

INDIANA STATE SENTINEL;
A GAZETTE OF THE PEOPLE.

Office in THE SENTINEL BUILDINGS,
North Side Washington, near Meridian St.,
OPPOSITE ODD FELLOWS' HALL.

AUSTIN H. BROWN, Publisher.

THE Weekly Indiana State Sentinel,
IS ONLY ONE DOLLAR A YEAR!

Eleven Copies for Ten Dollars!

TO BE PAID IN ADVANCE IN ALL CASES.

INDIANA STATE SENTINEL,
INDIANA LEGISLATURE.

SENATE.

WEDNESDAY, JAN. 28, 1852.

The Senate met.

The President announced the following Senators as the select committee on the temporary bill Messrs. Millikin, Crawford, Marshall, McKie, and Holloway.

Reports from Committees.

By Mr. Berry, from the committee on Federal relations, returning the joint resolution asking an appropriation for the improvement of the harbor at Michigan City, with amendments, providing that the sum asked for should not exceed the amount due to that harbor in proportion to its local commerce, and condemning the practice of log-rolling by members of Congress, to secure appropriations for unimportant works.

Mr. Eddy agreed with the committee as to the evils of log-rolling, but thought that labor in the State should not be placed to express that opinion. He thought it inserted it would injure the object of the joint resolution, and could do no good. He proceeded to advocate the propriety and necessity of making the appropriation subject to the supervision of the State, and to the practice of log-rolling by members of Congress, to secure appropriations for unimportant works.

Mr. Eddy agreed with the committee as to the evils of log-rolling, but thought that labor in the State should not be placed to express that opinion. He thought it inserted it would injure the object of the joint resolution, and could do no good. He proceeded to advocate the propriety and necessity of making the appropriation subject to the supervision of the State, and to the practice of log-rolling by members of Congress, to secure appropriations for unimportant works.

On motion of Mr. Berry the bill and amendments were laid on the table for the present.

By Mr. Athon, from the committee on county and township business, returning the petition of citizens of Elkhart county, relative to appointing township assessors, recommending that it be laid on the table. Concurred in.

By Mr. Athon, from the committee on education, returning the petition of the Perryville Quarterly Meeting Conference, asking the establishment of a seminary of learning in said town, with the opinion that the measure asked for is local in its character, and is therefore unconstitutional. Concurred in.

By Mr. Athon, from the committee on education, returning Senate bill relative to distributing dividend arising from stocks in Railroads owned by counties, to the common schools, and to the State, asking that it be referred to the judiciary committee, as there is a legal question involved in the bill. Concurred in.

By Mr. Winstanley, from the select committee on the petition of the State, returning the House bill to distribute the State, recommending its passage.

Mr. Mickle moved to amend by attaching the county of Adams to the 10th district.

Mr. Berry announced the bill and amendment and made them the special order for Monday next, at two o'clock. Carried.

Resolutions offered.

By Mr. Reed, that the Senate will, the House concurring, adjourn sine die on the 8th of March next, and that the law commissioners be informed of the date of this resolution, in order that they may make an early report of the result of their labors.

On motion of Mr. Reid, it was laid on the table for the purpose of being taken up and debated to-morrow.

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

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

Senate adjourned.

AFTERNOON SESSION.

A bill prescribing rules for the institution and carrying on of prosecutions for offenses against the criminal law, and modifying the grand jury system, as permitted by the constitution, was taken from the table.

The bill had been returned, on January 14th, from the committee on courts of justice and criminal law, with several amendments, and subsequently laid on the table and printed.

The amendments (which cannot be understood without reference to the bill) were then separately concurred in, with one exception.

Mr. Dunn moved to recommit the bill to the judiciary committee, with instructions to report the general law in force on the same subject at the adoption of the present constitution, excluding all laws and parts of laws on said subject, local to any county.

Upon this motion a debate upon the merits of a grand jury system arose, in which Messrs. Dunn, Niblack, Logan, Secrest, McCarty, and Reid, spoke in favor of it, but generally favored some modification, and Gov. Lane and Mr. Satter in opposition.

Mr. Reid at the conclusion of his remarks offered the following instructions:

Resolved, That the jurisdiction of the Grand Jury on inquests, shall not extend to any crime unless the same is presented to the Grand Jury, on information filed by the Prosecuting Attorney of the Circuit, or on recognizance from a Justice of the Peace or other court of record, nor shall it extend to any cases where the punishment is a fine, without imprisonment or death.

On motion of Mr. Emerson, the further consideration of the bill was postponed until next Friday at 2 o'clock.

Mr. Emerson asked that the following telegraphic dispatch received from the Chamberlain yesterday afternoon, be read, which was done:

JEFFERSONVILLE, JANUARY 27, 1852.

Mr. T. WARE GIBSON—I protest against the disposition made by the Senate of articles presented by me to the State Library. I pronounce the charge that the said articles were stolen from any church or churches in Mexico, unqualifiedly false and slanderous. I wish the articles to be withdrawn from the Library, I can make another disposition of them, and I claim the right to do so. I shall write you fully on the subject.

Mr. Holloway said, he wished to take the present opportunity to say that he never charged Capt. Simonsen, or any other person, with stealing these articles. That was the interpretation put upon the word "taken" by Capt. Simonsen's friends, and the charge of stealing them had never been made by him in any form. He said that the charge that he stole his friends had ever made such a charge against Capt. Simonsen, came from whatever source it might, was, in the language of that gentleman, "unqualifiedly false and slanderous."

Mr. Mickle, from the committee on corporations, returned bill to amend the charter of the city of Fort Wayne, recommending its passage. Laid on the table.

Mr. Niblack, from the same committee, made a report asking that the committee be discharged from the further consideration of certain petitions asking that Railroad stock may be made the basis of banking; concurred in.

Senate adjourned.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, JANUARY 28, 1852.

The House met pursuant to adjournment.

Petitions were presented by Messrs. Smith of Marion, Coughlin, and Hudson, which were appropriately referred.

Reports from Committees.

By Mr. Owen, from the committee on education, a bill to establish at the seat of government a law and medical branch of the State University. Read the first time.

By Mr. Wells, from the committee on agriculture, a bill in relation to partition fences and the recovery of fences constructed by mistake. Read the first time.

By Mr. McAllister, from the committee on agriculture, a report, reporting that it was impracticable to legislate upon the subject of permitting logs, sheep, and other animals running at large.

By Mr. Lewis, from the committee on scientific and benevolent institutions, recommending that the treasurers of such institutions be required to give bond. Report concurred in.

By Mr. Stuart, from the committee on the organization of courts, against permitting county commissioners from appointing bailiffs for sheriffs. Report concurred in.

By Mr. Smith of M. from select committee, against granting the request of the City Council of Indianapolis. Report laid on the table.

By Mr. Williams, authorizing the State Librarian to purchase certain newspapers; lost.

By Mr. Smith of S., the President of the Madison and Indianapolis railroad, requested to furnish the House a certain report made by him some time since, which contained, among other things, a map of said road; adopted.

By Mr. Smith, requiring the Superintendent of the Blind Asylum to furnish the House with the number of persons employed by said institution, the amount paid each, and what sum will be necessary to meet the expenses of the institution during the next year.

By Mr. Donthit, for rescinding the 57th rule.

By Mr. Lindsey of F., moved to amend by strictly enforcing it; agreed to.

This rule forbids smoking within the Hall.

Orders of the day.

A number of bills were read the second time and appropriately disposed of; among them was Mr. Owen's homestead bill, exempting \$300 worth of property from sale in certain cases.

Mr. McDowell moved to so amend the bill that the property exempted could not be sold for the payment of bonded forfeitures; lost.

Mr. Owen said that it will be observed that this bill only exempts \$300. Yet it was well known that he was in favor of \$500. He was, however, willing to compromise with those who thought the sum too large, and take \$300 at this time, with the hope of procuring, at some future day, a sum somewhat in accordance with the requirements of the Constitution.

Mr. Graham moved to amend by striking out \$300 and inserting \$150.

Mr. McDowell moved to lay the amendment on the table; carried—ayes 54, noes 28.

Mr. Shanklin moved to amend by exempting \$150 worth of property for the husband and wife, and \$50 for each child.

Mr. Humphreys moved to lay the amendment on the table; carried.

Mr. Spencer moved to commit the bill to the committee on courts, with the following instructions: To report a bill providing for a homestead exemption, to consist of real estate exclusively; also a bill providing for the exemption of a reasonable amount of personal property to such as have no real estate. Which motion was carried.

Mr. Stuart moved to amend the instructions so that the amount exempted should be \$100.

Mr. Owen demanded a division of the question. The affirmative—ayes 29, noes 21.

Mr. Barker moved to lay the bill on the table; lost eyes 23, noes 64.

Mr. Nelson demanded the previous question, which was agreed to.

The question then recurred on ordering the bill to be engrossed for a third reading, which resulted as follows: Ayes—Messrs. Beach, Beane, Benson, Brady, Bryant, Bulla, Chowning, Coughlin, Crawford, Dice, Donaldson, Doughty, Eccles, Geddes, Gentry, Hanna, Hays of W., Helmer, Hooper, Hicks, Holladay of P., Hostetter, Hudson, Huey, Humphreys, Hunt, Lacey, Schooner, Senger, Sherman, Starnes, Taggart, Torbett, Walker, Wells, Withers, and Mr. Speaker—30.

So the bill was ordered to be engrossed.

The bill for draining the Swamp lands coming up, and the question being on recommending the bill with instructions, Mr. Stanfield offered an amendment to the instructions, so as to allow those who have made deposits in the different land offices for those lands, to have a deed for the same.

Mr. Lindsey of H., moved to suspend the further consideration of this subject until Wednesday next; which was agreed to.

The bill for extending the dimensions of the Lunatic Asylum coming up, and the question being on the engrossment of the bill, a lengthy debate ensued.

Mr. Baskirk moved to refer the bill to the committee on ways and means; which was agreed to.

House adjourned until to-morrow morning at 9 o'clock.

SENATE.

THURSDAY, JAN. 29, 1852.

Senate met.

Mr. Mickle in the chair.

Petitions, &c., Presented.

By Mr. Goodman of citizens of Dubois county on their petition. Referred to the committee on that subject.

Resolutions Offered.

On motion of Mr. Reid, the resolution offered by him on yesterday to adjourn on the 8th of March next, was taken from the table.

Mr. Reid advocated the adoption of the resolution. He thought the time fixed by the resolution for the adjournment was amply sufficient to do all that could be done by the present General Assembly. The session would, under this resolution, be four weeks in length on more than double the usual time. He also advocated the adoption of this resolution at this time because he thought that it would render unnecessary a measure which had been talked of by some Senators to adjourn in a few weeks to meet again in June or July. He was wholly opposed to such a measure as this.

Mr. Sparr regretted the introduction of the resolution, as he thought its effect would be to waste time.

Mr. Emerson advocated the passage of the resolution.

Mr. Saffer thought if the Legislature adjourned before the work necessary to be done by them was completed, their constituents would disapprove of their conduct. He thought the Legislature should remain in session till their business was gone through with, even if it was in May or June. His constituents thought that it would take the Legislature till that time to get through; and he would not be dissatisfied if it remained in session till then.

Mr. Goodman favored the passage of the resolution.

Mr. Sleeth opposed the adoption of the resolution. No man can tell when the Senate could adjourn, with advantage to the interests of the people. Scarcely one of the most important bills before the Legislature had been acted upon sufficiently to denote what would be its final fate. The present Legislature was the most important one which had convened in this State for many years. The adoption of the new constitution required a revision and re-modeling of almost all the important laws of the State, and their constituents expected this to be done, even if it occupied the time till summer. He thought the Legislature could not get through with their necessary business by the 8th of March.

Mr. Dougherty thought the resolution could do no good, unless it was to give Senators an opportunity to record their votes in favor of adjournment. To give them a more favorable opportunity to do this he would move to strike out the 8th of March and insert the second Monday in February.

Mr. Niblack moved to lay the resolution and pending amendment on the table. Lost—ayes 20, noes 22.

Mr. Reid advocated the adoption of the resolution.

Mr. Logan thought the resolution was mistaken, and whether intended or not, its effect would only be to waste time. He thought no resolution of this kind should be passed until it was known that the Legislature could adjourn consistently with the interests of the people.

Mr. Miller said he did not rise to make a speech, but as the Senator from Rush had said that he wished every friend of the resolution to give his reasons for favoring it, he felt called upon to give his reasons, in short, why he should vote for the motion of the Senator from Dubois to amend the resolution now before the Senate, so as to provide for the adjournment on the 23d of February, or the earliest possible time. Long experience had taught him that if the time of adjournment should be fixed, the Senate would work up to it. The adoption of the resolution would also cut off worthless debate. It

had been said that this is a working Legislature, but he contended that much time had been unnecessarily taken up by the passage of resolutions that should never have been introduced into the Senate. Three or four days had already been taken up in this manner, and he feared more time would be thus consumed.

Political State conventions are shortly to be held in this city, and Kossuth will be here in a week or two, and much more time would be unnecessarily wasted on these occasions. The previous question had now to be called on almost every subject that comes before the Senate, and he thought it would be better to have the liberty of their constituents, but say what they please the people would not hold the members of the Legislature guiltless if they remained here, blood-sucking the treasury. He was as willing as any man to finish the business allotted to this General Assembly, but the new constitution, but he was convinced that all that was necessary to be done could be completed by the time proposed.

Mr. Goodman moved to amend Mr. Dougherty's amendment by saying the 23d of February instead of the second Monday of that month.

Mr. Sparr moved to postpone the consideration of the resolution till the third Monday of February.

Mr. Secrest said he should vote for this motion, as it destroyed no man's thumb, but only bottled it.

The Senate refused to postpone—ayes 18, noes 25.

Mr. Eddy moved to lay the resolution and amendment on the table; lost.

Mr. Craves called for a division of the question which was ordered.

The question being upon laying the amendments on the table it was decided in the negative. Ayes 20, noes 24.

Mr. Reid moved the previous question which was not sustained.

Mr. Sparr moved to postpone the further consideration of the matter till the second Monday in February. Lost—ayes 17, noes 26.

The question then being upon striking out the "8th of March," (a division of the question on striking out and inserting having been called for) it was decided in the affirmative—ayes 24, noes 19.

The question then being upon inserting 23d of February it was decided in the negative—ayes 20, noes 21.

The question then being on filling the blank with the second Monday of February; it was decided in the affirmative—ayes 29, noes 14.

Mr. Reid moved to reconsider the vote just taken. Lost—ayes 14, noes 30.

The question then being upon adoption of the resolution it was decided in the affirmative—ayes 24, noes 20.

On motion of Mr. Holloway the order of business was suspended to enable him to report from the select committee to inquire into the expediency of appointing a State board of Equalization, a bill making provisions for such board.

Bills on their Third Reading.

To amend the charter of the city of Fort Wayne—passed—ayes 32, noes 5.

Bill of the House establishing arbitrations and umpires. Passed—ayes 29, noes 7.

Senate adjourned.

AFTERNOON SESSION.

Senate met.

The bill for the organization of a County Court of the nature of a Court of Common Pleas, having been made the special order, was now taken up.

The merits of the bill were discussed at length by Messrs. Reid, Secrest, and Saffer.

Mr. Secrest moved to postpone the consideration of the bill till Wednesday next at two o'clock.

At the suggestion of Mr. Reid, Mr. Secrest withdrew his motion to postpone, in order to permit him to move to refer the bill to a select committee so as to perfect its details.

The motion to refer prevailed. The committee consists of Messrs. Reid, Secrest, and Dougherty.

Mr. Emerson moved to amend the committee to strike out the provision giving the Court criminal jurisdiction, and the provision requiring a person to procure from the Supreme Judge a certificate of qualification before being eligible to the office of Judge of the Court.

Mr. Secrest withdrew his motion to instruct failed.

Bills on the second reading were then taken up and disposed of.

Messages of the House were taken up and disposed of.

The question being on recommending the bill with instructions, Mr. Stanfield offered an amendment to the instructions, so as to allow those who have made deposits in the different land offices for those lands, to have a deed for the same.

Mr. Lindsey of H., moved to suspend the further consideration of this subject until Wednesday next; which was agreed to.

The bill for extending the dimensions of the Lunatic Asylum coming up, and the question being on the engrossment of the bill, a lengthy debate ensued.

Mr. Baskirk moved to refer the bill to the committee on ways and means; which was agreed to.

House adjourned until to-morrow morning at 9 o'clock.

Senate adjourned.

Senate met.

Mr. Mickle in the chair.

Petitions, &c., Presented.

By Mr. Goodman of citizens of Dubois county on their petition. Referred to the committee on that subject.

Resolutions Offered.

On motion of Mr. Reid, the resolution offered by him on yesterday to adjourn on the 8th of March next, was taken from the table.

Mr. Reid advocated the adoption of the resolution. He thought the time fixed by the resolution for the adjournment was amply sufficient to do all that could be done by the present General Assembly. The session would, under this resolution, be four weeks in length on more than double the usual time. He also advocated the adoption of this resolution at this time because he thought that it would render unnecessary a measure which had been talked of by some Senators to adjourn in a few weeks to meet again in June or July. He was wholly opposed to such a measure as this.

Mr. Sparr regretted the introduction of the resolution, as he thought its effect would be to waste time.

Mr. Emerson advocated the passage of the resolution.

Mr. Saffer thought if the Legislature adjourned before the work necessary to be done by them was completed, their constituents would disapprove of their conduct. He thought the Legislature should remain in session till their business was gone through with, even if it was in May or June. His constituents thought that it would take the Legislature till that time to get through; and he would not be dissatisfied if it remained in session till then.

Mr. Goodman favored the passage of the resolution.

Mr. Sleeth opposed the adoption of the resolution. No man can tell when the Senate could adjourn, with advantage to the interests of the people. Scarcely one of the most important bills before the Legislature had been acted upon sufficiently to denote what would be its final fate. The present Legislature was the most important one which had convened in this State for many years. The adoption of the new constitution required a revision and re-modeling of almost all the important laws of the State, and their constituents expected this to be done, even if it occupied the time till summer. He thought the Legislature could not get through with their necessary business by the 8th of March.

Mr. Dougherty thought the resolution could do no good, unless it was to give Senators an opportunity to record their votes in favor of adjournment. To give them a more favorable opportunity to do this he would move to strike out the 8th of March and insert the second Monday in February.

Mr. Niblack moved to lay the resolution and pending amendment on the table. Lost—ayes 20, noes 22.

Mr. Reid advocated the adoption of the resolution.

Mr. Logan thought the resolution was mistaken, and whether intended or not, its effect would only be to waste time. He thought no resolution of this kind should be passed until it was known that the Legislature could adjourn consistently with the interests of the people.

Mr. Miller said he did not rise to make a speech, but as the Senator from Rush had said that he wished every friend of the resolution to give his reasons for favoring it, he felt called upon to give his reasons, in short, why he should vote for the motion of the Senator from Dubois to amend the resolution now before the Senate, so as to provide for the adjournment on the 23d of February, or the earliest possible time. Long experience had taught him that if the time of adjournment should be fixed, the Senate would work up to it. The adoption of the resolution would also cut off worthless debate. It

them. It also does away with the old system of setting by lot.

Several unimportant amendments were offered to the instructions, the House refused to commit the bill—ayes 39, noes 51.

Mr. Holman moved to recommit with instructions to report a bill abolishing the grand jury, defining the duties of justices of the peace in criminal cases, and providing for the trial of defendants on affidavit or presentment; lost—ayes 27, noes 62.

The question then recurred on the passage of the bill; before it was taken up, Mr. Secrest moved to amend the bill by striking out the word "and" after the word "providing"; lost—ayes 31, noes 40.

The House agreed to reconsider the consideration of the report of the judiciary committee, relative to the appointment of a Supreme Court Reporter.

Mr. Dolson moved to amend the amendments of the committee on the Report of the Reporter of the Supreme Court after 1854; lost.

The question then recurred on agreeing to the report of the judiciary committee; lost—ayes 18, noes 66.

The question then recurred on agreeing to the amendments of the Senate.

Mr. Behm demanded a division of the question, which was agreed to, and the question was taken on amendments of the Senate separately.

The amendment of the Senate is to provide for the election of a Reporter by the people, and that the present General Assembly shall elect a Reporter who shall hold his office until one is elected by the people, and qualified, at the next annual October election.

Mr. Keut moved to strike out that portion of the amendment which requires the General Assembly to elect a Reporter to serve until next October; lost.

The amendment of the Senate was then concurred in.

Mr. Keut moved to strike out that portion of the amendment which fixes the price of the Reports at \$4, was not concurred in.

A message was received from the Senate announcing the passage of the bill by the following resolution: Resolved, That the Senate will, the House concurring, adjourn sine die on the second Monday in February next, and that the law commissioners be informed of the adoption of this resolution in order to enable them to report to this Legislature, at an early day, the result of their labors.

Mr. Gibson moved to amend the resolution by striking out all after the word resolved, and inserting the following: Resolved, That from this time hereafter the Senate and House of Representatives will labor industriously at the legitimate business of State legislation, and will waste no more time in discussing the merits of the Mexican war, or any other subject not properly connected with their duties, and so soon as the duties of the Legislature are discharged, we will adjourn, and not sooner.

Mr. Holman moved to lay the amendment on the table; lost.

Mr. Gibson called the previous question, which was seconded, and the main question ordered.

The amendment of Mr. Gibson was concurred in, and the resolution as amended passed.

The House adjourned.

AFTERNOON SESSION.

The House met.

Reports from Committees.

By Mr. Stanfield, from the judiciary committee, to whom was referred a bill of the House relative to repealing a certain law in relation to the office of Auditor of Warrick county, asking that the bill be indefinitely postponed; laid on the table.

By Mr. Deane, from the judiciary committee to whom was referred a bill relative to repealing an act organizing a school district in Marshall county, reporting the same with an amendment, and recommending its passage. The bill was ordered to a third reading.

By Mr. Leavin, from the committee on education, to whom was referred Senate bill in relation to issuing on fee bills in the Supreme Court, with amendments, which were concurred in, and the bill ordered to be engrossed.

By Mr. Nelson, from the committee on agriculture, a bill for the encouragement of agriculture. Read the first time.

[This bill is the same, or nearly so, as the law now in force.]

By Mr. Dolson, from the committee on the organization of courts, a bill for the organization of county boards and defining their duties and jurisdiction. Read the first time.

By Mr. Stuart, from the committee on the organization of courts, a bill to establish circuit courts and to divide the powers and duties of its officers. Read the first time.

[The judge is to hold his office for six years, and three terms to be held in each county every year.]

Resolutions Introduced.

By Mr. Owen, calling upon the Senate to return the Senate, resolution relative to the adjournment of the Legislature, with the amendment of the House thereto; lost.

</