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BY J. Y. SAWYER.

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**Love, Murder, and Suicide.**—A young man of respectable connections, of Philadelphia, committed a deed on the afternoon of Thursday, seldom equalled in atrocity, while excited by jealousy. The Philadelphia Gazette gives the following particulars.

He repaired to the house of the object of his jealous affections, Mary Davis, in Travis' Court, South street, between 5th and 6th streets, and murdered the girl by cutting her throat. The arteries were completely severed, and the miserable girl fell and died at once. The maddened wretch then turned his knife against himself, and in another moment the murderer was a suicide. A coroner's inquest was held at once over the bodies.

**From Barbadoes.**—By the brig Cornelia, Captain Baird, we have Barbadoes papers to the 8th ult.

The paper of the latest date complains of the drought, and says, "every thing in the ground, but especially the yams, must be suffering." Upwards of 25,000 hhd. of sugar have been shipped from the Island this year, and the home consumption is reckoned at about 2000.

The Baptist Chapel at Brownstown, in Santa Anna, had been destroyed by fire—supposed to be the work of an incendiary. A liberal reward was offered for the discovery of the perpetrator.—*N. Y. J. Com.*

## A MEETING AT SEA.

On these vast paths of the deep, along which are seen neither trees nor villages nor cities, nor towns, nor tombs; on this causeway without columns, without milestones; which has no boundaries but the waves, no relays but the winds, no light but the stars—the most delightful adventure, when one is not in quest of lands and seas unknown, is the meeting of two vessels. The mutual discovery takes place along the horizon by the help of a telescope; then they make all sail towards each other.—The crews and passengers hurry upon the deck. The two ships approach, hoist their flags, hail half up their sail, and lay themselves along side of each other. All is silence; the two captives from the poop; hail each other with speaking trumpets—the name of the vessel—from what port—the name of the captain—where he comes from—where he is bound for—how many days his passage lasted, and what are his observations on the longitude and latitude. These are the questions—Good voyage. The sails are unbrailled, and belly to the wind. The sailors and passengers of the two vessels follow each other with their eyes, without saying a word: those going to seek the sun of Asia, those the sun of Europe, which will equally see them die. Time carries away and separates travellers upon earth more promptly still than the wind separates travellers upon the ocean. They also make signs of adieu from afar—good voyage—the common port is eternity.—*Chateaubriand.*

## ILLINOIS LEGISLATURE.

REPORTED FOR THE ILLINOIS ADVOCATE.

### HOUSE OF REPRESENTATIVES.

TUESDAY, Jan. 6, 1835.

Petitions were presented.

By Mr. Blackburger; referred to a select committee.

By Mr. Hackleton; referred to a select committee.

By Mr. Murphy; referred to a select committee.

By Mr. Butler; referred to the committee on Petitions.

Mr. Stuart from the committee on Petitions, to whom was referred the petition and remonstrance of sundry citizens of Schuyler county, praying a division thereof, reported unfavorably to the prayer of said petitioners, and asked to be discharged from a further consideration of the subject.

Mr. Vandevender said, He would beg leave to make a few observations in relation to this subject, before the vote was taken, on discharging the committee. No man more than himself, recognized that maxim of political economy, that "it is right the majority should rule." There were apparent exceptions to this rule, but no real exceptions. A small majority may support a measure, very oppressive to the rights and interests of a large minority. And yet the rule is good, for if it were reversed, the distinction between

expediency and in expediency, between right and wrong, would be totally obliterated.

But sir, the petition of the citizens of Schuyler originated in no idle motive; and to prove this, it is only necessary to refer to the map of that county. It will there be seen, that the division appears necessary. Crooked creek, forms a kind of natural division in the county, and the division prayed for, appears proper from every local consideration. And yet sir, I am not favorable to that division, and for the single reason, that a majority of the voters of the county have signed the remonstrance, against it. I am then bound in honor, and by the purest republican principles to oppose the division prayed for. The will of his constituents, when that will was known, should always regulate the vote of an honest and honorable republican, how much soever, it might oppose his individual interest. It is my wish to act the part of an honest, upright, faithful Representative, and on this occasion, I throw aside all other considerations, except the will of my constituents. He would vote for discharging the committee, and for concurring in their report.

Mr. Stuart said, The committee on Petitions had impartially investigated the propriety of making the division prayed for, and as those remonstrating against it, were evidently a majority, the committee felt bound to report unfavorably to the views of the petitioners. He would further remark, that the honorable Representative from Schuyler, (Mr. Vandevender) had, in his opinion, taken a patriotic and honorable course, in relation to this business.

Mr. Dawson, from the committee on Internal Improvements, to whom was referred several resolutions relative to a communication between Lake Michigan and the Illinois river; reported in favor of constructing a canal between said points, and also reported a bill therefor.

Said bill was read once and ordered to a second reading.

Mr. Cloud, moved to dispense with the rules, and read said bill a second time by its title; agreed to.

On motion of Mr. Cloud, (said motion having been amended by Messrs. Blackwell, Thomas and Gordon,) ordered that said report and bill be laid on the table, and 500 copies of the report, and 102 copies of the bill, be printed for the use of the General Assembly.

Mr. Dawson, from the committee on Internal Improvements, reported a bill to incorporate the Vincennes and Chicago rail road company; read once and ordered to a second reading.

On motion, said bill was read a second time by its title.

On motion of Mr. Stuart, said bill was then referred to a committee of the whole for Friday next.

Mr. Vandevender offered a resolution, requiring the House to pronounce the office of county surveyor not vacant, at the time when a nomination was made by the House, to fill said office.

Mr. Vandevender, apologized to the House for announcing a vacancy in that office, when, (as he had since ascertained,) there was in reality no vacancy.

Mr. Thomas, offered an amendment to the Resolution.

Mr. Webb said, It was true a new surveyor had been appointed, but as surveyors hold their offices during good behavior, and as mistake, not misbehavior, had caused the old surveyor to be superseded by a new one, it followed that the old surveyor was in reality, the only officer the law could recognize; and if the new one should attempt to act in the office, he could be removed by a *Quo warranto*.

Mr. Lincoln said, That if, as appeared to be the opinion of legal gentlemen, there was no danger of the new surveyor's ousting the old one so long as he persisted in refusing to die—he would suggest the propriety of letting matters remain as they were, so that if the old surveyor should hereafter conclude to die, there would be a new one ready made without troubling the legislature.

Mr. Stuart offered an amendment to said resolution, striking out all after the word Resolved, and inserting a provision requiring the House to rescind their nomination to that office, and requesting the Senate to rescind their appointment; said amendment was concurred in, and

On motion of Mr. Thomas, the resolution was laid on the table.

Mr. Blackwell from the select committee, to whom was referred a bill concerning Mills and Millers; reported the same back without amendment.

On motion of Mr. Wyatt, said bill was referred to a select committee of seven. Adjourned till 2 o'clock.

2 o'clock, P. M.

House met pursuant to adjournment.

Mr. Murphy, from the select committee to whom was referred the preamble and resolution from the Senate, relative to entries of Public Lands; reported the same back without amendment. The Preamble and Resolution were adopted.

Mr. Ross, from the select committee

to whom was referred a bill for an act, to remove the seat of Justice for Adams county; reported the same back with an amendment thereto; the amendment was concurred in, and the bill ordered to a 3d reading.

Mr. Rowan, offered a resolution, prohibiting the introduction of any new business into the House after the 20th inst.

Mr. Blackburger, moved to lay said resolution on the table.

Mr. Henry moved to amend said motion, so as to lay the resolution on the table, until the 4th day of July next. Said amendment was concurred in, and the resolution so amended was laid on the table.

Mr. Henry offered a resolution, requiring the House to refuse to act on state road bills, until the 22d inst.; and that the House then go into committee of the whole on all such bills; not adopted.

Mr. Webb, pursuant to previous notice, on leave, introduced a bill for the relief of the people of White county; read once, and ordered to a second reading.

Bill from the Senate, concerning a road from Quincy in Adams County, to McComb in McDonough County; ordered to a second reading.

Bill from the Senate, to authorize Kirkpatrick and Hicks to build a toll bridge; read the 3d time, and

Mr. Gordon moved to amend said bill, so as to include "all persons going to, and returning from the Salt works;" not agreed to.

The bill then passed.

Bill to locate a state road, from Bloomington to Chicago. Passed.

Bill to change part of a state road from Bloomington to Danville. Passed.

Bill to incorporate the town of Mount Carmel.

On motion of Mr. Gordon, said bill was read a second time by its title.

On motion of Mr. Ficklin, said bill was then referred to a select committee.

Bill for the benefit of the Heirs and Legatees of Curtis Blakeman deceased.

On motion of Mr. Wyatt, the rules were dispensed with, and said bill read a second time by its title; and then ordered to a 3d reading.

Bill to establish a certain road therein named.

On motion of Hunter, said bill was referred to a select committee.

Bill to locate a state road from Shelbyville to Chicago; read once and ordered to a second reading.

Bill from the Senate to incorporate the Mount Carbon coal company.

Mr. Wyatt moved to lay said bill on the table, until the 4th day of July; agreed to.

On motion of Mr. Thomas, the resolution relating to the removal of county seats was taken up, and adopted.

Mr. Wyatt offered a resolution, instructing the committee on Internal Improvements to inquire into the expediency of incorporating a company, to construct a rail road from the Wabash river, via Paris to Quincy in Adams county.

Mr. Gordon moved to amend said resolution, so that said road shall "commence at or near the termination of the Indiana canal."

Said amendment was accepted by Mr. Wyatt.

Mr. Ficklin moved further to amend said resolution, so as to include a rail road from Mount Carmel in Wabash county, via Maysville, Vandalia and Edwardsville to Alton.

Mr. Gordon moved to refer said resolution and proposed amendment, to a committee of the whole, and subsequently withdrew it.

Mr. Thomas renewed the motion, to refer said resolution &c., to a committee of the whole.

[A spirited debate arose on this subject, which will be hereafter given.]

Adjourned.

### HOUSE OF REPRESENTATIVES.

MONDAY, Jan. 5.

A petition was presented by Mr. Henry, and referred to a select committee.

Mr. Stuart, from the committee on petitions, to whom was referred the petition of sundry citizens of Wabash county, reported a bill to incorporate the town of Mt. Carmel; read and ordered to a second reading.

Mr. Thomas, from the committee on the judiciary, to whom was referred the petition of Blackman's Legatees, &c., reported a bill; read and ordered to a second reading.

Mr. Rowan, from the select committee, to whom was referred a bill to authorize Kirkpatrick & Hicks to build a toll bridge, &c., reported the same with an amendment; amendment concurred in.

Mr. Wren moved to refer said bill to a select committee; not agreed to.

Mr. Wren moved to amend said bill, by striking out the 5th section thereof, which authorizes Kirkpatrick & Hicks to purchase 40 acres of land; not agreed to. The bill was then ordered to a third reading.

[On this bill, and the amendments proposed, a short but interesting debate arose, in which Messrs. Rowan, Wren, Dougherty and McHenry, participated.]

Mr. Ross, from the select committee, to whom was referred a bill for the benefit of the town of Pittsfield, in the county of Pike, reported the same back without amendment. The bill having been amended in the Sen-

ate, said amendment was concurred in by the House.

Mr. Stuart, pursuant to previous notice, on leave, introduced a bill for the benefit of the sheriff of Sangamon county; read once and ordered to second reading.

On motion of Mr. Henry, the rules were dispensed with, and said bill was read a second time by its title.

On motion of Mr. Henry, said bill was then referred to a select committee of five.

Mr. Thomas offered, for adoption, a preamble and resolutions, censuring the bank of the United States, approving the President's views in relation to that institution, and also in relation to France, and the course of his administration in general.

Mr. Manly moved to lay said preamble and resolutions on the table, until the 4th day of July next.

Mr. Henry moved to amend said motion so as to refer said preamble and resolutions to a committee of the whole for Thursday next.

The question on referring to a committee of the whole house, for Thursday next, was then put, and decided in the affirmative.—Ayes 38, nays 14.

[On this preamble and resolution, a very animated debate arose, in which Messrs. Manly, Thomas, Gregory, Link, Webb, Rowan, Wyatt and Cloud, participated.—It will be given hereafter.]

Adjourned until 2 o'clock.

House met pursuant to adjournment.

Mr. Blackburger, from the select committee, to whom was referred a bill for an act relative to a road from Bloomington to Chicago, reported the same back to the house without amendment; said bill was then ordered to a third reading.

Mr. Dawson, from the select committee, to whom was referred the petition of sundry citizens of the county of Sangamon, reported a bill in pursuance thereof; ordered to a second reading.

Orders of the day.

Bill to remove the seat of justice for Adams county.

On motion of Mr. Ross, referred to a select committee.

On motion of Mr. Murphy, the house reconsidered the vote taken on the preamble and resolution from the senate concerning mistakes in the entries of public lands.

On motion of Mr. Murphy, said preamble and resolution were then referred to a select committee.

Bill for an act to authorize the commissioners of La Salle county to lease a certain lot of ground; passed.

Bill, from the senate, to improve the road from Equality to Shawneetown; passed.

Bill, from the senate, for the limitation of actions, and for preventing vexatious law suits; passed.

Bill to change part of the state road from Springfield to Peoria.

On motion of Mr. Dunn, referred to a select committee.

Bill regulating the salaries of Auditor and Treasurer.

Mr. Moore moved that the house resolve itself into a committee of the whole on said bill; not agreed to.

On motion of Mr. Whitesides, the committee of the whole was discharged from the further consideration of said bill.

Resolution concerning the canal lands.

Mr. Dunn moved that the committee of the whole be discharged from a further consideration of said resolution; not agreed to.

Resolution relating to bank bills, under 5, 10 and 20 dollars.

Mr. Frazer moved, that the house resolve itself into a committee of the whole on said resolution; not agreed to.

Bill for an act to regulate the salaries of Auditor and Treasurer.

Mr. Dunn moved to lay said bill on the table; agreed to.

Mr. Hughes, pursuant to previous notice, on leave, introduced a bill to locate and establish a state road, therein named; read and ordered to a second reading.

On motion of Mr. Link, the house resolved itself into a committee of the whole, on the bill concerning estrays.—Mr. Dougherty in the chair.

After sometime spent therein, the hon. speaker resumed the chair, and Mr. Dougherty reported said bill back with sundry amendments thereto.

Mr. Stuart, from the select committee to whom was referred a bill from the senate entitled "An act to establish a uniform mode of holding Circuit Courts," reported the same without amendment.

Mr. Ficklin said—He had waited with the greatest possible anxiety to hear others debate the question as to the utility or inutilty of establishing the circuit system. He was desirous to hear the arguments on both sides. Every thing developed as well for as against the measure which will tend to shed light upon a question, at once so grave, and of such abiding interest to the people, as the present.

At the two last sessions of the legislature, the question was agitated here; but so far as he was apprised, it had met with no general response from the people, indicative of their wishes; no sentiment commensurate with its importance had been felt, or if felt, not expressed by the people. Hence it will be obviously perceived that, what is the will of our constituents in this matter, is left to vague conjecture and speculation; and many of the members must be guided by that monitor in their own bosoms which points out the path of duty, and bids them pursue "unerring consequences." With a view then, to a full and unbiased discussion, the house has gone into a committee of the whole, that each member of this body might mingle in the debates, and it is not amongst the smallest of the blessings consequent upon that act that we have just been favored with the views of the hon. speaker. The premises which he assumes, and the deduc-

tions he makes from them I propose to scan, and as far as I may be competent, to give them a candid investigation.

He proposes, in effect, to create two new circuits, and thereby render less onerous the duties of the present judges; but still, to keep them performing circuit duties, with certain restrictions and curtailments. The expense of establishing two circuits with judges and circuit attorneys, would exceed two thousand dollars, whereas, the expense of the entire change will be but a fraction over four thousand dollars. By making two circuits nothing is gained, save a diminution (and that too at considerable cost,) of the labor of the judges, the same odious feature is retained, and the very next legislature (if the lamp of experience teach us any thing,) will attempt, as the three last have done, by unwearied legislation, to change the system, and thereby expend more money than would meet the accumulated expense of the change at present. An additional argument, sir, is this: that we might have special terms for the trial of malefactors, who are incarcerated in our jails,—while I now speak, there are five persons, as I have been informed by undoubted authority, committed to jail within the limits of the Wabash circuit. What will be the expense of keeping them until the April term of the court? Would it not, sir, go far in paying the judge his year's salary.—If then, persons are guilty, they should, in the language of the constitution, receive justice "promptly and without delay;" for, it will be recollected that the confinement before trial constitutes no portion of the punishment, and if innocent, it is the very essence of injustice and cruelty to keep them immured six months in your dungeons.—What, it may be asked, the chance if we establish the circuit system? Why, sir, in the language of the bill before us, (and which expression I certainly very much admire,) "we have a uniform mode of holding circuit courts," you do not as would be the fact in the other case, have those that are purely circuit courts, and four in which the supreme judges preside that are semi-circuits and semi-supreme courts; and then, sir, you would, if appealed, have the supreme judge inflicted upon you, (like an incubus,) to decide in the court above, and if only one of the others there concur with him, the decision stands affirmed; but if the appeal were taken from a circuit judge, then it would require the concurrence of two to affirm the judgment. Hence, it is palpable to every one, that it requires more justice to affirm the decision from one circuit, than it does from another. This, I say, is not that uniform and impartial administration of justice which should characterize a people who have poured forth their treasure and their blood so freely, in the purchase of liberty, and the establishment of free institutions, and whose proudest is, "that all men are created equal," and that the rights of the humblest citizens in community are preserved inviolate.

Some there are, who contend here that the bill before us should define the counties, and regulate the salary of the judges; but this is only an effort to defeat the bill. For in the details there may be a contrariety of opinion amongst those who as to the main proposition, and while its movers evince some tact in this point, I trust we shall have sufficient sagacity to detect, and thwart the real object. It is absolutely necessary that there should be further legislation to arrange the circuits, and fix the terms of the court. The speaker takes the position, (though with manifest diffidence and doubt,) that the present system is preferable to the contemplated change; but the fallacy of the argument is such as not to withstand scrutiny or investigation.

He contends that our system is precisely the same which has prevailed for centuries in England, and is similar in its organization to the supreme court of the U. States, and analogous to the system which obtains in Kentucky and Virginia. Can the gentleman be serious in his views, when he contends that our judicial system is not variant from that of England? He certainly will not so far hazard his reputation for legal learning, as to adhere to his ground. It would disparage his character as a profound lawyer, and show that his reading has been to little purpose, for the very first work that is placed in the hands of the student teaches a different doctrine, and informs him that the court of nisi prius, (which he assimilates to our circuit courts,) is but an incident of the courts of Westminster Hall, and has no existence, no jurisdiction separate and apart from them. It was anciently the case, that matters of fact, originating in what part of the kingdom they might, were tried at Westminster, and a jury from the county in which the facts occurred (however distant,) was summoned to Westminster, to decide upon them. It was to remedy this evil that courts of nisi prius were instituted, and their peculiar province and only jurisdiction is to try by a jury of the county in which the controversy arose, the truth of such matters of fact as are under dispute in the supreme courts. Thus the facts are determined by a jury of the vicinage, and the law arising upon those facts is determined by the judges above. Again, sir, they have in England some three or four intermediate courts between the court baron and the court of King's bench. Hence, it will be perceived that the English judiciary is essentially different from ours in its most important features, and it is only remarkable that in the profundity of his reading, this disparity had not discovered itself to the hon. speaker.

The supreme court of the United States is different from ours in this: that a district judge presides at the circuit court in conjunction with one of the judges of the supreme court. The hon. speaker is certainly equally unfortunate, when he attempts to show that our judiciary system is analogous to those of Virginia and Kentucky, for what intermediate courts, or convening together

of the circuit judges for the purpose of reversing former decisions, there is nevertheless, in each of those states, a court of appeals, separate and distinct from the circuit court, the judges of which do not have to perform circuit duties. I defy the gentleman to point to a judiciary system bearing the similitude of ours, or one which is obnoxious to the same fatal objections. The right of appeal is mere mockery when the same judge presides above who gave the decision below. The pride of opinion will not only make him adhere to what he has decided, but will prompt him to turn counsel, and search his books with a special eye, to the law which will sustain his decision. It is the principle I contend for. The present system is rotten in its foundation, and it is time to change it. The framers of the constitution did not contemplate its continuance longer than till 1824. The wants and exigencies of the people loudly call for relief, and I do not know when a more conspicuous time will arrive for making a radical change.

I cannot conclude without being permitted to say a word to the members from the north. An appeal has been made to them by honorable gentlemen, and a pledge given to aid them in the creation of one additional circuit. This, sir, is done in the hope to lure them from the support of the present bill, after the achievement of which the north might get their circuit if they could. But, sir, let this bill be defeated, and no other can be passed. I speak advisedly, when I say, that a law, creating one or two circuits will not meet the favorable action of this body. The question has been fairly tested in each branch of the legislature, without success, and the present movement is only designed to flatter and beguile. But let not gentlemen be tantalized and decoyed into error by any such promises, for they will not, they cannot be realized. But, sir, we fear not, for there are magnanimous gentlemen in the north who desire exclusive privileges, and are willing that a uniform judiciary system may prevail throughout the state. But, sir, the honorable speaker has, in debate, remarked with a sort of paternal solicitude, that he wished to see the members of the house get back here again, and if they did right no, doubt they would be returned; plainly intimating that if you vote for this bill you are gone beyond redemption. Thus attempting to hold the black rod, in terror, over their heads, to frighten them from their purpose. But, sir, there are spirits in this house to whom such remarks have no application, who spurn them with indignation, and discharge their duty fearlessly. Sir, however demagogues may endeavor to arouse popular feeling in relation to this measure, I have no doubt the people will examine it for themselves; see that it is right, and then give it their hearty approbation. I have already trespassed longer than I had anticipated upon the patience of the house, and must conclude.

In the house of representatives, Mr. Ficklin offered a resolution, requiring the appointment of a select committee, to draft a memorial to Congress; instructing our senators and requesting our representatives, to urge the permanent establishment of the present northern boundary line of Illinois.

In reply to Mr. Ficklin,

Mr. THOMAS rose and said.—He felt it his duty to oppose this resolution from the very outset. The gentleman from Wabash, (Mr. Ficklin,) erred in supposing, that congress could either settle or unsettle this matter. The question of boundary, involved in the resolution, was not a new one, but it was irrevocably fixed, and incapable of being disturbed in any other way, than by the expression of idle doubts on the part of the states interested. The constitution of Illinois, and the solemn act and resolution of congress ratifying that constitution, all concur in the permanent establishment of the boundary line, in relation to which, the gentleman wishes a fresh application of legislative power.

The act of congress of April, the 18th, 1818, entitled act to enable the people of Illinois Territory to form a constitution and state government, &c., expressly declares that the boundaries of said state shall be as follows, to-wit: "Beginning at the mouth of the Wabash river, thence up the same, and with the line of Indiana, to the north-west corner of said state; thence east with the line of the same state, to the middle of lake Michigan; thence north along the middle of said lake to latitude 42 deg. 30 min. north." The boundary of the state is thus fixed by a law of congress, and no new law could give it more stability. The convention which framed the constitution of this state, ratified this boundary, and congress again ratified the constitution, declaring it to be republican, and accepting the boundary fixed by themselves. If, after so many congressional enactments, and such constitutional provisions, the northern boundary is still unsettled, it is in vain to expect that another act of congress would obviate the difficulty. The claim of Michigan is not entitled to the least deference, if any faith is to be placed in the most solemn legislative enactments. Law, justice, equity, and undisturbed possession, are all on our side, and they all oppose the pretensions of Michigan. I have the highest confidence in the talents, eloquence, learning and patriotism of the gentleman from Wabash, but still I humbly conceive that his judgment is entitled to less weight than the deliberation and laws of the national legislature. That gentleman and this legislature, ought not to express doubts of the validity of rights so solemnly guaranteed to us. The resolution offered by the gentleman, implies that the state of Illinois doubts the legality of her own boundaries, and this doubt, to some extent, sanctions the unfounded pretensions of Michigan. But, sir, we should show to that Territory, and to the world, that we have the utmost confidence in the security of our present territorial rights.