

# PUBLIC LEGER.

"FRIENDLY TO THE BEST PURSUITS OF MAN,  
FRIENDLY TO THOUGHT, TO FREEDOM, AND TO PEACE."—*Couper.*

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## THE BACK COUNTRY.

Showing description of the manner that settle-  
ments are made in the "Backwoods," cannot, we  
suppose, be read without interest—it is contained  
in a letter to the Editors of the National Intelli-  
gencer, dated "Camp White River, Randolph  
County, Indiana, July 18, 1826."

SIR—For the first time since the  
commencement of the season have  
I had leisure to resume a correspondence,  
from the peculiarly interesting section  
of the country in which we are now  
located, may afford me an opportunity of  
giving you more satisfaction, than you  
can under any state of feelings towards  
me, have derived from the commun-  
ications of the last summer.

You will take the trouble to refer to  
this, you will find that we are located  
on the borders of that part of Indiana  
settled by a civilized community. We  
have encamped upon the line which a  
few years ago marked the boundaries of  
Indian lands, and where still exists the  
best evidences of a frontier country.  
The treaty of St. Mary's (in 1818)  
secured to the government of the  
United States most of the Indian Territory  
of the Wabash, the population  
of this section have pro-  
gressed at an astonishing rate. Most of  
the newly acquired country has been di-  
vided into counties. About twenty seats  
of justice have been established within the  
last two years, and contain now, after so  
short a period, a population of upwards  
of 100,000 individuals!

In the reflecting mind there is abundance for wonder and admiration in  
traversing this literally new country.  
A few days ago, as it were, the aborigines  
held the soil where now those among  
us improvements are so rapidly ad-  
vancing. They then but little dreamed  
how they were ever to be disturbed in  
their favorite pursuits of hunting, much  
less that they would be annoyed by the  
coming hand of the white man, converting  
their delightful wilds into open fields  
and meadows, and destroying the haunts  
of the Deer and the Buffalo. Where now  
are these savage inhabitants? Removed up  
the Mississippi—a thousand miles from their  
homes—and a treaty which is now to be  
made during the present season will also  
probably procure for the remaining  
tribes north of the Wabash, in this  
same fate. They are, it is said,  
now possessing some of the best lands in  
the state, perfectly disposed to sell, as they  
naturally aversion to being near the settle-  
ments.

It is very remarkable how certainly the  
influence of the civilized settler has a  
power to remove, nay even annihilate  
the Indians. It would really seem as  
if they were destined by a wise Providence  
to become an extinct race of people,  
but the whites, with their improve-  
ments, continually crowding upon them,  
were the intended means of obliterating  
these unfortunate sons of the forest.  
In it is, that, in proportion as settle-  
ments increase upon their borders, they  
habit of dissipation, become enfeebled  
in their energies, gradually submit to  
the encroachments of those around them,  
and ultimately withdraw themselves before  
the scope of a baneful influence which  
thus permitted, no doubt for some  
purpose to be held over their hopes  
and fortunes. It is a prevalent impression  
with those most intimately acquainted  
with the Indian character, that the pro-  
gress of improvement by civilized man, is  
destined to be their destruction. I was struck with a  
singular remark by one of the frontier  
men on this subject. Inquiring of him  
the condition of the Indians in some  
of the adjoining reserves, he replied,

"They are not doing as well now as they  
used to; for the Whites have poisoned them  
out a good deal lately by settling around the  
reserves."

The new counties of this state, to which I  
before alluded, are peopling with an as-  
tonishing rapidity. Settlers from every  
part of our country are daily crowding in,  
and commencing the work of improvement.  
With a soil of the richest possible kind, the  
lands afford, upon a very little labor, abundant  
means for supporting the immediate  
wants of nature, (beyond which, indeed,  
the early settler rarely calculates,) but I  
assure you it is a Herculean task to subdue  
the immense forests, and to reduce the  
lands into farms, of any thing like a beau-  
tiful appearance. A considerable length  
of time is requisite in any country for the  
beautifying part of agricultural improve-  
ments—here it would seem that half an  
age must elapse before any thing can be  
accomplished in that way. Indeed the  
genius of the people must alter first; few  
of them study any thing further, and indeed  
there is no reason why they at present  
should, than their immediate wants  
require.

It is pleasing to study the character of  
the settler in a new country, and to under-  
stand and compare all his habits and fashions,  
his mode of living and *getting along in  
the world*, with those of the inhabitant of  
older districts. The first thing which he  
attends to upon his arrival at the township,  
within which the quarter section of land,  
which he had previously provided for a  
time, is to be home, is to seek it out and  
determine upon a spot to build. Having  
found a good spring, the location is soon  
made, and he next proceeds with his little  
all to the spot not to build a castle in the  
air, but to put up a rough substantial cabin.  
His moveable means consists, perhaps,  
of a two horse wagon laden with a  
few implements of husbandry, and some  
articles of household furniture, all of the  
commonest kind, and selected with a view  
to absolute necessity alone. He rarely indulges  
himself, even if he had the means  
when he left his former home, (perhaps in a  
situation near one of the cities,) in any of the  
ornaments or luxuries of domestic com-  
forts. Probably his helpmate has indulged  
herself a little in this way, and out of  
her savings, from sales of chickens, eggs,  
and butter, while near the city, has pur-  
chased a set of Liverpool cups and saucers,  
a half a dozen flowered plates, a lustre tea-  
pot and sugar bowl, a japanned waiter or  
two, a brass candlestick, and as a matter of  
some moment, she has perhaps ventured  
so far as to procure a German looking-glass,  
with a gaudy frame, and picture over the  
top as large as the mirror, and esteemed,  
too, as much the most valuable part of the  
article. Whenever this happens to be the  
case, these emblems of female pride are  
soon detected after the cabin is raised.  
The China, &c. is found dashingly arrayed,  
on the three cornered shelf, (always  
found in a cabin,) and the mirror suspended  
against the wall, over a yard and a half of  
gaudy flowered wall paper.

With this outfit he arrives at the spot  
upon which his future home is to be erected,  
builds him a camp of bushes or bark to  
screen his family from the weather for a  
few days, and turns out leaving his wife  
and children at the camp, to solicit the aid  
of his neighbors, (none of whom, perhaps,  
reside within ten miles of his lands,) in the  
erection of his cabin.

One of the most pleasing traits in the  
character of the inhabitants of a new  
country, which though it arises in some  
measure from necessity, originates in the  
kindest feelings of our nature, is the al-  
acrity and cheerfulness with which, on such  
occasions, every necessary aid is contribut-  
ed. No matter how urgent may be the  
business of the older inhabitant at the time,  
it is of but little account how far he may  
be compelled to go, or how inclement the  
weather may be—actuated by a feeling  
which perhaps none ever know but the  
enterprising settler of a new country, he  
needs but an intimation of the wants of  
the new comer, and all other matters are  
suspended to assist in supplying them.

A cabin-house, such as suffices for a first  
home, is erected in a day—a week is suffi-  
cient to finish it; and after a lapse of  
eight or ten days, the new inhabitant  
begins to deaden the tremendous trees that  
surround and overshadow his domicil. In  
a week or two he has put in his crop of  
corn, and commences preparations for ex-  
tending his clearing. Thus he progresses  
by rapid steps, and in a little while it is re-

garded as an independent farmer, and adds  
another to the sterling yeomanry of the  
state.

I should be pleased if I could make you  
sensible of the character of this part of  
our happy republic, especially as respects  
its soil, productions, &c. Having as yet  
seen so little, I cannot presume to attempt  
that which, although a longer sojourn  
here may better enable me to do it, must  
always be difficult.

We have just had the honor of a visit, at  
our encampment, of the Executive Officer  
of the State, J. B. Ray, Esq., a gentleman  
of very affable and pleasing manners. He  
has risen to his present distinguished station  
from merit alone—is, as I have under-  
stood, a self taught man, and holds his sit-  
uation with the general good feeling to-  
wards him, of the people over whom he  
presides. In company with him, were  
General Tipton and Major Forsyth, who  
had been on a visit to the metropolis of the  
State, to settle the preliminaries in relation  
to the pending treaty with the Indians.  
They left this place this morning for Fort  
Wayne.

We are just about to depart for that  
place also, to execute some surveys in that  
quarter. A rainy day has put it in my  
power to trouble you with this letter. A  
similar occurrence may possibly produce a  
like result. In much haste, I remain, dear  
sirs, yours, &c.

From the North American Review.

It is a mistaken but popular notion, arising  
doubtless from the cruel and sanguinary  
nature of the punishments which  
have prevailed in the governments estab-  
lished on the ruins of the Roman Empire,  
that penal denunciations are the principal  
sanction of the laws, and the great moral  
machinery for the preservation of the  
rights of individuals and of the public, in  
political communities. This degrading  
view of the purposes of human action is,  
thank heaven, as false in theory as it is  
pernicious in effect. The very fact, indeed,  
that crimes are punished at all affords an unanswerable proof of our position;  
for if, amid all the bad passions of social  
man, a redeeming spirit were not a-  
broad in society—if the principal of virtue  
in mankind did not overmaster the principle  
of vice—if the fear of punishment were  
the sole or main motive which deterred  
them from the commission of crime—it is  
most clear that penal laws would never be  
made or executed, because the necessary  
physical power would be wanting to ac-  
complish that purpose. But the number  
of men in a community is small, and the  
situations in almost every man's life are  
few, where it is only the apprehension of  
the laws, which deters from the perpetration  
of crime. No, the great body of the  
community do not abstain from murder,  
rapine, and other high-handed offences,  
because they have the terror of an indictment  
before their eyes. Men must already  
be far gone in guilt before they can be  
fit subjects for the operation of such influences.  
Their natural abhorrence of  
crime generally preserves them from its  
contamination. And the inference deduced  
from this fact is confirmed by the circum-  
stance that the hope of reward is the  
most active stimulant that ever animates  
the human breast. For if hope be not  
stronger to impel than fear to deter, what  
is it that ever prompts men to the commis-  
sion of crime? Surely they do not violate  
the sanctity of private property *de pure per-  
te*, and without the expectation of some  
benefit to be attained; nor do they imbue  
their hands in a brother's blood, under the  
influence of a mere spirit of mischief, or of  
any inexplicable and mysterious fatality  
overruling their destiny. Men act from  
more simple motives. They perpetrate  
crimes on precisely the same principle of  
conduct for which we contend as the strongest,  
and of which many legislators make  
so little account—the preponderance of  
the hope of some good to be gained by the  
deed, over the fear of the evil which may  
pursue the doer of it. So true it is that  
this fear of punishment, which some would  
have to be the grand moral arcanum for  
purifying society of all its noxious propen-  
sities, yields, in every case where we can  
discern the working of these propensities,  
to the more potent counteracting influence  
of the hope of reward. In innumerable  
cases that could be imagined, where the  
respective influences of the hope of good  
and fear of evil are placed in conflict, the  
whole history of human life and conduct  
evinces, that the stimulating and honorable

principal of the hope of reward is far more  
powerful than the depressing and ignoble  
principle of the apprehension of punishment.  
All our springs of enterprise are  
set in action by hope; and as it is certain  
that the race of man goes on constantly im-  
proving—that his soul has that in it which  
enables it to rise superior to the afflictions  
and vexations which ally us to earth—that  
under the inspiring auspices of hope, he  
nerves himself to manly achievement—in  
the same degree is it certain that fear is  
less powerful than hope. If our laws had  
no better sanction than the punishments  
detailed in the statutes, the poor expedi-  
ents of the scaffold or the prison-house,  
slippery indeed would be the foundation,  
and frail the fabric of civil order. Fortunately  
it rests on a firmer basis. The rock of ages,  
on which it is indestructibly estab-  
lished, is the integrity and sanctity of public  
sentiment, the dignity of our nature,  
the innate and inextinguishable love of ex-  
cellence of which man's breast is the sanctu-  
ary, the desire of deserving and acquiring  
the love and esteem of our fellows, and,  
above all, the certainty that virtue is its  
only reward in this life and the pledge of  
eternal happiness when we shall have  
"shuffled off this mortal coil."

these are the sources from which our laws  
derive their surest and strongest sanction.

The false notions which we have en-  
deavored to expose, were, as we said,  
partly the offspring of that cruel system of  
penal law, which grew up in a barbarous  
age, and still endures in too many countries,  
a monument alike of the ignorance of the  
fathers and the prejudice of the sons. But  
there has been a reaction also, and if these  
laws were originally the rude invention  
of a ruder people, they have since been  
perpetuated by misconceptions to which  
they gave rise. For those misconceptions  
have induced legislators to repose undue  
reliance upon a mode of internal adminis-  
tration, consisting only of the summary  
process of severe penal denunciations.  
Such a theory is radically inconsistent with  
all sound principles of government; be-  
cause it evidently tends to debase the moral  
sentiment of the people,—to substi-  
tute in their minds a set of degrading  
motives in the place of more worthy  
ones,—to counteract its own operation  
by leading to executions so numer-  
ous as to engender a savage and hardened  
national character, or so rare as to reduce  
the chances of punishment, and thus occa-  
sion the laws to be defined with impunity.  
More than all, and in one word, the theory  
is pernicious because it produces a waste  
of power. We hold it to be a fundamen-  
tal axiom in political science, that no more  
power is to be applied to any object than is  
necessary to effect the desired end. Now  
those laws which proceed upon the hypothe-  
sis, that holding up the fear of punishment  
is the great secret of governing men,—  
those laws which are lavish in the number  
or excessive in the degree of the penal in-  
flictions denounced by them against crimes,  
—those laws which pronounce the punish-  
ment of death in any case,—do as we con-  
tend, lie open to this unanswerable objection  
of a prodigal expenditure of power.  
We charge all governments, which enact  
such laws, with violating a maxim as true  
in politics as in poetry:

*Nec Deus intersit, nisi dignus vindice nodus.*  
We say to them: You are false to your  
duty as lawgivers bound to consult the  
best interests of your constituents, since  
regardless of the value of life, you are cul-  
pably lavish of it where its destruction is  
not needed. You are wasting the means  
of government, which social union imparts  
to you to be husbanded with care and cau-  
tiously applied. You descend to the  
*ultima ratio*,—the last desperate rem-  
edy of the laws,—the final exercise of the  
highest act of human authority,—and you  
ought to be exerting the skill of a refined  
and lettered Christian in preventing the  
crime, instead of wreaking upon the culprit  
the mere brute force of an uncivilized sa-  
vage. You, wielding all the power of a  
mighty people, have levelled it against the  
devoted head of a solitary citizen, as if  
there were no means within your reach to  
secure the nation against the aggressions  
of individuals but by urging upon them  
singly a war of extermination.

BOOKS, PAMPHLETS, BLANKS,  
HORSE BILLS, CARDS,  
LABELS, &c. &c.

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terms, and on the shortest notice.