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Advertisements will be inserted three times at one dollar a square of 12 lines, and continue at the rate of 25 cents a square for each additional insertion. Quarterly advertisements, per square, 85.

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The Indiana Legislature

Reported for the Indiana State Sentinel. HOUSE OF REPRESENTATIVES. SATURDAY, Dec. 8, 1845.

On motion of Mr. Vandever, the preamble and resolution relating to the contested election, was taken up, and being read.

Mr. Hazling addressed the House in explanation of his views, and set out by defining the difference between the power of the General Assembly and the power of the Executive, being one of limited and specified powers, whilst the others possess all legislative powers that might be exercised by the people themselves, in their aggregate capacity, unless where expressly inhibited in the respective State Constitutions.

The question before us, said Mr. H., turns exclusively upon the constitutionality of the act erecting Ohio county out of the territory of Dearborn; and he then read from the journal the report of the former committee on the subject, which he had sent in the House when the act dividing Dearborn county passed; and asked how gentlemen, whose names he read in the journal as supporters of the bill, could now turn round, and declare the law for which they thus voted, to be unconstitutional? Mr. H. maintained that the aggregate vote of the two counties should be taken together, and not separately. We should, he said, not be misled by the names of the members who were elected to the House. He deprecated the principle of running into extremes, as one of dangerous consequences, as the best institutions, when abused, were often more insupportable than open and direct tyranny. We should, he said, be H. hesitate and ponder well before deciding, by our acts, that a law that has received the sanction of the Legislature, Executive and Judiciary, and has been in operation for so long a time, should be declared unconstitutional. The effect of such instability would be to destroy all confidence in the laws of the country, and to unsettle and render insecure vested rights and interests. He and given the subject before us, he said, he believed the constitutionality of the law creating the new county of Ohio, and should vote accordingly.

Mr. Rousseau moved the law was unconstitutional, and should be void. He was opposed to the passage of the original bill, with the amendment allowing a separate member to Ohio county. He, however, favored and voted for the bill, without the amendment, and he believed, was his position at the time the act was passed.

Mr. Hazling then read from the journals, and quoted the speeches, to show that the member from Greece was mistaken.

Mr. Rousseau again explained.

Mr. Stapp followed, and said the amendment was a Whig measure last year, and he presented the resolution from Greece was to be executed for voting for it on that ground.

Mr. Baker said legislative precedents were no test of the constitutionality of a law, and he hoped the exploded dogma of the "consistency" of the members of the Legislature, at this late day, in a republican government. He denied that the decision of Judge Blackford, as quoted, was analogous to the decision of the Supreme Court in the case of the State of Ohio, and he said that every Judge should reside in the very center of his judicial circuit, then indeed the case would have been perfectly analogous. It seemed to him that the distinction on both sides of the question, was that the constitutionality is a bundle of grants; another that it is one of limitation of powers. Wherever the people have, in one limitation, limited the power of the Legislature, their Representatives have to obey. The Legislature is bound by the first article of the Constitution. Mr. B. could not understand the position of the gentleman from Harrison, with reference to the distinction between the Legislature and the Executive. We have not, said Mr. B., the power to add to, or take from, the qualifications required by the Constitution; and if we had, the Legislature may determine the qualifications of its members, and Mr. B. said, as in a minority, in that respect, (having read in this assembly, I may be declared ineligible to a seat upon this floor.)

Mr. Secret said he had, and defined, in an ingenious manner, the various powers of the State Legislature, and the manner in which its powers were limited, by the Constitution of the United States, by the limitations of the State Constitution, and by the limitations of the people, especially reserved in that instrument. Mr. S. maintained, with much ability, the position formerly occupied by him on this question, and in favor of the right of Mr. Lane to the seat.

Mr. Osborn commenced, by defining the powers of the Legislature, maintaining that the members of both Houses, as the agents of the people, and could do for them, and in the name, whatever the people themselves, in their aggregate capacity might do, having regard to the limitations of the Constitution. Mr. O. asked if we are to construe the constitutionality of a law, by the intention of the Legislature, or by the intention of the people? He thought it proper to set the House right with reference to this question.

Mr. Leyman wished to know if the candidates, in canvassing for the votes of the people of Ohio and Dearborn counties, had taken notice of the provisions of the law, in relation to their residence; and if the people voted for the purpose of securing the result contemplated by the law, viz: the residence of one member in Ohio and two in Dearborn county? Mr. O. said he was followed.

Mr. McDonald, who vindicated his consistency with reference to this question, both at the session of the law passed and the present session, and quoted from the journals for that purpose. He entered fully into the merits of the question, and in defence of the rights of Mr. Lane to his seat, possessing as he does, all the qualifications required by the constitution and law of the land, as well as a clear and indisputable majority of all the legal votes cast.

Mr. Riley asked the indulgence of the House whilst he offered a few remarks, and contended that the constitutionality of a law, is not to be determined by the intention of the Legislature, but by the intention of the people, and that of a Legislature acting under the grants and limitations of a written constitution of government. All power resides in the people, and the Legislature is their agent, and Mr. Lane, Mr. R. contended that he was beyond doubt, the legal representative of the people of Dearborn and Ohio counties; and in so voting, he felt that he was only carrying out into the world the will of all representative governments, that the majority shall rule.

Mr. Vandever moved the previous question, which being sustained, and a call of the House had, the question was taken on the preamble and resolution, and decided as follows: yeas 47, nays 49.

Mr. Lane, the sitting member, will continue to hold his seat.

The House then adjourned.

SENATE. MONDAY, December 8, 1845.

The President laid before the Senate the communications from the Indiana Police, Lawrenceburg, and Fort Wayne branches of the State Bank; which were referred without reading, to the committee on the State Bank.

The President announced the following select committee in accordance with Mr. Hays's resolution in relation to the State of Ohio, Senators and Representatives of Districts, Messrs. Handy, Jones, Tenor, Berry, of F. Edmondson, Morgan, of D. Akin, Reburn, Cuppy, Allison, Winchell, Herrieman, and Henry for the State at large.

Mr. Chapman of L. moved a call of the Senate, which was ordered; when it was found that Messrs. Buell, Herdin, and Reburn were absent. On motion the roll was called for the absentees. The absent members having returned, a further call was suspended.

The President of the Senate then made the following address: Senators—Although the term of my office as President of this body has not yet under the constitution expired, circumstances render it necessary that I should now dissolve the relation which has hitherto existed between us. In taking leave of you, I trust a few remarks from me will not be deemed inappropriate. It is indeed to me painful to sever the ties that have so long bound us together. Associations have been formed with you—painful to be dissolved—ever to be remembered.

My pleasant memory of our past connection. The situation of our country during my term of office has been peculiar. The parties in this Chamber have, during all the time, been equally divided. Was it strange that I should not escape censure? What had I to do

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to act fearlessly in the prosecution of what deemed to be my duty? If I deserved censure, I deserved it no more than the twenty-five Senators associated with me. In taking leave of you, Senators, I desire to leave as I came, the friend of all of you. I forget the past. Circumstances tending to create temporary interruption of mutual good feeling—the unaccomplished motives, ought to be forgotten. They should not cleave to the true and generous heart. The same good feelings that I tender to you, I would gladly receive from you in return. I owe much to your courtesy, your experience, your forbearance. When I took the chair, I was one of the youngest members of this chamber. I have endeavored, with your assistance, to discharge my duty. I am not conscious of having infringed, or departed from, well established rules.

We part. Our relation is changed. We are now to each other in the relation of Representative and constituent. In my new station I shall claim to be the Representative of one, but the servant of both political parties. No consideration shall induce me the harmony of its proceedings, and the agreeableness of your intercourse. The affectionate remembrance which I hold of you shall never be forgotten, until the grave has enclosed upon my ashes.

Mr. Logan moved that Mr. Morgan of D. should be called to the chair temporarily.

Mr. Chapman of L. said such proceeding would be unparliamentary, it is usual in such cases to proceed at once to the election of a presiding officer, without electing any one temporarily.

Mr. Herrieman moved that the Senate proceed to the election of a presiding officer with the chair vacant. Mr. H. said the person who would be voted for would be censured by the country for not having, in addition to its being a matter of personal delicacy, and suggested that they withdraw.

Mr. Gorman, the Principal Secretary, named Messrs. Morgan of D. and Berry of M., as tellers, and proceeded to call the roll for the members to vote. The following is the result:

Table with 10 columns: 1st, 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th, 10th. Rows for Mr. Read, Mr. Orin, Mr. Scattering, and After the result of the 10th ballot was announced, Mr. Davis nominated Mr. Reburn.

The Senate then adjourned.

HOUSE OF REPRESENTATIVES. Preamble and Resolution, presented.

By Mr. Moore, of citizens of Owen county, for a map, &c.; which was read and passed to a second reading.

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Bill No. 15, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 16, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 17, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 18, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 19, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 20, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 21, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 22, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 23, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 24, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 25, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 26, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 27, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 28, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 29, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 30, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 31, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 32, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 33, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 34, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 35, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 36, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 37, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 38, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 39, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 40, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 41, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 42, for the relief of Daniel Dayhoff of Orange county; referred.

Bill No. 43, for the relief of Daniel Dayhoff of Orange county; referred.

The name of Mr Holloway was withdrawn and that of Mr Todd was substituted.

Mr Chapman, 1st 3rd Mr Todd, 2d 2d Mr Chapman, 3d 2d Mr Todd, 4th 2d Mr Chapman, 5th 2d Mr Todd, 6th 2d Mr Chapman, 7th 2d Mr Todd, 8th 2d Mr Chapman, 9th 2d Mr Todd, 10th 2d Mr Chapman, 11th 2d Mr Todd, 12th 2d Mr Chapman, 13th 2d Mr Todd, 14th 2d Mr Chapman, 15th 2d Mr Todd, 16th 2d Mr Chapman, 17th 2d Mr Todd, 18th 2d Mr Chapman, 19th 2d Mr Todd, 20th 2d Mr Chapman, 21st 2d Mr Todd, 22nd 2d Mr Chapman, 23rd 2d Mr Todd, 24th 2d Mr Chapman, 25th 2d Mr Todd, 26th 2d Mr Chapman, 27th 2d Mr Todd, 28th 2d Mr Chapman, 29th 2d Mr Todd, 30th 2d Mr Chapman, 31st 2d Mr Todd, 32nd 2d Mr Chapman, 33rd 2d Mr Todd, 34th 2d Mr Chapman, 35th 2d Mr Todd, 36th 2d Mr Chapman, 37th 2d Mr Todd, 38th 2d Mr Chapman, 39th 2d Mr Todd, 40th 2d Mr Chapman, 41st 2d Mr Todd, 42nd 2d Mr Chapman, 43rd 2d Mr Todd, 44th 2d Mr Chapman, 45th 2d Mr Todd, 46th 2d Mr Chapman, 47th 2d Mr Todd, 48th 2d Mr Chapman, 49th 2d Mr Todd, 50th 2d Mr Chapman, 51st 2d Mr Todd, 52nd 2d Mr Chapman, 53rd 2d Mr Todd, 54th 2d Mr Chapman, 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