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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.

By 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 Fairfield 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. Coats, 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 welfare. 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 consequent upon 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, Ruton 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, Hardin, 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. Cassatt, 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. Conduit, 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; authoizing 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 25, 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. 25, 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. Bitorf—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 falsehood, 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 lead 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 '43, 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. Dimmett, incorporating the minute men; by Mr. Sullivan, that the committee had accepted one ancient coat of armour, one portrait of De Cassin, 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 tenor 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 worthy 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.

[Several other gentlemen made remarks which we are obliged to omit, in consequence of the breaking down of one of our Tri-Weekly forms.]

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 resolutions 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.

SENATE.

THURSDAY, January 27, 1848.

The Senate was called to order, and the journal of the preceding day read.

On motion of Mr. Davis, a bill to amend an act granting to the citizens of Evansville, a city charter, was taken up and on its third reading passed.

Petitions presented.

By Messrs. Osborn, Holloway, which were referred to appropriate committees

Mr. Murray moved to take up the message of the Governor, returning a bill to amend an act entitled an act to incorporate the White Water Valley canal company, with his reasons for vetoing the same, which carried by consent. The bill provided for the issuing of bonds for the purpose of repairing the damages done to the canal by the high waters.

A call of the Senate was had, and all the Senators being in ther places, *Mr.* Walpole said that he was opposed to the passage of the bill, and had he been present at the time of its passage, would have voted against it, not for the reasons assigned by the Governor, but because it gave power to issue an unlimited quantity of scrip, for the bonds were nothing more than scrip, and he had seen the consequences of flooding the country with irredeemable paper. If bonds must be issued he wanted the issues restricted in amount, and the proper guards thrown around them so as to prevent the holders of such bonds from losing and being swindled.

Mr. Murphy said that he did not intend to debate the question on the merits of the bill. But he thought that *Mr.* Walpole was somewhat mistaken in his views of the provisions of the bill. It did restrict the amount of bonds to be issued to what was necessary to repair the canal, and it was expressly provided that they should not be used as a circulating medium. They were stock bonds to be sold to purchasers.

Mr. Holloway sustained the bill in some remarks, giving a statement of the situation of the work. He regretted that the Governor against so large a majority as appeared in favor of the bill, had thought proper to veto it, for he thought that without the passage of the bill, or one similar in its provisions, the canal could not be repaired, and it was important to a large portion of eastern Indiana, that the work should be repaired so as to give them facilities for transporting their large amount of surplus produce to an advantageous market: he hoped the bill would pass.

Mr. McCarty said that he was very desirous that the canal should be repaired and its usefulness restored. He had opposed the amendment by which the interest of the State reserved by the original grant was to be surrendered to this corporation. He had discovered a too liberal spirit in the grant of corporate privileges. A provison by which the profits over 8 per cent on the moneys expended by the company, are to be paid into the State treasury was repealed. This was a virtual surrender of over a million of public money to these corporators He was opposed to it also because it removed restraint from the company in regard to tolls. They might make the tolls exorbitant—this is left solely to the company, if it was desired it might be exercised. And knowing that the wealth of the company cannot be increased except at the expense of the people, he would not consent that the people of the valley should be left at the mercy of the company. The dividends might at some no very distant day amount to 50 per cent on the money expended, and he wanted to have the State have some benefit for the money she had expended if such should be the case. He had other objections, but in his anxiety to give all needful power to the company he waived minor objections.

Mr. Millikin thought that Mr. *McCarty* came here with feelings hostile to the interests of the company, from the fact of his having been employed in some suits growing out of difficulties between citizens of his town and the company. He thought that the work was one of importance and that in order to have it repaired, the State should extend a fostering hand and assist in placing it again in order, if it could be done without prejudicing the interests of the State. He could not see that it would so prejudice the interests of the State. If the work was to be as profitable as suggested by Mr. McCarty, the stock would soon, instead of being worth 35 or 40 cents on the dollar, its present worth, command a premium, and the right being reserved to the State to take back the work, she could at any time when to her interest so to do, take the work and dispose of it to another company, thus receiving back the eleven hundred thousand dollars, she expended on the work and a handsome profit besides. He was anxious to see the influence of the executive on this floor; 7 Senators voted against the bill, and he was anxious to see how many would at the beck of the Governor change their positions on the question. The objection taken that there was no security provided for the payment of the bonds was not valid. The purchasers would secure themselves in this matter, they were not generally blind to their own interests, and would be had no doubt before they purchased make the proper provisions in this matter.

Mr. Ellis thought that there was no danger of the bonds becoming a circulating medium, and he thought there was sufficient restriction in regard to the amount of bonds to be issued, and if they issued more than the necessary amount to repair the canal, they could at any time be restrained in the proper court of justice for violating the provisions of the act.

Mr. Winchell said that he lived far distant from the work but he felt it his duty to assist the citizens of that part of the country. They asked no loan of the State of Indiana, but to be allowed to make an issue of bonds to bring into activity useless capital. There was no danger of the country being flooded with bonds, for it was against the interest of the company to issue more than was necessary, for it had a tendency to depreciate the value of the stock.

The question was then put on the passage of the bill, and decided in the negative, ayes 24, noes 26.

Reports from Select Committees.

By Mr. Berry, a bill to vacate a portion of a street in the town of Bloomington.

By Mr. Orth, a bill to annex a portion of the county of Benton to the county of Tippecanoe.

Several other bills were introduced and read a first time.

On leave granted, Mr. Cassat offered for adoption the following resolution: Whereas a rumor has reached this city that a treaty has been concluded between our minister, Mr. Trist, and the Mexican authorities, whereby a cessation of hostilities is likely to ensue, and the blessings of peace once more visit our happy land and the ill-fated Mexican government.

And whereas, we look upon this act of our government in concluding a peace with Mexico, (if it is true,) as an example which it would be laudable for the members of the Senate to follow in relation to the subject of the Mexican war.

Therefore be it resolved, that we the whig and democratic members of this Senate, "will go and do likewise." That we will restore peace and order in this Senate chamber, by ceasing our useless and expensive debate on the *Mexican* war, and that we will proceed to the consideration of legitimate objects of legislation until we have performed the duties confided to our hands by our constituents. And that we will then adjourn and renew (if necessary) the debate on this *Mexican* war, at a time when it will not be at an expense of $500 per day, out of the pockets of our constituents.

Which was decided as follows: Ayes—Messrs. Barbour, Beard, Cassatt, Chenowith, Conduit, Conner, Cornett, Davis, Ellis, Goodenow, Hamrick, Holloway, Houghton, Hubbard, Millikin, Montgomery, Murphy, Murray, Orth, Robinson, Rosseau, Simpson, Verbrike, Walpole, Winchell and Zenor, 26.

Noes—Messrs. Berry, Coats, Day, English, Green, Handy, Hardin, Henry, Howell, Huffstetter, James, Malott, Marsh, Martin, McCarty, Miller, Milligan, Morrison, Randall, Read, Stewart, Taber and Waters—23.

Mr. Barbour moved to reconsider the vote pending which the Senate adjourned.

AFTERNOON SESSION.

On motion of Mr. Robinson, a bill to repeal an act amending an act to incorporate the town of Greensburg was taken up and on its third reading; passed.

On motion of *Mr.* Simpson a bill amending an act to incorporate the White Water Valley canal was taken up, and refered.

The question before the Senate in the regular orders of the day was the motion of *Mr.* Handy, calling for the previous question on the resolutions offered by Mr. *McCarty*, relative to the Mexican War.

Mr. Orth raised a point of order. He said that the Senate had passed a resolution this morning resolving not to further consider the resolutions of *Mr.* McCarty.

The chair decided that *Mr.* Barbour having moved for a reconsideration of the vote on the adoption of that resolution—the resolution was inoperative from the fact of the motion for a reconsideration being pending.

Mr Orth appealed from the decision of the chair, which was withdrawn, the Senate having unanimously consented to take up the motion of *Mr.* Barbour to reconsider the vote on the resolution offered by Mr. Cassatt.

The question being put on the reconsideration of the vote, it carried.

Mr Stewart offered the following amendment.

Amend by striking out all after whereas, and insert the following: there has been introduced into this Senate a joint resolution on the subject of the Mexican War, by the Senator from Franklin, and also a joint resolution on the subject of the *Mexican* War, by the Senator from Wayne. The first we suppose embracing the views of the democratic party in the State of Indiana, on the *Mexican* War. The second containing the views of the whig party in the State of Indiana, on the *Mexican* War. The Senator from Wayne, having been appointed on elector by the whig State convention since he introduced his resolution into the Senate, and by that act the whig party in the State, endorsed the sentimentiments contained in the resolution introduced by him into the Senate,

Therefore resolved by the Senate, that a debate on these resolutions would be a useless expense of time and money, and we therefore declare that there shall be no amendments offered to said resolutions, nor any debate on the same, and that we will take a direct vote on the adoption of the aforesaid resolutions, and thus express our opinions relative to the sentiments contained in each.

Mr. Barbour moved to lay the resolution of *Mr.* Cassatt, and the amendment of Mr. Stewart on the table, which carried.

The previous question moved by *Mr.* Handy was then put and seconded; ayes 25, noes 25, the chair voting in the affirmative.

The question being, shall the main question be now put, it carried; ayes 25, noes 25, the chair voting aye.

The question was then put on the engrossment of the joint resolution, and carried; ayes 26, noes 24.

Mr. Barbour and *Mr.* Davis both rose and claimed the floor, and the chair was not able to determine which was entitled to the floor.

Mr. Davis stated that his reason for wishing to obtain the floor was to make a motion to reconsider the vote on the engrossment of the resolution, so as to give a fair field for discussion.

Mr. Barbour arose for the purpose of moving an adjournment, as he understood that *Mr.* Davis had voted with the majority for the purpose of making a speech, and then withdrawing his motion—Mr. Davis disclaimed anything of the kind, and as the president was unable to decide the claims of the parties, withdrew his claim stating that he would on to-morrow renew a motion to reconsider.

Mr. Barbour having the floor, said, that his intention was not to cut off discussion, for he and the party with whom he acted would at all time engage in the discussion and meet fairly their opponents on this question; he renewed his motion to