonson knows that he would not present any thing to his adopted and beloved State unless he came by it honestly. I say, sir, that the insinuation is vile, outrageous, contemptible and ungentlemanly, and only wortqy of the man or thing who uttered it. The gentleman from Dearborn hopes that remarks made by gentlemen in debate against these resolutions will not be reported by the reporters. I differ, sir, with that gentleman—I hope that every word said by these men will be reported just as they utter them, that the citizens of Indiana may see and know what base and heartless wretches are sent here from some counties to represent a free and independent people in the halls of legislation; but, sir, perhaps when we come to consider the region of country the gentleman is from he may to some extent be excusable. He lives in Wayne—he is surrounded by an atmosphere that is thickened and clouded by the exhalations of abolitionism—his horizon, sir, is filled with dark spots of foreboding, and if he were to represent his amalgamated associations there in any other manner here his sun would set in the political horizon never to rise again. Sir, he may charge and continue to charge, but the reputation of Capt. Simonson is so far above his reach or imagination that his dirty slang will fall harmless at his feet. Yes, sir, in point of honor and knowledge, Capt. Simonson stands as high above the gentleman from the state of Wayne as the morals and religion of heaven stand above the wickedness of hell.

Mr McDonald of Lake, thought the opposition to the acceptance of these trophies of war, of a very strange character. There was something at the bottom of the whole matter. Gentleman disclaimed any insinuation against the character of Capt. Simonson. O yes, they were very honest about that, but they were conscientious as to receiving this property! It might be stolen! They would vote for the resolution of thanks to Capt. Simonson and our soldiers for taking those trophies, but they would not vote for accepting them as memorials of the bravery of our soldiers!

Mr. Wolfe said, no insinuations should be made against our soldiers, and then pronounced an eulogy upon the conduct of our soldiers in Mexico.

(*The remainder of the debate will be given in our next.*)

AFTERNOON SESSION.

The question being taken on the passage of the joint Resolution as reported, it was adopted, ayes 78, nays 9.

Messrs. Coffin, Commons, Gordon, Hamilton, Hankins, Little, Meredith, Neff and Stone, voting in the negative. So the resolution were adopted.

Reports Continued.

By Mr. Stanton, of a Bill amending art. 11, cha. 30 of Rev'd Stat. of '43.

By Mr. Dobson, relative to a road in Clay and Owen counties.

By Mr. Stanton, of a Report relative to the Printing by the State Printer of the Governor's Message, with a communication from the State Printer, giving the reasons why the Message could not be printed in French and in German before the adjournment.

By Mr. M'Donald of L., of a bill re-locating a State Road from Richmond to Municetown.

By Mr. Thompson of C., of a bill locating a State Road in Clinton county.

By Mr. Parker, of a bill for the location of a State Road in Allen county.

By Mr. Brown, of a bill, creating the office of Attorney General, with certain amendments. The question being on its passage, it did not pass.

By Mr Dole, of a bill incorporating the town of Clinton in Rush county.

By Mr. Robinson, of a bill, for a new mode of electing County Commissioners in Pike county

Resolutions Offered.

The resolution calling for the erection of a separate Probate system being continued from yesterday—the question was on striking out from the enacting clause and inserting the "surrogate system"—it was moved to lay the resolution and amendments on the table—it was carried.

Resolution offered by M'Kenzie that the Legislature adjourn *sine die* on the 31st inst., laid on the table.

By Mr. Lockwood that the Legislature adjourn *sine die* on Feb. 7th, laid on the table.

By Mr. Williams of M., relative to the payment of debts to decedents by administrators, adopted.

By Mr. Line, relative to the cost of transmitting the Governor's Message to the Representatives after adjournment, adopted.

By Mr. Brown, as to the justice of allowing George Youngerman $27,90 for grading in front of the State property, adopted.

By Mr. Hamilton, relative to propriety of repealing the present laws of interest—permitting any amount of interest as high as 10 per cent; adopted.

By Mr. Brown, relating to the claim of Jno. Bishop; adopted.

And the House adjourned.

Letter from Gen. Cass.

The Washington Union publishes a letter from Senator Cass, of Michigan, the publicity of which was solicited by Messrs. Thompson, Featherstone, Sawyer, Turner, Wick, Robinson, Foote, Cobb, Venable, and Dickinson, members of Congress. The following is the substance of the letter:

WASHINGTON, Dec. 24, 1847.

Dear Sir—I have received your letter, and shall answer it as frankly as it is written.

You ask me whether I am in favor of the acquisition of Mexican territory, and what are my sentiments in regard to the Wilmot proviso.

I have so often and so explicitly stated my views of the first question, in the Senate, that it seems almost unnecessary to repeat them here. As you request it, however, I shall briefly give them.

I think, then, that no peace should be granted to Mexico, till a reasonable indemnity is obtained for the injuries which she has done us. The territorial extent of this indemnity is, in the first instance, a subject of executive consideration. There the constitution has placed it, and there I am willing to leave it; not only because I have full confidence in its judicious exercise, but because, in the ever-varying circumstances of a war, it would be indiscreet, by a public declaration, to commit the country to any line of indemnity, which might otherwise be enlarged as the obstinate injustice of the enemy prolongs the contest, with its loss of blood and treasure.

It appears to me that the kind of metaphysical magnanimity, which would reject all indemnity at the close of a bloody and expensive war, brought on by a direct attack upon our troops by the enemy, and preceded by a succession of unjust acts for a series of years, is as unworthy of the age in which we live as it is revolting to the common sense and practice of mankind. It would conduce but little to our future security, or, indeed, to our present reputation, to declare that we repudiate all expectation of compensation from the Mexican government, and are fighting, not for any practical result, but from some vague, perhaps philanthropic object, which escapes my penetration, and must be defined by those who assume this new principle of national intercommunication. All wars are to be deprecated, as well by the statesman as by the philanthropist. They are great evils; but there are greater evils than these, and submission to injustice is among them. The nation which should refuse to defend its rights and its honor, when assailed, would soon have neither to defend; and when driven to war, it is not by professions of disinterestedness and declarations of magnanimity that its rational objects can be best obtained, or other nations taught a lesson of forbearance—the strongest security for permanent peace. We are at war with Mexico, and its vigorous prosecution is the surest means of its speedy termination, and ample indemnity the surest guaranty against the recurrence of such injustice as provoked it.

The Wilmot proviso has been before the country some time. It has been repeatedly discussed in Congress, and by the public press. I am strongly impressed with the opinion, that a great change has been going on the public mind upon this subject—in my own as well as others: and that doubts are resolving themselves into convictions, that the principle it involves should be kept out of the national legislature, and left to the people of the confederacy in their respective local governments.

The whole subject is a comprehensive one, and fruitful of important consequences. It would be illtimed to discuss it here. I shall not assume that reposible task, but shall confine myself to such general views, as are necessary to the fair exhibition of my opinion. * * * * * *

Briefly, then, I am opposed to the exercise of any jurisdiction by Congress over this matter; and I am in favor of leaving to the people of any territory, which may be hereafter acquired, the right to regulate it for themselves, under the general principles of the constitution. Because—

1. I do not see in the constitution any grant of the requisite power to Congress; and I am not disposed to extend a doubtful precedent beyond its necessity—the establishment of territorial governments when needed—leaving to the inhabitants all the rights compatible with the relations they bear to the confederation.

2. Because I believe this measure, if adopted, would weaken, if not impair, the union of the States; and would sow the seeds of future discord, which would grow up and ripen into an abundant harvest of calamity.

3. Because I believe a general conviction, that such a proposition would succeed, would lead to an immediate withholding of the supplies, and thus to a dishonorable termination of the war. I think no dispassionate observer at the seat of government can doubt this result.

4. If, however, in this I am under a misapprehension, I am under none in the practical operation of this restriction, if adopted by Congress, upon a treaty of peace making any acquisition of Mexican territory. Such a treaty would be rejected just as certainly as presented to the Senate. More than one-third of that body would vote against it, viewing such a principle as an exclusion of the citizens of slave-holding states from a participation in the benefits acquired by the measure and exertions of all, and which should be common to all. I am repeating—neither advancing nor defending these views. That branch of the subject does not lie in my way, and I shall not turn aside to seek it.

In this aspect of the matter the people of the United States must choose between this restriction and the extension of their territorial limits. They cannot have both; and which they will surrender must depend upon their representatives first, and then, if these fail them, upon themselves.

But after all it seems to be generally conceded, that this restriction, if carried into effect, could not operate upon any State to be formed from newly acquired territory. The well known attributes of sovereignty, recognized by us as belonging to the State governments, would sweep before them any such barrier, and would leave the people to express and exert their will at pleasure. Is the object, then, of temporary exclusion for so short a period as the duration of the territorial governments, worth the price at which it would be purchased? worth the discord it would engender, the trial to which it would expose our Union, and the evils that would be the certain consequence, let that trial result as it might? As to the course which has been intimated, rather than proposed, of engrafting such a restriction upon any treaty of acquisition, I persuade myself it would find but little favor in any portion of this country. Such an arrangement would render Mexico a party having a right to interfere in our internal institutions in questions left by the constitution to the State governments, and would inflict a serious blow upon our fundamental principles. Few indeed, I trust, there are among us who would thus grant to a foreign power the right to inquire into the constitution and conduct of the sovereign States of this Union; and if there are any, I am not among them, and never shall be. To the people of this country, under God, now and hereafter, are its destinies committed; and we want no foreign power to interrogate us, treaty in hand, and to say, why have you done this, or why have you left that undone! Our own dignity and the principles of national independence unite us to repel such a proposition.

But there is another important consideration, which ought not to be lost sight of, in the investigation of this subject. The question that presents itself is not a question of the increase, but of the diffusion of slavery. Whether its sphere be stationary or progressive, its amount will be the same. The rejection of this restriction will not add one to the class of servitude, nor will its adoption give freedom to a single being who is now placed therein. The same numbers will be spread over greater territory; and so far as compression, with less abundance of the necessaries of life, is an evil, so far will that evil be mitigated by transporting slaves to a new country, and giving them a larger space to occupy.

I say this in the event of the extension of slavery over any new acquisition. But can it go there? This may well be doubted. All the descriptions which reach us of the condition of the Californias and of New Mexico, to the acquisition of which our efforts seem at present directed, unite in representing those countries as agricultural regions, similar in their products to our middle states, and generally unfit for the production of the great staples, which can alone render slave labor valuable.

If we are not grossly deceived—and it is difficult to conceive how we can be—the inhabitants of those regions, whether they depend upon their ploughs or their herds, cannot be slaveholders. Involuntary labor, requiring the investment of large capital, can only be profitable when employed in the production of any favored articles confined by nature to special districts, and paying larger returns than the usual agricultural products spread over more considerable portions of the south. * * * *

It augurs well for the permanence of our confederation, that during more than half a century, which has elapsed since the establishment of this government, many serious questions, some of the highest importance, have agitated the public mind, and more than once threatened the gravest consequences; but that they have all in succession passed away, leaving our institutions unscathed, and our country advancing in numbers, power and wealth, and in all the other elements of national prosperity, with a rapidity unknown in ancient or modern days. In times of political excitement, when difficult and delicate questions present themselves for solution, there is one ark of safety for us; and that is, an honest appeal to the fundamental principles of our Union, and a stern determination to abide their dictates. This course of proceeding has carried us safely through many a trouble, and, I trust, will carry us safely through many more, should many more be destined to assail us. The Wilmot proviso seeks to take from its legitimate tribunal a question of domestic policy, having no relation to the Union, as such, and to transfer it to another created by the people for a special purpose, and foreign to the subject matter involved in this issue. By going back to our true principles, we go back to the road of peace and safety. Leave to the people, who will be affected by this question, to adjust it upon their own responsibility, and in their own manner, and we shall render another tribute to the principles of our government, and furnish another guaranty for its permanence and prosperity.

I am, dear sir, respectfully,

Your obedient servant,

LEWIS CASS.

A. O. P. NICHOLSON, Esq., Nashville, Tenn.

THE NEW YORK AND ERIE RAIL ROAD was opened on the 6th to Port Jervis on the Delaware, 98 miles from the city and 74 from Piermont; and the occasion was celebrated by the Directors and a party of guests in an excursion. This section, though a short one, is far the most extensive one in the route to the Lake. The grading alone between Otisville and Port Jervis cost $40,000 per mile. At the summit of the mountain near Otisville is a rock cut upwards of 50 feet deep in the deepest place, and extending over a length of 2500 feet. There are several other similar cuts through deep rocky formations. The Neversink river is crossed on a bridge of 150 feet span at an elevation of 55 feet. About 5000 men and 700 horses are employed west of Port Jervis, and the road to Binghampton, 130 miles from Port Jervis, will be completed during the present year, and probably to Elmira, 60 miles farther, making the whole distance from New York nearly 300 miles.

☞A young lady, named Almira Brewer, residing near White Plains, Alabama, was shot by a young man named Rooney, who fired two pistols at her, one ball entering her breast, and supposed to have inflicted a mortal wound. He gave himself up, and said he desired to marry the girl, but as she refused him, he killed her rather than she should become the wife of another.

MARRIED—On Sunday the 9th of January, 1848, by William Sullivan Esq., of Indianapolis, at the residence of Mr. Henry Warman, Mr. JOHN MUIR, to Miss SARAH WARMAN, all of Marion county, Indiana.

Also by the same, on the 20th of January, 1848, in the city of Indianapolis, at the residence of her father, Mr. FRANCIS A. MORRIS, to Miss MARY ETSLER.

TELEGRAPH.

THE subscribers to the Indianapolis station of the Cincinnati and Chicago Telegraph are hereby notified that a further call of one fourth of their subscription is now made to aid in the construction of the line of said Telegraph, and each subscriber is expected to pay said one fourth of his subscription to William Young, Treasurer for the Trustees, within thirty days from