

# PUBLIC LEGER.

FOR THE PUBLIC LEGER.

Mr. Editor,—It would indeed be matter of serious regret, if the course pursued and arguments used by Mr. Test, on the bill creating a stock of five millions to be obtained by our government by loan, should want friends and advocates in the western country. As I understand the Judge's speech, it is a clear, distinct argument, strongly fortified by sound reason, and in support of the construction which he gives a certain article in our treaty with Spain; and his whole argument goes to sustain his construction in the clearest and most forcible manner. The article reads in these words: "The government may, after the commissioners shall have admitted and allowed the claims to an amount not exceeding five millions of dollars, pay them immediately at the Treasury, or in the creation of stock, at six per centum per annum, payable from the proceeds of sales from the public lands in the Territories ceded, (Florida) or in such other manner as the Congress of the U. S. may prescribe by law." Under this article, Mr. Test contended that our government was only bound to pay Spanish debts to the amount of the proceeds of the sale of Florida lands, which was ceded to us by Spain for that express purpose, and if in the sequel it should turn out that the Florida lands would not produce a sum sufficient to pay the debt of five millions, that we, in that case, did we adopt that method of payment, was bound for the residue. Those are the principles of construction for which Mr. Test contended, and whether they be correct or incorrect, no man can doubt but that construction would have been the most beneficial for our government; nor will any man doubt for a moment, that if the above article will bear the construction contended for by Mr. Test, that the policy contended for by his speech, would be an annual saving to our government of three hundred thousand dollars, the interest of the five millions guaranteed by our government. Taking the whole speech together, it is a clear development of the motives which led us to the acquisition of the Floridas, and shews great labour on the part of Mr. Test, and if he spent months or weeks in its composition I prize him the higher, it is a strong argument in his favour, he wished to raise the prostrate character of Indiana, and convince the sister states that we were capable of conceiving opinions of our own, and sustaining them by arguments worthy of republicans.

A word more, Mr. Printer, and I have done: a writer in your paper, who signs himself L. J. B. seems to deal in wholesale calumny against Mr. Test on account of the course he took on that bill, but has made but one specific charge; which is, that Mr. Test took up some time in the House in delivering his sentiments on a very important measure, involving the interest of the general government, which sentiments he says was wrong, and by way of knock-down argument, tells us it was wrong because a majority of Congress thought so. By way of answer, let me ask L. J. B. if the Gag-law was right because a majority of Congress thought at its passage it was so, if the position assumed by this writer be correct, the latter conclusion follows as necessarily as the former. But why murmur if Mr. Test was mistaken in the construction of that treaty, neither him nor his friends pretend to his infallibility—he surely strove to make the best he could out of a bad bargain, and let me ask if there be any amongst us who wish to proscribe our members in Congress to eternal silence, or make them answer at the peril of their reputations for every word they utter: if so, let him speak and point out the man fit to fill that dangerous responsible situation. For my part I think that speech does honor to the state which Mr. Test represents.

As to the charge of shewing two faces on the Presidential question, it is an unnatural abortion of Mr. L. J. B. Mr. Test could not do so, his circular and newspaper publication would stare him in the face, and neutralize his deception. In my opinion, his course on that question is truly republican: he will do what the people would do themselves were they personally present—who would act otherwise?

Wayne township, July 28.

FOR THE PUBLIC LEGER.

"Know, immortal truth shall mock thy toil,  
Immortal truth shall bid the shaft recoil.  
With rage retorted wing the deadly dart,  
And empty all its poison in thy heart."—POPE.

Mr. Editor,—To be expert in plastering over the misdeeds of another, requires considerable experience; and he is but a wretched dauber, who lays it on so thick that it falls off of its own weight. While the advocates of Judge Test resort to misrepresentation and detraction to bolster up his cause; while family connexions, as-

sisted by an accommodating Editor are straining every nerve to ensure his election, I will submit a few facts to the consideration of the public.

The sapient editor of the Western Emorium in his last No. has poured out the vials of his wrath on my first article, and I will, with your permission, correct his misstatements.

Passing over a few contemptuous expressions, (the common cant of every electioneering tool,) I come directly to the point. He asserts with all the confidence of truth, that Judge Test, while opposing the five million loan bill "was supporting the best interests of the country, and saving to the government about three hundred thousand dollars"! Such assertions carry along with them their own refutation, and I call upon the Editor to give to the public that proof that amounts "to actual demonstration." His mere word will not be taken, and unless he maintains his assertion or acknowledges his error, he lies under the imputation of a \*\*\*\*.

There is something so base and execrable in the means which this man uses to uphold a sinking cause, that it ought to excite the indignation of the honest yeomanry of our country. He says: "Among those who voted in the minority of the said bill, are to be found the names of Henry Clay, P. P. Barbour of Virginia," &c.!! Did he really suppose the people were so ignorant as to believe this statement? Or is the truth of so little consequence, that he can overleap its barriers without compunction? The records of Congress are open to every man. Judge Test says he sent them to you, Mr. Editor, for those who choose to inspect them; and by them am I furnished with the following list of those who voted on that question:

From the National Journal Extra, of May 15, 1824.

YEAS, 117.—Messrs. Abbot Alexander of Va. Allison Archer Bayles P. P. BARBOUR Bartlett Bassett Blair Brick Buchanan Buck Burleigh Burton Cady Cambreleng Campbell of S. C. Carter Cary Cassidy Cobb Collins Condict Cook Crafts Craig Crownshield Culpeper Cushman Cuthbert Day Durlee Dwinell Dwight Eaton Eddy Edwards of Penn. Edwards of N. C. Farrelly Foot of Conn. Foot of N. Y. Forward Frost Garnett Gathlin Goven Hall Hamilton Harvey Hayward Hobart Hemphill Holcombe Houston Jenkins Kent Kidder Kremer Lathrop Lawrence Lee Lincoln Litchfield Little Livermore Livingston Longfellow Locke McKee McKim McLane of Del. Markly Martindale Matson Mitchell of Penn. Mitchell of Md. Morgan Neal Nelson Newton O'Brien Owen Patterson of Penn. Plumer of N. H. Poinsett Reed Rankin Rose Saunders Sharpe Sibley Alex. Smyth Wm. Smith Spaight Spence A. Stevenson, Swan J. Stephenson Storrs Strong Tatnall Ten Eyck Thompson of Geo. Tracy Tucker of Va. Tucker of S. C. Vinton Webster Whipple Whittlesey Williams of N. Y. Williams of Va. Williams of N. C. Wilson and Wood.

NAYS, 66.—Messrs. Adams Alexander of Ten. Allen of Mass. Allen of Ten. Barber of Conn. J. S. Barbour Beecher Brent Brown Buckner Campbell of O. Cocke Comer Ellis Garrison Gazlay Harris Hayden Henry Herkimer Hooks Ingham Isacks Johnson of Va. J. T. Johnson F. Johnson Leftwich Letcher Long McArthur McCoy McKean McLane of Ohio Mangum Marvin Matlack Metcalf Moore of Ken. Moore of Ala. Patterson of O. Plumer of Penn. Prince Randolph Reynolds Richards Ross Sandford Scott Sloan Standifer Sterling Talliferro Taylor TESS. Thompson of Ken. Tomlinson Todd Trimble Vance of O. Van Wyck Whitman White Wickliffe Wilson of Ohio Woods and Wright.

Thus it appears that Mr. Clay did not vote on the bill at all, and that P. P. Barbour of Virginia, one of the ablest members of Congress, voted in FAVOR of the bill, and in opposition to Judge Test!

I had always been of the opinion that it was an Editors duty to state facts to the public; and diffuse correct information among the great body of the people; but here is a man taking advantage of the opportunities his situation gives him to propagate error, and deceive the people.—What should be said of a man who thus betrays the trust reposed in him by a generous public; and who requires its kindness by ingratitude?

Some do say that the Editor's partiality for Mr. Test is not a disinterested one, and I am inclined to think it true. I fancy I can see him approach his patron with the grin sycophantic on his countenance, and his paper in his hand, pointing to the article in question, and urging his loss of reputation as a reason why he should receive the patronage of the general government.\* But, if I am not mistaken the result of the canvass will twist his phiz to the grin horrific.

Mr. Test's course with regard to the Presidency is, I repeat it, a very suspicious one. While D. J. Caswell Esq. and Col. Ray, have declared their sentiments with fearless independence, Mr. Test is determined to keep his "in the dark." Fortunately, however for the people, he has not been always thus discreet. Letters to different gentlemen throughout this district, from him, give sufficient evidence that he is in favor of Clay. Now I do not censure the Judge for his preference, although I prefer Adams; but I do aver that his saying he has no choice on the subject betrays a great want of candor. He plainly evinces that he has no confidence in the

\*This is said to be the *quid pro quo* which the editor expects for his services.

people, and it remains to be seen whether they will place confidence in him.

The Editor of the Emorium, with characteristic trickery, denies what has never been asserted: he says: "As to his [Test's] expressing himself in the western parts of this county as particularly favorable to the election of Henry Clay, we know to be wholly without foundation." By reversing the Editor's other assertions they are facts; and I doubt not this may be true by the same rule. I said that Mr. T's principal supporter electioneered for him, on the ground that he is favorable to Clay, and that others electioneer for him on the ground that he is favorable to the election of Adams, and I still maintain its truth.

There are several minor points in the editor's production, that might be commented on, but I have produced evidence enough to show he is not entitled to credit. Upon the whole, I think his last paper is an admirable comment on a paragraph in his first, in which he says—"we shall pursue a course uninfluenced by sectional feeling, and without becoming partizans of any particular set of men. We will in no case bow down and worship a political 'Baal'" nor shall either the smiles or frowns of the great induce us to swerve from the path of rectitude." I would merely tell him to

—doff the lion's hide  
And hang a calf skin on his recreant limbs."

I trust you will excuse me Sir for being thus verbose; the election is near at hand, and I cannot be an idle spectator when I see an attempt made to impose upon the people. I will therefore make a few remarks to the people generally on Mr. Test's speech.

Fellow-citizens—The speech of Mr. Test is the great hobby upon which his friends ride, and they will have no reason to complain if I should try its strength for a few moments. I have heretofore said that Mr. Test did not understand the principles of the bill, and I will now endeavor to show that he did not understand the treaty.

It is fresh in the recollection of every one of you that the Floridas opened, to the enemies of our country during the late war, a speedy intercourse with the Indians on our southern borders. Our country was invaded several times from that quarter, and in order to rid ourselves of them we had to trample on the rights of a neutral power; thereby bringing our government into frequent collision with it. The money spent in settling these differences, amounted to an immense sum; and to do away all those differences, government determined upon the purchase of Florida.

For many years previous to this time, the Spanish cruisers had committed spoiliations on the property of our citizens to an amount estimated at ten millions of dollars. These claims, were the subject of negotiation, when government made a proposition for the purchase of Florida. The U. States agreed to pay to her own citizens five millions of the debt due from Spain to them. The following are the words of the treaty: "the government of the U. States shall pay to its own citizens, a sum not exceeding five millions of dollars, for spoiliations committed upon our commerce, and unlawful seizures made by Spain, of the property of our citizens;" the payment to be made immediately "at the Treasury, or by the creation of stock, bearing an interest of six per cent. per annum, payable out of the proceeds of the sales of the lands in Florida, or in such other manner as the Congress of the United States may by law prescribe." By this it will be seen that government were to pay either the one or the other, the principal or the interest at the Treasury; and the other out of the money arising from the sales of the lands.

The object of every government is to protect the subject in the enjoyment of his rights; and it is its duty to seek that redress which an individual can never obtain, without its assistance. Men thus become an association as it were, pledged to the protection and support of each other. It was therefore the duty of the government of the United States to demand and obtain from Spain, by arms or negotiation, a full satisfaction for all injuries done to its citizens. The Floridas were a desirable object for the reasons heretofore mentioned; and government agreed to pay one half of the debt due its citizens. It could never have entered into the heads of the treaty makers that it would be taken in any other way. They well knew the lands would never sell for that much, and therefore, it was to be paid, in any way the government chose. By negotiating for the claimants, government became responsible; and what man among you would be willing to deprive a fellow-citizen of his rights? Yet such is the construction contended for by Mr. Test! It is a principle, which I trust in God will never be recognized by my intelligent countrymen.

"Be ye not deceived"—investigate the matter yourselves—let it not be said that you estimate a man's abilities by the length of his harangues. Let not partiality for

a man blind you to the superior abilities of another. I conjure you by our republican institutions, by our civil liberty, by everything you hold dear to investigate the merits of all, and choose the one whom you think the most worthy.

Editor. L. JUNIUS BRUTUS.

Canton, (China), Sept. 17, 1823.

On the 10th inst. the treasurer waited on the Governor, and informed him that he was going to perform the autumnal sacrifice to the Namhoy God.

On the 11th the Governor issued, on regular paper, a proclamation, announcing the congratulations to be paid, and ceremonies to be observed on the 13th inst. being the Emperor's birthday—a day sacred! The anniversary of one of the ten thousand years of his life!!!

On that day, at four o'clock in the morning all civil and military officers were required, in court dresses, to repair to the hall dedicated to his Majesty, and there perform the prostration usual on such occasions; and to wear their court dresses 3 days before and 3 days after the birthday; but the 9th and 15th being anniversaries of the deaths of certain members of the Imperial Family, they are not to wear the garments of joy upon those days. However to make up the full period of days, the court dresses are to be worn until the 19th of September.

On the 11th inst. the Governor, Foo-yen, and all the civil and military Officers of the city of Canton, repaired to the Temple of the Queen of Heaven, and performed the autumnal sacrifice before the idol.

Yen-lung, one of the commissioners of the customs in the north, has reported to his Majesty a deficiency in the receipts for the current year of 118,090 taels. The Emperor takes occasion to censure all the commissioners, and orders the individuals in question to pay the deficiency out of their own property.

A letter has been received by a gentleman in Staunton from his friend in Arkansas, containing the melancholy information of the death of Judge JOSEPH SELDEN, a native of this state, and a highly respectable man. He fell in a duel with his brother Judge, on or about the 26th of May.

It is strange that in a Christian land; land that boasts of its civilization and science, this barbarous practice should gain any countenance; and that men, distinguished alike for their talents, probity, and general philanthropy, should ever deem it necessary thus to compromise their honor and jeopardize their existence. Most assuredly there is something defective in the moral understanding of the community, at this point. If it were not the case, why should there not be some strong effort made to prevent it? It is a growing evil, and one that loudly calls for legislative interposition all over the country. Virginia, we are happy to say, has taken up the subject, and acted upon it, with a spirit that at once evinced her horror and indignation at the practice. She declares murder, in this way, punishable with death.—She says no person who has been concerned directly, or indirectly, in a duel, shall be eligible to any office of honor or profit in the commonwealth; and requires every person, on being appointed to office, to take an oath that he never has been, and that he never will be, while in office, concerned, in any manner, in a duel! If the Congress of the U. States and the Legislatures of the different States, had adopted similar measures some years since, we should not, in all probability, have now to deplore the loss of a Hamilton, a Mason, a Decatur, and many, many other distinguished and useful citizens. But it is never too late to do good; and Virginia can, no doubt, abundantly satisfy them, in respect to the happy effects of her system.

Staunton Spect.

STATE DEBT.—It appears by the late expose of the Treasury affairs, that there has been paid over to Gen. Noble agent of the United States Treasury, on the bonds of the state, about five hundred dollars, in depreciated paper more than was legally collected for taxes. It is hoped that the Legislature will enquire into this, and act honorably, and justly towards the U. S. and if that amount has been properly paid, it is just and right that it should be paid back, whether the amount can be covered of the late Treasurer or not. Such were the instructions of the Secretary of the Treasury to Gen. Noble, and the state could ask no more, than that the depreciated paper legally received in taxes should be paid on the bonds. Although more has been received, no blame can be attached to Gen. Noble, as he had to be governed by the report made to him by the Treasurer. If that report was erroneous, he could not help it; and if erroneous, it would be magnanimous and honorable, for our Legislature to correct it, and pay back the money, in good funds, to the United States.—Corydon Gazette.