

Indiana Palladium.

EQUALITY OF RIGHTS IS NATURE'S PLAN—AND FOLLOWING NATURE IS THE MARCH OF MAN.—BARLOW.

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MESSAGE

Of His Excellency, NOAH NOBLE, to the "Indianapolis Legislature," of which he is Governor, delivered at the Court House on Thursday evening the 29th ult.

FELLOW-CITIZENS, and

Gentlemen of the Indianapolis Legislature:

We have convened in this chamber, under those provisions of our social compact, that distribute the powers, and point out the duties of each of the coordinate branches of the government. In the exercise of those assigned the Executive Department, it becomes my duty to detail to you, such information as I am possessed of, relating to the affairs of the state; and to present to your consideration, such measures as my be deemed worthy of your deliberations. That task I now cheerfully perform.

Allow me first, to ask your attention to the signal Providential favors, with which our state has been blessed, in the unusual degree of health which has attended our citizens during the past year; and in the rich abundance, with which our fruitful soil has rewarded their labour. These choice blessings are not all for which we have reasons to rejoice: we are free from the scourges of war; free from the afflictions of internal dissensions, and undisturbed in the exercise of our civil and religious liberties. In the enjoyment of these blessings, there is every motive for our fervent, and mutual gratitude to Him, who dispenses such gifts.

It is with great pleasure gentlemen, that I communicate to you, the cheering intelligence of an unusual increase to the number of our inhabitants, since your last meeting.

Our already expansive population is extending itself, and has penetrated the forest to the sources of the tributary streams of the White Rivers and Wabash. Along the valley of the Wabash, on Elk-heart, and the St. Josephs of lake Michigan, where the government lands have not been brought into market, thousands of adventurers have located, and are awaiting an opportunity to possess themselves of a portion of that delightful soil. To almost every section of the state, and through every avenue, the tide of emigration is flowing, to share with our citizens the benefits of a healthful climate, and fruitful soil. With a population of not less than 350,000, and the prospect of developing resources, how encouraging should it be to contemplate our future destiny.

While speaking of the extensive range of our settlers and the influx of population, I am reminded of the necessity of bespeaking your attention to the further organization of the new territory. After an investigation of the subject, you will perceive the necessity of laying off one or more new counties, in that district of country lying between White-River and the Wabash. For civil and other purposes our laws should be extended over that region of country, recently obtained of the natives, on Elk-Heart and the St. Josephs of lake Michigan.

To avoid that delay in the administration of justice which the framers of our constitution intended to guard against, the sessions of our circuit courts ought to be increased. The accumulating business submitted for judicial investigation in some of the courts, demands for the interest of suitors, that this change be made. The extension of our laws over the new purchase, and the addition of so many new counties, since the establishment of the judicial districts, have so greatly enlarged the bounds and labors of several of our judges, as to forbid another session of the courts, without new circuits. To effect the first object, and to grant that relief, which the judges are entitled to, I recommend to your favorable consideration the laying off of new judicial districts.

Among the duties imperatively enjoined on the legislative department of the government, by the constitution of Indiana, are those requiring you to provide a general system of free schools, and for the improvement of commerce, manufactures, &c., by allowing rewards.

The duty first named deserves a portion of your time and reflection, proportioned to the magnitude of the object to be attained. A comprehensive and liberal system of free education, is of great domestic concern, particularly in a representative government, the permanency of which, depends much on the virtue and intelligence of the body politic. A plan suited to the exigencies of the people—one that will engrave itself on our habits, and infuse itself into the

improving domestic policy of the state. One that will bring to every man's home the first principles of education, ought to be adopted and rigorously prosecuted.

To promote so salutary a measure you must husband the avails, and apply the annual means that the school lands will furnish; and to these resources, I recommend you to add ten per centum of the annual revenue of the state, to be apportioned among the counties, in proportion to their number of voters. In the outset these sums will not be sufficient to keep up free schools longer than three months in the year; but in the process of time, when the new lands shall augment the present receipts, by their contribution to the treasury—when the people shall have realized the benefits of free tuition—when they learn that by the advantages of education, the poor and the rich are on a level—that the posts of honor and distinction are within the reach of either: an adequate supply of money can be had.

The second duty enjoined by the constitution, viz: That of allowing rewards for the promotion of the commerce of our state, is one that should be discharged not merely on account of the obligation the constitution imposes, but of the benefits that would flow to our citizens from an improved commerce.

The navigation of the Wabash and the White Rivers being intimately connected with the commerce of the state, and it having been enjoined on you by the paramount law of the land to multiply commercial facilities, by allowing rewards; I propose for your consideration an appropriation of two thousand dollars out of the treasury for that purpose—one thousand dollars to be donated to one or more individuals, towards the construction of a steam boat suited to the navigation of the Wabash, and to bear the name of that river: and the remaining one thousand dollars, to be donated in like manner for building a steam boat suited to the navigation of the White Rivers, to be called the Indianapolis.

Such appropriations will be durable, permanent in their value, will open new channels to our commerce and create new staples, better adapted to the luxuriant soil on the margin and in the valley of these streams.

While enumerating some of your incumbent duties, I beg leave to urge upon your attention, one other requisition of the constitution. It is that article which enjoins on the legislature the erection of asylums for the reception of the poor. Such a change, in the mode of affording relief, is needed on account of its cheapness, as well as the certainty with which the indigent would be supplied with the comforts of life. To the present mode, I will point out two objections: The first is, that purchasers at public outcry, in taking charge of a pauper, are influenced more by mercenary motives, than by the feelings of humanity. The second is, that by the intercession of relatives who wish to become purchasers, unworthy subjects are placed on the public bounty. If you coincide in opinion with me, on this subject, you will perceive that one asylum, in each congressional district, will answer the purpose.

The revenue laws are entitled to that share of your time, which the importance of the subject merits. These statutes ought to be carefully revised, and improved. The tract books procured are incomplete. To supply the deficiency, the sales, forfeitures, and relinquishments, at the respective land offices, subsequent to the making out of these books, and annually hereafter, should be obtained by the auditor, entered by him in the books, and reported to the clerks of the counties where the land lies. The listing of the lands oftener than once in five years, should be dispensed with. At the end of each term of five years, the lister should take the tract book, and affix to each lot of land, the owners' names, in alphabetical order. The transfers annually made might be reported by the purchaser, to the clerk who should, in a column to be kept for that purpose, enter the name of the purchaser in place of the one returned by the lister. The personal property may be returned by the collectors appointed each year. In making out the duplicate each year, the clerks should include from the tract book, all lots on which the five years exemption may have elapsed. This change will, it is believed, save an annual expense of three thousand dollars to the counties of the state.

Your auditor should be required, annually, to report to your body, the number of acres of land liable to taxation, in each county. This report would ex-

pose the returns of the listers, as certified by the clerks to the auditor, if imperfect. In every county in the state, a greater or less proportion of the lands is owned by non-residents. Those lands, owing to the uncertainty and risk of transmitting money by mail or cross routes, are returned delinquent. To secure that portion of our revenue and to accommodate non-residents, will it not be best to allow such owners to register their land for taxation, with the auditor at the seat of government? If so, the rate of taxation for county purposes must be fixed by law, and the amount arranged by the auditor with the collector of the proper county. The lots registered must also be reported to the clerk of the proper county.

The point, as to the termination of the Michigan road, it is believed you will be able to settle, without further delay or consumption of time and money. I beg leave to recommend, that in the designation of the point on the Ohio, you should not select one with a view to the introduction of merchandise, nor specially for the accommodation of travellers. It is the permanent citizens of the country, the farming portion of the community, whose interest is to be consulted; with a view to the latter, a direction should be given to the road, leading to the best market for their produce, and that market is where there is the greatest concentration of capital.

It is supposed application will be made to you, for a relocation of that part of the road, leading from the seat of government to the southern bend of the St. Josephs of lake Michigan, so as to take it through the great Miami reserve, on a direct line: if so, it will be for you to determine its propriety.

Some obstacles have presented them-

selves to the opening of the Cumberland road through the state. It is located through some 12 or 15 lots of land, belonging principally to non-residents, who have not given their assent to its passage.

The executive department of the general government has directed the superintendents not to place these sections under contract. To avoid this difficulty, will it not be best for you to authorize the superintendents to open the road through these lands, leaving the owners in case they are injured by it, to such remedies as the laws afford.

Without some interposition on your part, the road with these strips of timber running across it must be useless, until the government shall see fit to appoint an agent to hunt up the owners in the adjoining states, and obtain their relinquishments.

Next spring or summer, will be a favorable time to bring into market, a portion of the canal lands, as well as those donated by the Indians for the construction of the Michigan road. I therefore, respectfully advise, that you make the necessary provision for that purpose, by establishing an office or agency. The location of those granted to the road, you should confide to a competent agent, and require him, without delay, to discharge the trust: otherwise the avails cannot be applied during the next year, to the object of the grant.

The old system of credits, under which the government lands were sold, and the experience the state has had in a similar system, are lessons that ought to admonish us of the impropriety of any other than cash sales. The objects for which these grants were made, are of too great concern, to depend on the punctuality of purchasers for the means of prosecuting them.

The agent appointed on the part of this state, to negotiate with Ohio, the terms on which she would continue the Wabash canal, from our line, to the waters of lake Erie, is yet in treaty on that subject. Of the progress he has made I am not advised; it is confidently believed however, that Ohio will accept the lands granted within her jurisdiction, and extend the canal to its destined termination, so as to bring herself within the conditions of the grant to this state. It is supposed a satisfactory arrangement will be made to prevent future conflicting interest and views, as regards the tolls to be levied in each state. The result of his mission will, no doubt, be communicated at an early period of your session.

The obstacles that heretofore existed having been removed, I recommend the commencement of the summit section of the Wabash canal next season.

The accession to our population along the line, the abundant supply of subsistence which the country affords, the low price of labor, and the established practicability of the work, all proclaim the fit-

ness of the period, and the propriety of embarking in a work, the consummation of which, promises to our commerce, agriculture and manufactures, such incalculable advantages.

If on this subject, we accord in our views, it will be your duty, after having settled on a plan for its prosecution, to place under the control of your canal commissioners, that portion of the proceeds of the lands, which can be usefully expended. But I beg leave further to remark, that in the commencement and progress of this work, you should look to no resources beyond those to be derived from the sale of the canal lands: none other ought to be anticipated until this fund is exhausted.

With your projects for beginning the work, you should couple no proposition to borrow, or raise money by taxation. The present would be a very inauspicious period for either. The sums of canal stock which Ohio has and will throw into the money market, will supply the demands, in a great measure, for that kind of securities. When you shall have prudently expended the means within your grasp, other resources will be attainable.

Preparatory to the commencement of the canal, the further duty of reorganizing your board of canal commissioners, will devolve on you. Their further duties and powers, ought to be strictly pointed out and defined, and a proper accountability secured. The report of the proceedings of the board, for the last year, will be made in due season.

An effort ought to be made to extinguish the Indian title to the great Miami reserve. This tract extends up and down the Wabash about 30 miles, and is enclosed by our settlements on all sides.

Its detrimental influence to the intercourse of the adjacent settlements, the interruption it gives to the districting and organizing the adjoining settlements, and its contiguity to the canal, make it almost indispensable. A resolution from your body, with a proper representation of our grievances, would, no doubt, have the desired influence with the general government, and accomplish the object.

The remnant of the tribe of Miami Indians, amounting to about one thousand in number, are the owners and occupants of this reserve. The annuities from the general government only furnish these creatures with the means of reveling in every species of dissipation. The certainty of the regular payments from the government, affords them a credit among the traders and others. From these causes they are becoming very unpleasant neighbors to the population in their vicinity.

To suppress this illicit trade in spirits—to restrain them in their acts of violence towards each other—and, if possible, to subdue their lawless habits, I recommend the extension of a portion of our criminal code to their territory.

In the constitution of the United States, to which we are a party, there is no prohibiting clause, and our right is clearly indicated in the acquisitioe of the general government, to such steps in other states. Over the tribes of the aborigines of the country, located in Virginia, New York, Massachusetts, South Carolina, Maryland and some other states, both the civil and criminal codes in some, and the criminal in all have been extended. In the constitution of this state, nor in that of the United States is there any clause that can be tortured into a denial of the right.

Without further appropriation from the treasury of the United States to the Cumberland Road, the object of the government will not be attained, nor will the public expectation be met.

To answer the end contemplated, and before it can be used, the low grounds must be raised, the banks cut down, and strong wooden bridges thrown across the smaller creeks and ravines. The present administration, it is supposed, will not be less indulgent than that which preceded, and I would advise a respectful memorial to congress, asking such further aid as will make the road passable.

I cannot pass over the subject by omitting to invite your attention to the state of our public highways. The one hundred thousand dollars of the three percent fund have been disbursed, and I regret to say, that the roads are in very bad repair. To preserve improvements already made and to make these roads useful, you have two alternatives. The one is by the labor of our citizens and the other by a further appropriation of the fund. It will be for you to determine which to choose.

The enumeration to be made of all the

white male inhabitants over the age of twenty one years, as required by the 3d article of the constitution of our state, must be provided for at your present session. The expense of this enumeration may be avoided and the demands of the constitution complied with, by the operation of our revenue laws, with the addition however, of a report from the clerk certifying the number of polls to the Secretary of State, excluding blacks, paupers, &c.

The lands belonging to the state in the vicinity and adjoining the seat of government, were granted to aid the state in the erection of her public buildings. These lands will accomplish all the ends for which the grant was made. We have no prospect in view which will justify a belief that this property will bring a better price in any reasonable time than it would at present. With these impressions I am induced to recommend an order for the sale of the lands and commencement of the State-House, a Seminary and the public offices. After the erection of the public buildings should there be a surplus, you could not apply it better than to encourage the location of manufacturing establishments. Our valuable mechanics, as is the case in the settlement of all new towns, came in poor, and the high price paid for lots, has stripped them of means for building. The employment they would get would tend much the improvement of the town. The low price of materials, the cheapness of provisions and mechanical services, conspire to render the present a favourable period for the construction of the public buildings.

I lament the existence of an evil, which, if persisted in, will greatly annoy the interest and comforts of our citizens. It is one not immediately within your control, and should be cautiously examined before you attempt corrective. I allude to a monopoly in the article of salt, by a company of avaricious speculators, who have secured the whole products of the manufactories at the Kenhawa salines. By this monopoly, the company is receiving not less than 200,000 dollars per annum more than the usual proceeds of those works; and our citizens are paying double the price hitherto asked, for an important item of subsistence, the use of which, a most rigid economy cannot avoid. There being no other salt manufactory from which a supply can be procured for the western country, our citizens have no alternative left, but must submit to the imposition. The annual products, of the salt manufactories in the United States, are estimated at about 4,000,000 of bushels, nearly one fourth of which is made at the Kenhawa works, at an expense of about 20 cents per bushel. The imports into the United States, amount to about four millions of bushels, and cost about 15 cents per bushel. The duty on imported salt is 20 cents per bushel, and is imposed to protect the home production.

The protection given to the industry and manufactures of the country, I approve. That granted to the cotton, woollen, and other manufactures, has supplied our markets with fabrics, at a less price, and of a better quality than those imported. This is owing to the competition, the heavy investment of capital in those branches, and the improvement in machinery and skill of our artists. Not so, however, in the manufacture of salt. Capitalists cannot enter into competition in the manufacture of an article, the material for which is found in but few places in the United States.

With these remarks, I leave it for you, in your discretion, to determine, whether you will instruct our delegation in congress to move a repeal of the duties on imported salt.

Suffer me, gentlemen, to request your particular attention to the laws regulating the militia. To these statutes there are many objections. Such defects as have suggested themselves to my mind, after a cursory examination, I will bring to your notice.

The act of congress of April, 1808, appropriates two hundred thousand dollars, annually, for arming the militia of the United States.—The arms procured under this law, are distributed in proportion to the number of effective men returned by the adjutant general of each state. The militia of Indiana may be safely estimated at 40,000; but, from the neglect of our commanding officers, our strength is sometimes reported at 28,000, at others 22,000, and sometimes as low as 14,000. To ensure a correct exhibition of our numbers, and to enable us to