A bill to relocate the seat of justice of Fountain county, &c.

A bill to change the time of holding the probate court in Dearborn county.

Mr. Stanford asked, and obtained leave to introduce the following resolution; which was adopted.

Resolved, That the Trustees of the Wabash and Erie Canal be respectfully requested to furnish to the House, full and detailed information on the following points, viz:

1st. How many bridges they have built, or repaired across said canal since that work came into their possession—specifying the locality and cost of each bridge.

2d. What bridges, if any on State or county roads crossing said canal, or on streets of any of the towns, through which the canal passes, are out of repair or need to be rebuilt; and the reason, if any, why the same have not been repaired or rebuilt.

3d. Whether the bridge on the Chicago road near Logansport is yet built, and if not, the reason for such negligence.

4th. To specify the comparative cost of bridges in the towns of Lafayette, Terre Haute, Logansport, Wabash and Fort Wayne; and the reason, if any, why larger sums of money were appropriated to build the same number of bridges in some of these towns than in others.

Mr. Beeson, asked and obtained leave to introduce the following resolution:

Resolved, That the committee on ways and means be requested to report a bill to this House for an equal and just assessment of all the property of this State, real and personal, and provide that no property shall be assessed more than once, in each and every year, and also that all persons shall have the right to deduct their indebtedness from their property.

Mr. McDonald said in order to test the sense of the House, he would move to strike out that portion of the resolution which allows persons to deduct the amount of their indebtedness from the amount of their property levied for taxation, and insert that no deductions shall be made on account of indebtedness; which was agreed to, and the resolution as amended was adopted.

Mr. Graham introduced a resolution relative to exempting $500 dollars worth of property from execution; which was lost.

Orders of the Day.

Several bills were read the second time and appropriately disposed of.

Bills read a third time.

A bill to authorize the construction of Plank, gravel and McAdamized roads.

Mr. Wells moved to commit this bill to a select committee of five, with instructions to engraft a provision on the bill authorizing the stockholders of plank roads to change the same into railroads; which was lost—ayes 38, noes 45.

Mr. Owen, moved to recommit the bill with instructions to allow plank road companies to receive tolls on bridges.

Mr. King moved to lay the bill and instructions on the table and that one hundred and fifty copies be printed; which was agreed to.

A bill to divide the State in Congressional Districts.

Mr. Stuart moved to recommit with instructions to attach Carroll county to the 9th district; lost—ayes 22, noes 61.

Mr. Donaldson moved to recommit with instructions.

Mr. McDonald moved the previous question, which was agreed to, and the question recurred on the passage of the bill; which resulted as follows:

Ayes—Messrs. Barker, Beach, Beane, Beeson, Brady, Bulla, Carpenter, Cockrum, Cromwell, Davis, Dice, Doughty, Dovthit, Eccles, Foster, Goudy, Graham, Gunn, Hanna, Hart, Hay of Clark, Helmer, Henry, Holliday, of Blackfordf, Hostetter, Hudson, Hunt, Laverty, Lawrence, Lindsay of Howard, Litchfield, Major, Manson, McAllister, McConnel, McDonald, Miller, Mudgett, Reynolds, Schoonover, Scudder, Shanklin, Smith of Marion, Smith of Spencer, Stanfield, Stevens, Stuart, Suit, Sumner, Sweet, Thompson, Walker, Watson, and Withers—54.

Noes—Behm, Bryant, Buskirk, Chowning, Cowgill, Crawford, Dobson, Donaldson, Donham, English, Geddes, Gibson, Hays of White, Holladay of Parke, Holman, Huey, Huffstetter, King, Lewis, Mayfield, McDowell, Morris, Nelson, Owen, Porter, Ray, Spencer, Starton, Struble, Taggart, Torbet, Wells, Williams, Wilson, and Mr. Speaker—35.

[This bill is the same reported by Mr. Mudget from the select committee, which was organized for that purpose.]

The House adjourned.

SENATE.

SATURDAY MORNING, Jan. 24, 1852.

Senate met.

Petitions &c., Presented.

By Mr. Davis, of citizens of Vermillion county, in relation to a seminary of learning. Referred to committee on Education.

Reports from Committees.

By Mr. Marshall, from the Judiciary committee, returning bill of the House to authorize the formation of voluntary associations, with amendments recommending its passage.

On motion of Mr. Mickle, the bill and amendments were laid on the table, and ordered to be printed.

By Mr. Slack, from the Judiciary committee, returning the communication of the Governor in relation to M. Vattemare. Laid on the table.

By Mr. Sleeth, from the Judiciary committee, returning bill of the House to provide for the trial of persons on an artificial copy of the indictment, with amendments, recommending its passage. Amendments concurred in, and the bill ordered to a third reading.

By Mr. Holloway, from the committee on printing, recommending the printing of the temperance bill. Concurred in.

By Mr. Secrest, from the committee on the organization of courts, returning the bill regulating fees of certain county officers, recommending its indefinite postponement. Laid on the table.

By Mr. Secrest from the same committee, that it is inexpedient to legislate upon the petition of citizens of Union county to change the law in relation to the appointment of executors and administrators. Concurred in.

By Mr. Emerson, from committee on organization of courts, returning bill of the House making general provisions concerning courts of justice, &c., with amendments recommending its passage. Concurred in, and the bill ordered to a third reading.

By Mr. Berry, from the committee on federal relations, returning joint resolution of the House to procure a site for a national armory at Evansville, with an amendment striking out Evansville.

After some discussion, the question being on concurring in the amendment proposed by the committee, it was decided in the negative—ayes 12, noes 34.

The joint resolution was then ordered to be engrossed.

Resolutions Offered.

By Mr. Defrees, instructing the committee on organization of courts, to inquire into the expediency of reporting a bill for the organization of Probate circuit courts. Adopted.

By Mr. Teegarden, that when the Senate adjourn, it will adjourn to meet on Monday morning at 9 o'clock. Adopted—ayes 24, noes 22.

By Mr. Secrest, that the Judiciary committee inquire into the expediency of providing by law that the fees adjudged against defendants in criminal prosecutions, shall be collected as other fees are collected by law in civil cases.

Bills on their Third Reading.

A joint resolution in relation to certain articles taken from the Cathedrals in Mexico.

Mr. Cravens said he was opposed to the resolution, but could endorse the sentiments contained in the preamble. He had no information that the Catholic Priest in this city or anywhere else, desired to have these articles. He did not believe that the Catholics objected to these things being retained by the State, but on the contrary he was informed by the State Librarian, that they had often expressed their gratification at the honor bestowed upon a great man of their church by having his portrait hung in the State Library. He also opposed the resolution, because he thought that the disposition of the articles mentioned in the resolution as proposed, or in any other manner, would be disrespectful to Capt. Simonson.

Mr. Dunn moved to recommit the joint resolution to the committee on the Library, with instructions to strike out the preamble, and make a slight modification in the body of the resolution.

Mr. Dunn sustained his motion with some remarks using the propriety of so amending the resolution.

Mr. Cravens opposed the motion of Mr. Dunn, for the reason advanced by him in opposition to the resolution, and moved to indefinitely postpone the resolution and everything connected with it.

Mr. Athon said that he believed the donor of the articles mentioned, desired them to remain in the Library, and he himself wished to see them remain where they are. But as the Representative of the friends of Capt. Simonson and Capt. Ford, who was now dead, he would vote for the resolution as amended yesterday, as a vindication of those gentlemen from the charges which had by implication been preferred against them in this Senate chamber.

The question being upon the indefinite postponement of the resolution it was decided in the negative—ayes 16, noes 31.

Mr. Dunn moved the previous question which was seconded, and the main question ordered to be put.

The main question being on committing the joint resolution with the instructions proposed by Mr. Dunn, a division of the question was called for and ordered.

The first question being upon committing, it was decided in the negative—ayes 17, noes 29.

The question then being upon the passage of the joint resolution, it was decided in the affirmative.

Ayes—Messrs. Allen, Athon, Berry, Crawford, Davis, Delavan, Dunn, Eddy, Emerson, Hanna, Hatfield, Henton, Hickman, Holloway, Knowlton, Logan, Longshore, Marshall, McCarty, Mickle, Miller, Niblack, Odell, Secrest, Slack, Sleeth, Spann, Teegarden, Walker, Winstandley, and Witherow—31.

Noes—Messrs. Alexander, Cravens, Defrees, Dougherty, Goodman, Hester, Hicks, Hunt, James, Kendall, Kinnard, Milliken, Saffer, and Washburn—14.

Messrs. Dunn, Holloway, McCarty and Teegarden, in voting *aye*, protested against the preamble as in their opinions containing a falsehood.

Mr. Hicks endorsed the preamble, but said he could not vote for the resolution, as he would thereby be saying that the State did not honestly come by these things.

Mr. Cravens voted against the resolution because he believed that it was disrespectful to Capt. Simonson.

Mr. Saffer voted against the resolutions for two reasons. One was that the Catholics had never asked for these things, and he did not know that they wanted them; and the other was that if we gave these things to the Catholic church, the Mexican government might return all the Bibles and other religious books left by our soldiers in that country; and he wished them to stay there and do good.

Mr. Slack moved to amend the title by striking out from the word "articles," and inserting the following: "Which were honorably obtained in Mexico, and deposited in the State Library as articles of curiosity and interest by the gallant and chivalrous Captain John S. Simonson;" which was carried—ayes 35.

NOES—Messrs. Defrees, Dunn, Holloway, Kendall, Marshall, Odell, Teegarden, and Witherow—8.

Senate adjourned.

HOUSE OF REPRESENTATIVES.

SATURDAY, Jan. 24, 1852.

[NOTE.—It was Mr. Stuart who introduced on Friday a resolution calling upon the Trustees of the Wabash and Erie Canal, for certain information, instead of Mr. Stanford, as appears in the proceedings of that day.]

House met.

Petitions, &c., presented by Messrs. Huey, Foster, Hay of Clark, Laverty, and Behm, which were appropriately referred.

Resolutions introduced.

By Mr. Withers, that the committee on public expenditures, be requested to report a bill appropriating $6,000 annually for the colonization of negroes and mulattoes.

Mr. Behm moved to amend by increasing the amount to $10,000; lost.

The resolution was then rejected.

By Mr. Lindsay of Howard, to provide by law for the payment of witnesses in criminal causes in case of a change of venue, from the county treasury of the county from which the witnesses are taken; adopted.

By Mr. Smith of Spencer, for taxing all canal lands after 1852; adopted.

By Mr. Porter, to prescribe the manner in which money found, on the bodies of deceased persons, shall be loaned; adopted.

By Mr. Hay of Clark, authorizing the Doorkeeper to furnish the Governor with a copy of every bill printed for the use of the House; adopted.

By Mr. Buskirk, requesting the Auditor of State to inform the House what it has cost, per annum, those counties that were assessed by county assessors, and what it cost those that were assessed by township assessors; adopted.

By Mr. Donaldson, requesting the committee on ways and means to inquire into the expediency of exempting from taxation all school lands until final payment therefor; adopted.

A message was read from the Senate announcing the passage of House bill, for holding the Circuit Court in the 8th Judicial District, with amendments.

Mr. Stuart said he hoped the amendments of the Senate would be concurred in; and the House accordingly concurred.

Also, House bill for the election of a Reporter for the Supreme Court, and to ensure the speedy publication of the Reports, with amendments.

[The amendments of the Senate provide for the election of a Reporter by the General Assembly, to serve until one can be elected at the next annual State election by the people. The bill, as formerly passed the House, authorized the Judges of the Supreme Court to appoint the Reporter.]

Mr. Holman moved to lay the bill and amendments on the table; which was agreed to.

Also, House bill authorizing Railroads to borrow money, with amendments.

Mr. Buskirk moved to refer the bill and amendments to the judiciary committee to inquire into its constitutionality.

Mr. Donaldson said he hoped this bill would not be referred. This bill has been before the judiciary committee of the Senate, who has so amended it as to relieve it of all its constitutional objections. It is highly important that this bill should pass immediately, if it is to become a law during the present session.

Mr. Gibson thought the bill was unconstitutional, and hence should be referred. He stated that the bill had never been before any standing committee of the House for examination, and for one he was not prepared to vote for any measure that had not been thoroughly examined by some one of the standing committees. He would almost be induced to suspect there was something wrong in any measure that was sought to be run through the House, by its friends, without being willing to have it examined by one of the standing committees. He hoped the bill would be referred.

Mr. Stuart said he was unwilling to grant to Railroad Companies privileges he would not grant to all other citizens under like circumstances. It was well known that this bill was merely to benefit the Peru and Indianapolis Railroad, and although he was a friend to that road he must protest to this system of generalizing special legislation, in order to keep within the pale of the Constitution. But he could not see with what grace this company could ask of this Legislature special privileges, when it was well known that they are not willing even to grant common privileges. They claim the right to prevent, under their charter, any railroad, plank, or gravel road, from crossing their road without the consent of their directors, and for one he would not grant special privileges to any company that was not willing to grant undoubted rights to any person or corporation who may claim them.

The bill, after some further debate, was referred to the judiciary committee.

Mr. Lewis asked and obtained leave to introduce a bill to define the jurisdiction and regulate the practice of Probate Courts. Read the first time.

Mr. Stuart said he hoped some gentleman who had voted in the affirmative would move a reconsideration of the vote by which the House, some days since, passed a resolution instructing the judiciary committee to report a bill abolishing capital punishment. He said that the House had not concluded what punishment it would substitute for treason and murder in the first degree in place of death, and it somewhat embarrassed the committee in framing a bill.

Mr. Stevens said he had voted for the adoption of the resolution, and, at the request of his friend, he would move a reconsideration of the vote.

Mr. Hudson moved to make it the special order for Tuesday next, at two o'clock; which was agreed to.

The Speaker laid before the House a communication from the Secretary of State, in reply to a resolution of the House, relative to the amount of salary he receives; which,

On motion, of Mr. Buskirk, was referred to the judiciary committee with instructions.

Bills &c., on their Third Reading.

A bill, of the Senate, to prohibit the making distress by warrant.

Mr. Holman moved to lay the bill on the table; carried.

A bill regarding the forms of deeds and mortgages, and of their acknowledgment.

Mr. Smith of Marion, moved to recommit the bill to the judiciary committee, with instructions to strike out all after the enacting clause, and insert in lieu thereof a bill allowing persons to use what words they may deem proper in making a deed to transfer real estate; which was disagreed to.

The bill, after some explanation by Mr. Owen, passed—ayes 63, noes 15.

A bill to authorize the Auditor, Treasurer, and Secretary of State to sell the Governor's house and lot, and the personal property belonging thereto, was lost—ayes 44, noes 39—for want of a constitutional majority.

A bill for the more uniform mode of doing township business; passed—ayes 51, noes 31.

Several bills and joint resolutions were read the second time and appropriately disposed of, among others a bill (Senate) to enforce the 13th Art. of the Constitution.

Mr. Torbet moved to commit this bill to the committee on the rights and privileges of the inhabitants of the State, with instructions to strike out the second section to the word "shall" in the sixth line, and insert the following:

Any person who shall employ any negro or mulatto, knowing that he came into the State after the adoption of the Constitution, and contrary to the provisions of the 13th Art. of the same, or who shall otherwise encourage him to remain in the State.

Also, to add a section or sections providing for an annual appropriation from the State Treasury for the colonization of such negroes and mulattoes in this State as may be willing to emigrate.

Mr. Hudson moved to amend the instructions as follows:

Strike out the second section and insert the following: Any person who shall employ any negro or mulatto who was not a resident of the State of Indiana, on the 1st day of November, 1851, or otherwise encourage him to remain in the State, shall upon presentment or indictment by the proper court, be fined in any sum not less than ten dollars, nor exceeding five hundred dollars.

Mr. Torbet said, it will be observed, that the instructions submitted by him, are entirely different from those introduced by Mr. Hudson. He thought that his instructions were in accordance with the Constitution. All he wished was a provision in this law that will meet the demands of those who voted in favor of this clause of our Constitution. He asked for nothing more—he wanted nothing less. There was an important provision, requisite to carrying out fully the wants of those who voted for the exclusion clause, which he thought had been omitted in the bill as passed by the Senate. It was a provision making an annual appropriation for colonizing those negroes and mulattoes who were in the State at the time the Constitution was adopted, and who may desire to emigrate to Liberia. He had no idea that he was more benevolent than other members of the House, nor that his sympathies were more extensive, but he was ready to vote yearly an appropriation for the purpose of colonizing those who may desire to go. There was no doubt in his mind, that a large majority of those who voted for this exclusion clause, done so in order, not only to prevent the negroes and mulattoes in our sister States from emigrating to and becoming residents of this State, but to get rid of those we now have in our midst. There was but one way to effect this, and that was to colonize them. The sum required would fall into insignificance, he thought, when compared with the good effects resulting therefrom. It is evident that the two races should be separated, and the sooner it is done the better it will be for both. The colored man would, in the course of time, become far more prosperous and happy in a country where he would be equal with and could enjoy the same privileges and blessings that are betowed on the most favored of the land of his adoption; and our own people would be relieved of a class of men that are looked upon as degraded. He hoped to see this bill amended in this respect at least. He was more tenacious about this, than he was about the first clause of his instructions.

Mr. Hudson said he thought his instructions met the requirements of the Constitution precisely. If the bill passes as it has come from the Senate, no man can employ a negro or mulatto, if he has been in the State for twenty years, unless the person employing such negro or mulatto, knows the fact. All that is necessary, under the bill, will be for the prosecuting attorney to prove that the man who employs a negro, did not know that he was in the State at the time of the adoption of Constitution. This is one of the most important measures that will be brought up during the present session of the Legislature, and every member should weigh the matter well. He stated that Vigo county contained more colored people than any other county in the State—hence the interest he felt in this matter.

Mr. Owen favored Mr. Hudson's amendment, and opposed Mr. Torbet's. He said the constitution was imperative, and a person who employs a negro, who has come into the State since the adoption of the constitution, must abide the penalties of the law enacted in accordance with the provision of the Constitution.

The amendment submitted by Mr. Hudson to Mr. Torbet's instructions was then agreed to.

Mr. English moved to further amend the instructions by inserting a provision appropriating a reasonable amount out of the State Treasury for the purpose of sending to Liberia such negroes and mulattoes as may desire to migrate to that country and have not the means to defray the expenses of going; which was agreed to.

The bill and instructions were then referred to the committee on the rights and privileges of the inhabitants of the State.

On motion,

The House adjourned until 9 o'clock on Monday morning.

SENATE.

MONDAY, Jan. 26, 1852.

Senate met.

Petitions, &c. Presented.

By Mr. Defrees, of citizens of Elkhart county, for a more uniform mode of doing township business. Referred to committee on county and township business.

Reports from Committees.

By Mr. Secrest, from the committee on the organization of courts, returning the bill for the organization of Circuit Courts, recommending that it be printed. Concurred in.

Bills on their Third Reading.

To district the State into Congressional Districts.

Mr. Mickle moved a call of the Senate, which was ordered, and, after a few minutes delay, was suspended.

Mr. Slack moved the previous question, which was not sustained—ayes 23, noes 21.

Mr. Dawson moved to recommit to select committee of one from each Congressional District, to be chosen by a majority of the Senators from each district, with instructions to inquire into the expediency of so amending the bill as to do more ample justice to the whole State.

Mr. Emerson moved the previous question, which was not sustained—ayes 24, noes 21.

Upon the motion to recommit a discussion arose, in which Messrs. Dawson and Goodman advocated the motion to recommit, and Messrs. Slack, Mickle, Spann, Logan, and Eddy opposed it.

Mr. Mickle moved a division of the question, which was ordered.

The question being upon recommitting, it was decided in the negative—ayes 17, noes 29.

The question then being upon the passage of the bill, it was decided in the affirmative.

Ayes—Messrs. Allen, Athon, Cravens, Crawford, Defrees, Delavan, Dougherty, Eddy, Emerson, Hickman, Hicks, Holloway, Kendall, Kinnard, Knowlton, Logan, McCarty, Mickle, Milliken, Odell, Saffer, Secrest, Slack, Sleeth, Spann, Teegarden, and Turman—27.

Noes—Messrs. Alexander, Berry, Davis, Dawson, Dunn, Goodman, Hanna, Hatfield, Henton, Hunt, James, Longshore, Marshall, Miller, Niblack, Walker, Washburn, Winstandley, and Witherow—19.

The bill constitutes the Districts as follows:

1. Posey, Vanderburg, Warrick, Spencer, Dubois, Pike, Gibson, Knox, and Daviess.
2. Crawford, Harrison, Floyd, Washington, Orange, Lawrence, Martin, and Perry.
3. Clark, Scott, Jackson, Brown, Bartholomew, Jennings, Jefferson, and Switzerland.
4. Ohio, Dearborn, Ripley, Decatur, Rush, and Franklin.
5. Fayette, Union, Wayne, Randolph, Delaware, and Henry.
6. Hancock, Marion, Hendricks, Morgan, Johnson, and Shelby.
7. Monroe, Owen, Clay, Parke, Vermillion, Vigo, Sullivan, Green, and Putnam.
8. Warren, Fountain, Montgomery, Tippecanoe, Carroll, Clinton, and Boone.
9. Cass, Miami, Wabash, Grant, Blackford, Madison, Hamilton, Tipton, and Howard.
10. Jay, Adams, Wells, Huntington, Whitley, Allen, De Kalb, Noble, Lagrange, and Steuben.
11. Elkhart, Kosciusko, St. Joseph, Marshall, Fulton, Pulaski, White, Benton, Jasper, Lake, Porter, Starke, and Laporte.

An act to regulate the issuing of fee bills from the Supreme Court, &c. Passed—ayes 36, noes 6.

A joint resolution, of the House, to secure a site for a National Armory at Evansville, on the Ohio river.

Mr. Berry moved to refer it to a select committee, with instructions to strike out "Evansville, on the Ohio river."

Mr. Alexander moved to lay the motion to recommit on the table. Carried.

The joint resolution was then passed—ayes 37, noes 7.

Bill, of the House, making general provisions concerning courts of justice, &c. Passed—ayes 42, noes 2.

A bill, of the House, to authorize Circuit Courts to try and determine indictments for felony on a certified copy thereof. Passed—ayes 34, noes 10.

Bills on their second reading were taken up and disposed of.

The joint resolution, of the House, asking an appropriation for a canal round the falls of the Ohio, came up on its second reading.

Mr. Eddy moved to amend by asking also an appropriation for the improvement of the harbor at Michigan City.

After some debate, Mr. Eddy withdrew his amendment, and the joint resolution was ordered to be engrossed.

The Senate adjourned.

AFTERNOON SESSION.

Senate met.

Mr. Emerson introduced a bill authorizing any company chartered to construct a plank, turnpike, or gravel road, to construct a railroad in lieu thereof.

Messages of the House were taken up and disposed of.

A set of resolutions from the House, instructing the law reform Commissioners in regard to certain matters, was,

On motion of Mr. Mickle, laid on the table.

The Senate adjourned.

HOUSE OF REPRESENTATIVES.

MONDAY, January 26, 1852.

The House met.

Petitions were presented by Messrs. Lindsey of H., Cromwell, Huey, Hay of Clark, Stuart, and Gibson.

The Speaker laid before the House a communication from the resident Trustees of the Wabash and Erie Canal, in reply to a resolution of the House.

Reports from Committees.

By Mr. Stanfield, that the committee on the judiciary, would engraft in a general bill now preparing, a provision allowing a judgment creditor to garnishee the debts of his judgment debtors after a return has been made of no property found, on the execution.

Mr. Stanfield stated that the committee desired an expression on this subject before the bill was reported.

By Mr. Beach, from the committee on the judiciary, reporting that a majority of the committee are of opinion that there should be no change in the present interest law; report concurred in.

By Mr. Behm, from the judiciary committee, asking to be discharged from the consideration of a resolution of the House, relative to providing by law for a uniform mode of electing county Commissioners by general ticket in each county, and that the same be referred to the committee on the organization of courts; it was so referred.

By Mr. Behm, from the judiciary committee, that it would be inexpedient and perhaps unconstitutional to reduce the traverse jury to seven; report concurred in.

By Mr. Stuart, from the judiciary committee, to whom was referred a resolution of the House relative to reporting a bill making it the duty of the prosecuting attorney to prosecute all county officers for malfeasance or misfeasance in office by presentment before the Circuit Court and not by indictment by the grand jury, recommending a provision of this character to be incorporated in the criminal code; report concurred in.

By Mr. Gibson, from the judiciary committee, to whom was referred a resolution of the House, relative to detaching territory from one county and attaching it to another, reporting that it would be impossible to frame a general law that would not create great dissatisfaction, and operate injuriously to some of the counties in the State, and asking to be discharged from the further consideration of the subject; which was agreed to.

By Mr. Holman, from the judiciary committee, reboards of county commissioners to have legislative powporting that it was thought unconstitutional to allow the er; report concurred in.

By Mr. Stover, from the committee on corporations, a bill to organize companies for detecting and apprehending horse thieves; read the first time.

Resolutions Introduced.

By Mr. Williams, directing the judiciary committee, to whom was referred the road bill of the House, to engraft a provision in said bill to exempt firemen from working on highways; adopted.

By Mr. Stover, that the committee on scientific and benevolent institutions enquire whether the Treasurers of the different benevolent institutions of this State are required by the laws now in force to give bond for the honest performance of their duties; adopted.

By Mr. Nelson, refusing to allow members to record their votes who were not in the Hall of the House at the time their names were called, adopted.

By Mr. Doughty, directing the committee on the rights and privileges of the inhabitants of the State, to report a bill for the colonization of negroes and mulattoes in the State; adopted.

By Mr. Gunn, directing the committee on ways and means, to exempt certain property without this State owned by persons residing within this State.

Mr. Buskirk moved to lay the resolution on the table; which was concurred in.

By Mr. Davis, directing the committee on ways and means, to exempt churches and church property, colleges and property pertaining to colleges, all libraries, the property of all cemetery associations, &c.; adopted.

By Mr. Porter, that the committee on Education inquire into the expediency of so amending the school law as to have the District schools commence on the first Monday in September in each year; lost.

Mr. Stanfield introduced a bill to allow county commissioners to purchase land for Court House yards; read the first time.

Bills, &c., read the third time.

Joint resolution in relation to the General Post Office Department.

Mr. Behm moved to commit the bill to the committee on the rights and privileges of the inhabitants of the State; which was agreed to.

A bill for taking up animals going astray or water crafts going adrift; passed.

A message was received from the Senate informing the House of the passage of a joint resolution, by that body, to transfer a painting and two small books now in the State Library, to the Catholic Church in this city, which were presented by Capt. Simonson.

Mr. Gibson moved to reject the joint resolution, and demanded the yeas and nays, which resulted as follows:

AYES—Beane, Beeson, Bryant, Buskirk, Chowning, Crawford, Crim, Cromwell, Dice, Dobson, Donaldson, Donham, Douthit, Eccles, Geddes, Gibson, Graham, Gunn, Hart, Hay of Clark, Hays of White, Helmer, Henry, Holladay of Parke, Holliday of Blackford, Holman, Hostetter, Huey, Laverty, Lewis, Lindsay of Howard, Litchfield, McAllister, McConnell, McDowell, Miller, Morris, Owen, Porter, Ray, Reynolds, Schoonover, Scudder, Shanklin, Spencer, Stanfield, Stover, Stuart, Suit, Sumner, Sweet, Taggart, Torbet, Walker, Wells, Wilson, Withers and Mr. Speaker—53.

NOES—Barker, Behm, Brady, Bulla, Carpenter, Cockrum, Cowgill, Davis, Doughty, English, Hudson, Hunt, Kent, Lawrence, Major, Manson, Mayfield, McDonald, Mudget, Nelson, Smith of Marion, Smith of Spencer, Stevens, Thompson, Watson and Williams—26.

Also, a bill to divide the State into Congressional Districts; read the first time.

A bill to repeal an act entitled an act to incorporate the city of Evansville; Passed, ayes 69, noes 12.

A number of bills and joint resolutions were read the second time and appropriately disposed of.

House adjourned.

AFTERNOON SESSION.

House met.

Several bills were read the second time and appropriately disposed of.

Bills, &c., read the third time.

A bill relative to arbitration and umpirage; passed—ayes 75, noes 2.

A bill making the officers of State a counsel without whose advice the Governor cannot grant pardons for criminal offences; passed—ayes 80, noes 5.

A joint resolution asking of Government land in the Vincennes land district for the benefit of common schools; passed—ayes 75, noes 10.

A joint resolution asking a more liberal construction of the act of May 9th, 1848; passed—ayes 73, noes 10.

Mr. Kent moved to reconsider the vote just taken; which was agreed to.

Mr. Stover moved to lay the joint resolution on the table; carried.

A bill to exempt property from sale in certain cases. [This bill exempts $500 worth of property from execution.]

Mr. Graham moved to recommit the bill with instructions to strike out $500 and substitute $150.

Mr. Taggart moved to substitute $200 for $150; lost.

Mr. McDonald moved to lay the bill on the table, carried.

House adjourned.

SENATE.

TUESDAY, Jan. 27, 1852.

Senate met.

Reports from Committees.

By Mr. Delevan, from the committee on Agriculture, that it is inexpedient to legislate on the subject of reducing the rate of millers tolls. Concurred in.

By Mr. Miller, from same committee, that it is inexpedient to legislate on the subject of line fences. Concurred in.

By Mr. Kendall, from same committee, asking to be discharged from the further consideration of a resolution inquiring whether any change is necessary in the estray laws. Concurred in.

Bills Introduced.

By Mr. Goodman, to regulate general elections, &c.

Bills, &c., on Third Reading.

A joint resolution asking from the general government an appropriation for a canal round the falls of the Ohio on the Indiana side.

Mr. Teegarden moved to recommit the joint resolution with instructions to insert in the proper place "also an appropriation for the improvement of the harbor at Michigan city, on Lake Michigan.

Mr. Emerson called for a division of the question which was ordered, when the Senate refused to recommit.

The joint resolution then passed—ayes 36.

Noes—Messrs. Dougherty, Mickle, Slack, and Winstandley—4.

Bills on their second reading were then taken up and disposed.

Messages from the House were also taken up and disposed of.

Mr. Sleeth presented a letter from J. S. Brown Esq., superintendent of the Deaf and Dumb Asylum, announcing that an exhibition of the pupils of tha Asylum would be given before the members of the Legislature in the Representative Hall, on Monday evening next.

Mr. Defrees presented a petition from the citizens of Elkhart county, in favor of the election of township assessors. Referred to the committee on township business.

Senate adjourned.

AFTERNOON SESSION.

Senate met.

The President announced the following gentlemen as the committee on the bill of the House for districting the State: Messrs. Winstandley, Goodman, Knowlton, Hickman, Hunt, Delavan, Witherow, Dougherty, Walker, Washburn and Alexander.

On motion of Mr. Emerson, the temperance bill was taken up and read the second time.

Mr. Goodman moved to strike out all after the enacting clause and insert a substitute, which is a modification of the celebrated Wisconsin Law.

Mr. Milliken took the floor and in a lengthy and able speech opposed the adoption of the amendment advocated the propriety of passing the bill reported by the temperance committee, and urged upon the Senators the duty of putting down tippling shops, not only as a moral duty, but as a duty required of them by the people of the State, over 50,000 of whom had petitioned the Legislature to pass such a law. Such a number of petitions for one object, was totally unexampled in the history of Legislation in this country. We presume he will have his speech published.

Mr. Secrest contended that the provisions of the bill were inefficient to carry into effect the purposes for which it was framed, and that the only effectual means of stopping the liquor traffic, was the imprisonment of the vender instead of fining him—that the penalty should be upon the *person*, and not the *property* of the offender. He wished to see a bill passed that would effectually drive the rumseller from the land, but he did not think this bill would be worth a cent for that purpose. He wished to see no exceptions made in favor of druggists, churches, and mechanics as one section of this bill did.

He thought the bill should be referred to the judiciary committee in order that its details might be perfected or else be referred and made the special order for some subsequent day that Senators might have their amendments prepared.

Mr. Milliken replied in explanation and defence of the bill.

Mr. Saffer thought contentions between the friends of temperance, such as he had witnessed between the Senator from Putnam and the Senator from Dearborn, were injuring the cause. He urged upon the friends of temperance, whether Sons of Temperance, Washingtonians, or called by any other name, to come up, in one united phalanx, against the enemy of God and man, the rumseller, and sweep the degrading traffic from the country.

Mr. Mickle said he wished to make some remarks upon the bill at the proper time, and if the friends of the bill did not wish to have it referred, he would make them now.

Mr. Holloway suggested to Mr. M. to move to refer it to the judiciary committee, which he accordingly did.

Mr. Milliken moved to instruct the committee to amend the bill so as to make its provisions effectual, if they were not already so.

Mr. Dunn hoped the bill would go the committee without instructions. He thought the bill was one wholly of pains and penalties, and if passed in its present form would do harm rather than good, as it would highly exasperate those who were not temperance men. He thought the bill should be modified in this respect.

Mr. Emerson moved to instruct the committee to amend by striking out certain sections. Mr. Emerson explained why he wished the instructions proposed.

Mr. Holloway opposed the adoption of the instructions. He thought, if adopted, they would defeat the whole objects of the bill.

Mr. Emerson withdrew his motion to instruct.

Mr. Milliken said he hoped the bill would be referred to a select committee with Mr. Secrest as chairman, instead of the judiciary committee.

Mr. Mickle agreed with Mr. Milliken and withdrew his motion to refer to the judiciary committee.

Mr. Secrest renewed it, and it was lost.

The bill was then referred to a select committee.

On motion of Mr. Dunn, the following suggestions were referred to the committee, not as instructions, but merely for their consideration:

Insert a clause fixing a maximum price on all kinds of spiritous liquors, sold in any quantity or for any purpose.

Also, a section against diluting or otherwise adulterating, for purposes of sale in any quantity, or for any purpose, and fix imprisonment as a penalty for violating such sections.

The Senate adjourned.

HOUSE OF REPRESENTATIVES.

TUESDAY, Jan. 27, 1852.

The House met.

Petitions were presented by Messrs. King, Struble, and Huey, and appropriately referred.

Reports from Committees.

By Mr. Behm, from the Judiciary committee, reporting back House bill for the colonization of negroes and mulattoes, and asking that the same be referred to the committee on the rights and privileges of the inhabitants of this State; the bill was referred.

By Mr. Beach, from the Judiciary committee, that a person who has acquired a legal settlement in this State can be admitted into the Lunatic Asylum, making no difference between white and colored persons; report concurred in.

By Mr. Holman, from the Judiciary committee, reporting that property held by any individual for private purposes cannot be exempt from taxation, and that even as to a poll or other specific tax, a rule equal and uniform must be adopted by legislation, and further that all lands immediately after they are sold by the United States, are subject to taxation.

Mr. Torbet moved to refer the report to the committee on ways and means; which was agreed to.

By Mr. Wells, from the committee on agriculture, a bill in relation to enclosures and trespassing animals; read the first time.

By Mr. Bulla, from the committee on agriculture, asking to be discharged from the further consideration of a resolution relative to taxing stable horses; the committee was so discharged.

By Mr. Henry, from the committee on the organization of courts, to whom was referred a resolution relative to surveying lands, and asking the same to be referred to the committee on agriculture; it was so referred.

By Mr. Stuart, from the committee on the organization of courts, to whom was referred a resolution relative to increasing the powers of Justices of the Peace, that it would be inexpedient to legislate upon the subject.

Mr. Behm moved to lay the report on the table; carried.

Resolutions Introduced.

By Mr. Beeson relative to calling in the trust funds; adopted.

By Mr. Withers, relative to levying a tax of 10 per cent for common school purposes; lost.

By Mr. Owen, directing the Judiciary committee to report a bill, to permit alien friends to obtain property; adopted.

By Mr. Miller, to prohibit county boards from appropriating money except it is authorized by law, adopted.

Mr. Stuart moved to take from the table the bill exempting property from sale, the homestead bills; which was agreed to.

The question was on re-committing the bill to the committee with instructions.

A lengthy debate ensued in which Messrs. McDonald, Owen and Beach advocated the bill, and Messrs. Taggart, Gunn and Lewis, in opposition to the passage of the bill.

Pending the motion to recommit.

The House adjourned.

AFTERNOON SESSION.

The House met.

The question being the special order—a resolution relative to the abolition of capital punishment.

Mr. Torbet moved to suspend the order until to-morrow at 2 o'clock; lost.

Mr. Withers moved a call of the House, which was ordered, when 82 members answered to their names.

Mr. Brady moved that all further proceedings under the call be dispensed with.

The question then recurred on making it a resolution of inquiry; carried.

Mr. McDonald moved to strike out the original resolution and insert "that the present laws in relation to capital punishment, remain the laws of the land," which was agreed to.

The question pending when the House adjourned, was to re-commit the Homestead bill.

The House refused to re-commit the bill.

Mr. Owen moved to re-consider the vote by which the House refused to re-commit the bill; which was not agreed to.

The question the recurred on then passage of the bill, which resulted as follows:

AYES—Beach, Beane, Behm, Brady, Bryant, Chowning, Cowgill, Crawford, Dice, Donaldson, Doughty, Donthit, Eccles, Geddes, Goudy, Hanna, Hays of W., Henry, Holliday of P., Hostetter, Hudson, Huey, Humphreys, Hunt, Litchfield, Major, McConnell, McDonald, McDowell, Morris, Mudget, Nelson, Owen, Porter, Smith of M., Smith of S., Stanfield, Staton, Stuart, Sweet, Watson, Williams, and Withers—43.

NAYS—Barker, Bulla, Buskirk, Carpenter, Cockrum, Cromwell, Davis, Dobson, Donham, English, Foster, Gibson, Graham, Gunn, Hay of Clark, Helmer, Hicks, Holliday of B., Holman, King, Laverty, Lawrence, Lewis, Lindsey of F., Lindsay of H., Manson, Mayfield, McAllister, Ray, Schoonover, Scudder, Shanklin, Spencer, Stevens, Stover, Struble, Suit, Taggart, Thompson, Walker, Wells, Withers, and Mr. Speaker—43.

So said Homestead law was lost.

Several bills were read the second time and appropriately disposed of; among others was Senate bill to divide the State into Congressional Districts.

Mr. Mudget moved to lay the bill on the table; which resulted as follows:

AYES—Baker, Beach, Beane, Beeson, Brady, Bryant, Bulla, Chowning, Davis, Dice, Doughty, Eccles, Foster, Goudy, Graham, Gunn, Helmer, Heary, Hicks, Holladay of Parke, Holliday of Blackford, Hudson, Hunt, Kent, King, Laverty, Lawrence, Lewis, Litchfield, Mayfield, McAllister, McConnell, Mudget,