

ding to the course of the common law, with a jurisdiction unlimited in point of amount, keeping a record of their proceedings.

4th. Which have the power of fine and imprisonment;

And courts which proceed according to the course of the civil and canon law, having neither of those attributes, are not courts of record, although they may keep a registry of their proceedings, and possess a seal. The court should, in every instance, state on the face of the proceedings, that it is a court of record, & state why it is such.

The words of the 3d section of the act of the 1st of May, 1820, "in such indigent circumstances as to be unable to support himself without the assistance of his country," comprehend those only who are incapable of supporting themselves without the aid of the government, except by private or public charity.—[*Opinion of the Attorney General of the U. S.*]

NEW YORK, Sept. 1. LATEST FROM ENGLAND.

The fast sailing ship *Minerva*, Smyth, Capt. Bennett, arrived last evening in 31 days from Liverpool having sailed on the 29th of July, up to which date papers are received. The principle event in the papers is the revolution which has broken out in Naples, and like that of Spain, has ended in a complete overthrow of the old Dynasty, and the establishment of a more liberal government, and this too, without the shedding of much blood. The promise of the King to prepare a Constitution in eight days, was too long a period for the impatience of the Neapolitans.—They had sent deputations to the King requiring the Constitution of the Cortes of 1812 to be signed in 24 hours. The King had notified the Deputation that the state of his health did not permit the duties of royalty, and appointed his son the Duke of Calabria his Vice-General.

Soon after the Prince published a proclamation promising the Constitution, but this did not satisfy the insurgents. They insisted that promise should be made by the King and signed by himself. Accordingly a new Proclamation appeared in the evening signed by the King, in which his Majesty confirmed the promise made by his son, and pledged his faith to swear fidelity to the Constitution before the provisional Junta about to be formed, preparatory to his taking the oaths before a general Parliament lawfully assembled.

The Provisional Junta is to consist of 20 members. No disposition to molest the royal family appeared. The old cockade of red has been supplanted by one of three colors, which the soldiers had mounted.

The following are the proclamations spoken of above.

On the 16th of July by the King:

"The general wish of the kingdom of the Two Sicilies for a Constitutional Government having manifested itself, we consent to this, of our full and entire will, and promise to publish the basis in the space of eight days.

"Till the publication of the Constitution the existing laws shall continue to be in vigour.

"Having thus satisfied the public wish, we order the troops to return to their corps, and every individual to his ordinary occupation.

(Signed) "FERDINAND."
Naples, July 6.

On the same day, the king abdicated the throne to his son Francis, who the next day issued the following proclamation.

"By virtue of the act dated yesterday, by which his majesty, our august father, has transmitted to us, with the unlimited clause of the *Alter Ego*, the exercise of all rights, prerogatives, pre-eminence and facilities, in the same manner as they can be exercised by his majesty.

"In consequence of the decision of his majesty to give a Constitution to the State.

"Wishing to manifest our sentiments to all his subjects, & to second at the same time their unanimous wish.

"We have resolved to decree, and do decree as follows:—

"Art. 1. The Constitution of the kingdom of the Two Sicilies shall be the same that was adopted for the kingdom of Spain in 1812, and sanctioned by his Catholic Majesty in March 1820, saving the modifications which the national representation constitutionally convoked, shall consider it suitable to propose, in order to adapt it to the particular circumstances of the States of his Majesty.

"2. We reserve to ourselves to adopt and make known all the arrangements which may be necessary to facilitate and accelerate the execution of the present decree.

"All our Ministers and secretaries of State are charged with the execution of the present Decree.

Naples 17th July, 1820.
(Signed) FRANCIS, Lt. Gen."

A letter from Paris says, accounts have been received from Milan of the 12th July, which speak of a gathering storm in that part of Italy. Several arrests have recently been made and the Austrian government have had information of a secret society, composed of officers, who served under Bonaparte, and the greater part of whom are living in Piedmont. The Austrian resident at Sesto Calenda has been instructed to allow no person without a passport to cross the *maggiore*, even for an hour. This order is rigidly enforced, but the watchers and watched are equally infected with the revolutionary spirit.

LONDON, JULY 18.
The Court of Common Council passed their Resolutions yesterday against the mode of proceeding commenced in Parliament with respect to her Majesty, and a corresponding petition was actually presented to the House of Commons.

Extract of a letter from the agent to Lloyd's at Gibraltar, dated 25th June:

"By the arrival of the United States' vessels of war *Peacock* and *Spark*, from Leghorn and Algiers, we learn that information was given to them at Leghorn, 19 days ago, by the American Consul, of an Algerine squadron being at sea, consisting of two sloops of war, two brigs, one schooner, and one row galley, and that war had been declared by the Regency against Tuscany. The *Peacock* and *Spark* went, in consequence, to Algiers, and ascertained this information to be true, but could get no tidings of the course the squadron took, although they boarded every vessel they met on their way down here. It is the opinion of the American officers that the operation of this force is directed against Tunis, with which state the Algerines are in hostility."

The Queen has sent a communication to the House of Lords, stating her intention to be present every day during the investigation which is to take place, and requesting that a seat may be provided so situated that she may hear distinctly all the evidence that may be produced.

LONDON, JULY 27.

The Paris papers of the 27th have arrived. They are filled almost exclusively with the affairs of Spain. On the 10th the Cortes approved of an address to the King. This document, after congratulating the King, &c. thus refers to the South American territories; "The intimate union of the Cortes with your majesty's government, the re-establishment of the constitution, and the faithful accomplishment of promises, by removing all pretext for distrust, will facilitate the pacification of our transmarine possessions. The Cortes, on its side, will let no opportunity escape to propose and adopt the necessary measures to re-establish tranquillity in those regions, in order to unite the Spains of both hemispheres in one happy family."

After the reading of the address, the minister of pardons and justice announced that the King had deemed it necessary to secure the persons of the sixty-nine individuals who had signed the address to his majesty against the constitutional system in 1812, and that they were confined in various convents.

COMMUNICATED.

To the Editors of the *Indiana Republican*.

Sirs—I was much pleased in perusing the outlines of the constitution of the new state of Missouri, published in a late No. of your paper. The organization of a district court of chancery, with a chancellor and a court of appeals, together with the handsome provision made for the judges and the governor of the state entitle the members of the convention not only to the unfeigned acknowledgments and gratitude of the state for which this admirable instrument is intended, but of the whole western country, and of Indiana in particular; for as long as the policy of a state is founded altogether in economy, how is it to be supposed that it can ever arrive to any pitch of respectability. The new constitution of Missouri will soon elevate that state above every other in the western country unless without further procrastination they profit by the brilliant example she has set; remodel or amend their constitutions in such a manner as to give to office, power; and to power, profit. Witness the degraded state of Indiana in her judicial officers, from the chief magistrate to the obscure constable. Do we look for talents? Alas how degraded is the judgment seat. Do we look for wisdom? Alas how shallow are our public councils! Do we look for discipline? Alas is it to be found in our militia! And what is the cause of all this degeneracy? our rotten constitution. When our governors income is less than that of many day labourers—when our judges have to toil and sweat through a tedious circuit with an allowance scarcely sufficient to pay their travelling expenses; when the other members of the bench are chosen by the suffrages of an ignorant mob from among themselves; when almost every important office in the state is elective, and depending upon the whim and caprice of the multitude, the major part of

whom in all countries and in every community are below mediocrity in point of knowledge and understanding. I say while this system of government lasts, Indiana will never flourish. No enterprising capitalist or emigrant from the old states or old world will venture to hazard his fortunes or his fame in such a plebeian state; but allured by the energetic features of the new Missouri government, stake his all in her welfare to secure his own; relying on the solid fabric on which he has planted his aspiring hopes, he will be recompensed for the loss of his native home, where perhaps he has been reared in the bosom of wealth and luxury. Does Indiana present any such inducements? Alas no! How mortifying must it be to us, to behold a younger state rapidly tower above us in the scale of wealth and power? her citizens instead of being the refuse of every other state, a kind of a picked population of worthy emigrants; her laws founded on her glorious constitution the emanations of good talents and sound wisdom, arising from a judicious choice of legislators. While I congratulate Missouri and take pride in the fair prospect before her, can I as a citizen of Indiana, do otherwise than lament that she (Indiana) should be outdone by a younger state! Can my pride lie dormant while I hear her reviled abroad and despised at home, when the disease complained of might be so easily remedied? If it is urged that our resources are inadequate to ours desires, the question "why those resources are inadequate," will naturally arise. I remark, that if economy is the leading policy of any government, that government will always be poor; and this remark I will endeavor to illustrate; first premising that I do not wish to be understood as advocating and oppressive system of taxation, but a system that will our treasury, without burdening our citizens. Look at the constitutions of most of the old states; when they were formed where their resources to maintain the dignity with which they invested their officers by the ample provision they made for them? The question is easily answered: their enlightened and liberal policy held them up as spectacles of admiration to the old world, whose citizens flocked to their shores by thousands; their wealth and population increased with a rapidity unparalleled in the history of nations; where by their empty treasuries were soon overflowing! Every department of state was filled with men of the most brilliant talents, combined with deep and solid wisdom, and the most incorruptible integrity. This indeed was economy—but it was not pecuniary, it was political economy, which by providing for office a respectable stipend upheld it with dignity in the person who filled it. How pitiful too is the policy of elections! how mistaken a plan of democratical government! Good Heavens, how disgusting to an enlightened mind to behold on every trivial occasion the *vox populi* consulted! Scarcely a fortnight passes over us, without some paltry election, and thus we are kept in a constant ferment. This is a popular government with a vengeance! but is it the sublime government of Republicanism? good heaven defend me from such a government if it is! How sadly deluded is this people! How sadly mistaken in the genius and principles of our great confederate

head—the spirit of our Union's constitution! Do they think to improve it? If they do they have sadly mistaken their aim. They have introduced anarchy amongst us instead of good government; but it is to be hoped that our future *sage* legislators will stop this rapidly growing evil; will lop our constitution of its numerous excrescences, and garnish it with wholesome provisions for the security, honor, and happiness of our suffering state. Our climate is mild and genial; our soil is fertile and luxuriant; and with the blessing of Providence our own exertions might soon raise us not only to a level with our neighboring states, but to a proud pre-eminence; for we have made a stand against slavery, and by that means are possessed of the most fundamental principle of real republicanism, which a consistency and energy of conduct in our rulers would soon erect into a most beautiful system. Do away with these paltry elections, and let offices of trust be also offices of profit: let them be by appointment of the governor with the consent of the senate as laid down in the new constitution of Missouri—or, by the governor and a council of appointment selected by the legislature, as provided in the constitution of New York.

The evils of universal suffrage which stare us so fully in the face in Indiana, cannot perhaps be better depicted than in the following humorous article from the writings of Cheetham, with which I shall conclude the subject for the present, and resume it again as soon as time and inclination will permit. "It would be curious enough, to see an army voting, and the vote would perhaps be still more curious: the men would vote as the officers would wish, and the officers would wish as the government desired, or it may be that the officers and men would turn out the government."

PURGATOR.

COMMUNICATED.

Messrs. Editors,

Your correspondent, Quantum Meritas has forgotten the lesson which he so imperiously enjoined on me—to "treat him fairly in all our discussions." I shall not, however, descend to recrimination, but leave the public to judge, which of us "skulks and vibrates" most and which resorts most to "falsehood and the accusation of others." As to the crime of ignorance which he so often imputes to me—I must confess, that I cannot wholly exculpate myself from the charge, but I think it very fortunate for him, that our sins do not punish it capitally, otherwise he would have been long since, "made a knight of the haher" and "been gathered to his fathers!"

My charge against Dr. Downey, of plagiarism was predicated on the assertion of Quantum Meritas, that Shakespear had used a similar figure, and an intimation that the Doctor had borrowed it from him. "A knive's memory" does not serve me so well that I could positively deny his assertion. Plagiarism is the adoption of the thoughts or writings of another. If Doctor Downey used the words of Shakespear (substituting *Wishington* for the "murdered Richard," as he asserts,) is it not probable that the ideas are borrowed also? I have as little ambition to excel in a petty war of words as Quantum Meritas, and to avoid any further contention, I will admit, that it is perfectly classical to compare