

To the Editors of the Palladium.

In reading the last number of the "Spectator," I observed, with regret, some remarks under the editorial head, which savour highly of the constitutional abridgement of the right which a member of Congress has to exercise his judgment for the benefit of his constituents, tho' he should be in the minority. And on reflection, I am fully of the belief, that this abridgement of right, has a greater bearing upon those free and judicious citizens, who are the only persons that delegate others to act for them—because it is not given to human foresight to know the uncertainty of any thing—future events are known only by accomplishment. Then I say, the sentiments laid down by the editors of the Spectator, tend to abridge right—a right guaranteed to us by the profound wisdom and long experience of our national legislators; and never (till the present case) has a national or a state legislator, been called a subject of his *Satanic Majesty*, because he voted in the minority. I conclude that it is as much my right to be among a lesser, as it is to be among a greater number. This is a right which servitude is ignorant of; and a right which sophists and wheedling mimicks of philosophers, under any government, ought never to claim—protection is all they can or ought to ask, however great their influence, however rich, however free.

For the accuracy of these observations, I advert to the remarks alluded to in the Spectator; and copy them *verbatim*.—But, before I proceed, I inform the public, that it is a matter foreign to me, how great a sum of money Congress has granted, or will grant, to that transatlantic and ever to be revered General Lafayette.—May the gratitude we owe to him increase daily;—may the sons of Columbia look with shame, should want happen to him, and be cheered when more than plenty is at his door;—may the evening of his his days be as tranquil as the meridian was refulgent; and HEAVEN his mansion of rest.

I now proceed to my quotations. "While they will say to those *pepudre fippennybit* members of the west, who voted against so just and equitable a compensation 'get thee behind us (us, in this quotation, is unknown to the original) Satan.' For the honor of the State of Indiana, we hope that none of its members voted against it!"

That the reader may understand the reason why the editors of the Spectator made this illiberal and unjustifiable remark, I will inform him, it was because some of our western members were for granting to our welcome "Nation's Guest" but one hundred thousand dollars, instead of two hundred thousand, and were found to be in the minority. This called down the wreaking vengeance of the editors of the Spectator, upon the heads and future destinies of our western members; some of whom, if not all, have been greeted by that honourable body; their talents admired; their integrity not doubted; nor their political wisdom ever called in question by any, save by Messrs. Editors of the Spectator—and they have seen proper to honour them with the mild epithet—"Satan!"

By recurring to the journals of Congress, which gives the yeas and nays on this bill, I find a number of our western members who voted \$100,000 compensation to Gen. Lafayette instead of \$200,000—I find likewise they were in the minority—but do not find in the National, or in any other public journal, such unjust remarks as those I have read in the "Spectator."—And when the editors of that paper made them, they well knew or ought to have known, that one among our ablest members did vote against it. Will these editors contend, that our western members have no right—will they say, we sent them to Congress but for the purpose of always acting in the majority—must a member, because he came from the west, swerve from a duty which he cannot withhold, without perjury to himself, and unfaithfulness to those whom he has the honour to represent; or must he set as a passive, yet active servant, and dare not act, for fear he shall act wrong—for fear his popularity will be sacrificed on the altar of animadversion, by being found on the minor side of the question—or must he disrobe himself of the duty he owes to his constituents—his obligation to his country, and thereby become a slave to his better judgment.

The next, and last paragraph, is one, which I think it hardly possible for any one not to say, that it exceeds any language before printed. It not only sets forth their might, majesty, influence, and power, but abridges the power, might, and authority of HIM who sitteth in the Heavens.—I will quote the paragraph and leave it to the reader to judge for himself: "Should they, however, have done so, (meaning those western members, who were for \$100,000 instead of \$200,000,) we can only say, that the sound of that vote, at the next Congressional election, shall to

those be more terrible than the sound of the last trumpet." This is the first, and I hope the last time, I ever shall hear, that the feeble breath of man can sound a "trump," more "terrible" to the living than that of the ALMIGHTY, which awakes the dead. P.

### GOVERNOR'S MESSAGE,

COMMUNICATED TO BOTH HOUSES OF THE GENERAL ASSEMBLY ON TUESDAY THE 11TH INST.

Gentlemen of the Senate, and of the House of Representatives:

HAVING convened in Legislative capacity, for the furtherance of the great interests, which the constitution has entrusted to our care; it becomes my duty to "give to the General Assembly information of the affairs of state," and in aid of your deliberations, to exhibit to your view and recommend for your adoption, such measures as those interests seem to require. In examining our public concerns since the close of the last session, but little seems to have occurred, save that which is in its character public and equally manifest to all. The current of population from the neighbouring states, is daily giving us increase of numbers and improving the condition of agriculture, our great interest: The general prosperity of the state is advancing in a firm and steady pace, to numbers, to wealth, and to a grade of respectability among the states of the union; and what is most consoling, the health of the country, especially within the last year, is more improved than any other condition. The diseases incident to our climate and our soil have very much abated; in some districts have scarcely been known at all, and in others have prevailed with less severity than in former years. Considerations of this kind are well calculated to draw forth the warmest effusions of gratitude to the author of our being, from whom we receive health, fruitfulness of seasons, and the inestimable privileges of a free government.

In contemplating however the general prosperity of our country, we cannot pass by without notice, the scarcity of a circulating medium; the want of a market for our surplus produce, or what is generally termed the hardness of the times. But by way of remedy for these evils, it is obvious that the Legislature have very little to do; for to Congress alone is reserved the power "to regulate commerce with foreign nations and among the several states." It is evident that causes exist for the situation of the country in this point of view, which are not of a local nature or within the control of a nation or a state. It was not to be expected that the tide of our national prosperity produced by the general convulsions of Europe, which gave to our agriculture a market and to our commerce and shipping interests, much of the carrying trade of the world, should forever continue to flow. It was reasonable to suppose, that the recent peace of Europe, which suddenly became almost as general as the war which had preceded it, would turn millions from the profession of arms to the pursuits of industry, and that the supplies of Europe furnished by themselves, would lessen their demand and our market for the products of agriculture. To these causes broad and extended as they certainly are, we may fairly attribute much of our own condition. It only remains for us to improve the means within our power; our roads and the great highways to the markets as they are. It is our business to increase facilities of intercourse with each other, and with the neighboring states; to make our internal and municipal regulations as perfect as possible; to encourage industry, and above all to economise our expenditures and lessen as much as possible at all times, the public burdens upon the people. In this way the Government, as well as individuals, will best conform to the existing condition of affairs.

The melancholy occurrence of the murder of some Indians on the frontier settlements of the state, has been succeeded by the arrest and imprisonment, in the county of Madison, of several persons charged with such crime. The want of public buildings in that county, created the necessity of a guard and other expenses for the safe keeping of the prisoners. These expenses have been accumulating from the month of March last, the date of the unfortunate transaction, to the present time. Considering the newness of this county, the sparseness of its population and the deleterious effects of the case on its general prosperity, I have thought it my duty to recommend that the expenses incident thereto, and for which the county may be liable, be paid out of the State Treasury.

The further details of this most unpleasant transaction require me to say, that James Hudson, one of the persons charged with the murder of Logan, an Indian chief, was at the last October term of the Madison circuit court, convicted and sentenced to be executed on the first day of December last; that previous to the day appointed for his execution he escaped from prison, and that he might not escape the punishment of his

crimes by becoming a fugitive from justice, the time of his execution was, on the suggestion of the presiding judge and the prosecuting attorney of that court, respited and postponed until the twelfth of the present month.

But three days being allowed by law for the session of the court, no other of the prisoners have been tried. They are yet in custody awaiting their trial, for which purpose more time will be necessary than that at present allowed by law. Nor can I pass by the present occasion without expressing to you my strong conviction of the necessity of authorizing special sessions, for the delivery of the jails in vacation. Many, if not all objections to special courts, may be obviated by the details of legislation authorizing them. In all cases, and especially where the prisoner cannot procure bail, the genius and spirit of our institutions would say that his trial should not be so long delayed as it may be under the existing laws.

During the recess a vacancy took place in the presidency of the first judicial circuit. This was filled by an appointment which will expire at the end of the present session.

Agreeably to the provisions of "An act for the better management of the State Prison and for other purposes," Ira Westover, Esq. was appointed superintendent of the the Prison for three years from the fourth day of August last, under certain conditions and stipulations specified in his bond, which is filed in the office of the secretary of state. Believing from a report of the visitors appointed under the act, that a covering of the wall was necessary to preserve it from injury, Mr. Westover was encouraged to construct such covering and submit his claims for that service to the Legislature. It has been done under the notice of one of the members of the House of Representatives, who will be able to give every needful information respecting it.

I have received a communication from the Governor of Georgia accompanied by a resolution of the Legislature of that state, proposing an amendment to the constitution of the United States, which would prohibit "the importation or ingress of any person of color into any one of the United States, contrary to the laws of such state;" and have also received from the states of Ohio and Maine, communications disapproving of the aforesaid resolution. These several communications have been accompanied with requests that they be laid before the General Assembly of this state.

I have also received from the Governor of Ohio, sundry resolutions, recommending to the legislatures of the several states and to the congress of the United States, a system providing for the gradual emancipation of slaves, and recommending the passage of an act by the General Government (with the consent of the slave holding states) by which the children of such persons, born after the passage of such act, should, on certain conditions be free at the age of twenty-one years. These resolutions have also been accompanied with a request that they be laid before you.

Agreeably to the provisions of "An act for improving the navigation of the river Wabash" approved January 31, 1824, I have communicated to the Governor of Illinois a copy of the act and requested him to recommend to the legislature of that state the adoption of measures calculated to further the object.

By an act of Congress of the 26th of May last, the right of preemption to one quarter section of land in each new county of the states and territories in which there are public lands, is, on certain conditions granted to such counties for the establishment of seats of justice. That the benefit of this provision may be secured to the counties hereafter to be laid off in this state, an act of the legislature seems to be necessary.

By an act also of the last Session of Congress the state of Indiana is authorized to survey and mark through the public lands of the United States, the route of a canal by which to connect the navigation of the Wabash and the Miami of Lake Erie, reserving forever and vesting in the state, the use of ninety feet on each side thereof for the purposes aforesaid, and reserving also from sale during the pleasure of Congress, the sections through which such canal route may pass.

As the public lands in that quarter of the state are understood to be surveyed and liable to be brought into market, whenever the pleasure of the President to that effect shall be made known, it is respectfully submitted, that the location of the route during the next summer be authorized by law. In this way only can the advantages of the reservations be secured to the state; for it is reasonable to suppose, that that district of country, important as it naturally is, and important as its improvement would be to the northern and western portions of the state, will speedily be brought into market. It is believed that this route must necessarily be located through some Indian reservations, made by the treaty of St. Mary's; and it is a matter of doubt whether the right of soil thus vested in the grantees, would authorize

a compact with them on the part of the state for that purpose. Should it be thought necessary to apply to Congress for power thus to stipulate with the grantees, there can be little doubt that such power would readily be given.

It is the duty of the various governments of this confederacy, to cultivate the most friendly understanding and intercourse with each other; the states with the General Government and among themselves. This produces harmony in our system and directs the force of all to the good of all. It is impossible to estimate too highly the importance of the object alluded to. This effected and the great northern avenue of commerce to the ocean and the lakes would be at once complete. An inland navigation from New York to New Orleans as well as to the northern lakes would at once be opened. This is an object in its character sufficiently national to demand the attention of the General Government. When we consider too the vast quantities of public lands to be greatly enhanced in value by the accomplishment of this work of internal improvement, we cannot doubt, that in the exercise of a magnanimous and judicious policy, Congress will, by donation to the state, of the sections thus reserved, aid our infant resources in constructing the canal. This donation would, it is believed almost complete the work; would be repaid to the General Government in a ten fold proportion in the sale of the public lands, and would give impulse to the improvement and prosperity of the state heretofore unknown.

I have received and submit for your information the report of a joint committee and sundry resolutions of the legislature of the state of Ohio, on the subject of a canal at the falls of the Ohio river. This report and these resolutions, are declaratory of the lively and deep interest which that state feels in the construction of such canal, and of their intention to unite in the execution of such work, with one or the other of the states of Kentucky or Indiana.

A report of the commissioners appointed by the "Act providing for opening a canal at the falls of the Ohio" will shortly be laid before you. It is sanguinely hoped that the state of Ohio will ultimately unite with Indiana in the undertaking, and interest herself to such extent as to bring the object certainly within the means of this state. In that event, the most cautious and fearful, as to the magnitude of the undertaking, would abandon their scruples, and estimate this work as connected, not only with the best interests, but with the revenue and reputation of the state.

An advance of a small portion of the three per cent. fund without interest, would in that event, enable the state to progress with the work. This would supersede the necessity of resorting to other means, and the canal once completed, its revenues would repay to that fund the whole amount thus obtained, and not retard its application to roads and other proper objects. Congress would probably agree to this proposition on the basis of a fair reciprocity: the state stipulating that the public property of the United States, should forever pass the canal toll free.

Of similar character to the canals just mentioned, is the construction of the National Road from Wheeling to the Mississippi, passing through the metropolis of our state. The location of this road, is of the greatest importance to the north-western states. This object is directly within the purview of their compacts with the General Government, at the times of their admission into the Union, and two per cent of the sales of public lands within those states are set apart for such objects. Its location at this time through Indiana, assumes much additional importance, from the removal of the Government to Indianapolis, its permanent seat; and from the character of the central parts of the state, requiring more attention to roads than those districts of country bordering on the Ohio river, and first settled. This road if once located, would, in addition to the funds in existence for its construction, attract the attention of the Legislature, and the counties through which it might pass, and would in a short time become not only useful but ornamental to the State.

Some of these objects, it is true, are not fairly within the scope of our Legislative capacity. On some of them it would perhaps be nugatory to legislate. But it is competent at all times (and in these cases it would no doubt be useful) for the Legislature to express their opinions in relation to any great interest of the country, though that interest be subjected exclusively to the control of the General Government.

The financial operations of the last year, have been more successful, than was anticipated by the most sanguine. Of the \$19,000 supposed to be necessary to be procured by loan, only \$5,971 have actually been procured; and of this sum \$971 dollars were Seminary funds, unemployed in the Treasury. So greatly beneficial to the Treasury has the change of system been, that the cur-