

VINCENNES GAZETTE.

VOL. II.

VINCENNES, INDIANA: SATURDAY, MARCH 3, 1832.

NO. 23.

The Vincennes Gazette.

BY S. HILL, & R. Y. CADDINGTON.

Will be published every SATURDAY, in a small quarto sheet, and issued to subscribers in Vincennes, or placed in the Post-office for distant subscribers, at two Dollars per annum, in advance, or \$2.00, if paid within six months of the time of subscribing; or Three Dollars at the expiration of the year. As want of punctuality is a formidable drawback to Editors, payment within three months would be preferred.

ADVERTISEMENTS will be inserted at One Dollar per square, for three insertions, and twenty-five cents per square for each subsequent insertion.

Subscribers will be at liberty to discontinue their papers on paying arrears; but a failure to notify a week to discontinue, in conformity to the terms will be considered a new engagement.

The postage must be paid on all letters to communication addressed to the Editor.

Country Produce delivered in Vincennes, at the Mill of Messrs. H. D. Wheeler, Macron & Hunter, or J. L. Colman, will be received at the Market price, in payment of subscriptions.

AGENTS FOR THE GAZETTE.

The following named gentlemen are requested to act as Agents for the Gazette: Petersburg, Pike co. Indiana—Matthew W. Foster, Esq. Carlisle, Sullivan co.—Wm. M. Purdy, Esq. Merom—James Reed, Esq. Princeton—Wm. Daniel, Esq. Evansville—Maj. A. Warner. New Harmony—Maj. J. W. Swift. Cynthiana—J. E. Clark. Mount Pleasant—Mr. Lewis Brooks. Portersville—Edward Woods, Esq. Washington—Wm. G. Cole, Esq. Boonville—John A. Graham, Esq. Gentry's Store—Wm. Jones, Esq. Terre Haute—Capt. J. Wasson. Eugene—Doct. Wm. Clark.

These gentlemen are authorized to receive monies, and receipt for the same on account of the editors.

SAMUEL HILL,
R. Y. CADDINGTON.

SENATORIAL CIRCULAR.

To my fellow-citizens of Knox, Daviess and Martin counties.

The deliberations of the Legislature terminated on the 3d inst. This session was prolonged much beyond my expectation. When the two houses were composed of fewer members, less time was required to mature measures, and business could be advanced with more promptitude. But look hereafter at the bulk of our acts: If no new objects or new interests are yearly presenting themselves in our new state, old objects and old interests are certainly extended; and an increased representation can always point to an increase of business. With all its drawbacks, the increased number has many advantages; its deliberate judgment, when it does deliberate, is more safe.

In conformity with my established practice at the close of each session, I cheerfully give an account of my stewardship. The allowable space of a communication like this, will only afford a brief outline of the business done and attempted; and as an accountable servant intent upon the faithful performance of every duty, I wish it were practicable to disclose my entire views. But I can only avail of the occasion to advert to some interesting proceedings, to delineate the tenor of the whole as perfectly as possible, in this way. It was well known, and sensibly felt by me in anticipation of this session, that your growing prosperity, and the interests of the state at large, might be greatly accelerated by measures to be adopted. The Wabash and Erie canal had my first sympathies. My feelings and thoughts were devoted to its advancement; and since by the aid of your confidence, a successful application was made for means, and a stubborn opposition continued to frustrate the work, I confess my convictions have been so strong of its eventual utility, and the benefits to be experienced that time only strengthened my determined perseverance. The measure cooled itself around my heart; and as I foretold five years ago, the increased representation under the last apportionment, secured the bill. The summary section of the work is fully provided for. About that section of the work unconnected, would be of no general utility; a limit (and really I anticipate this) that certain political and property speculators at Logansport, may attempt to arrest its progress on the north side of the Wabash, south of the Indian agency; yet I proclaim, that the spirit of patriotism, of improvement, of correct legislative action on existing obligations; the same spirit that has so far succeeded in defiance of a speculating and unworthy opposition, (inherent to all the profitable contrasts the Indian agency has, or may hereafter have at the mouth of the river,) I say in utter contempt of all improper management, the same spirit will secure the progress of the work to Tippecanoe. I know in the Indian agent (Tippecanoe) is one in the Senate of the United States! But why and wherefore was such a man sent to such a place? What have such a Senator to do? Are he any more prudent in our south-west of Indiana accounts (this concerns himself) but what can such a Senator effect in the Senate of Indiana? He may write letters; he may promise contracts to supply the Indians; he may offer resolutions for home consumption; he may procure expect-

ants to advance his pretensions next session—but I trust, all parties will in the mean time, learn his true character and qualifications. But in addition, the anxiety evinced to reach the Senate of the United States by many candidates combined with various collisions of opinion in relation to policy, and measures, to excite a surpassing concern in the course to be pursued. Thinking of some of the matters alluded to, it is no longer proper to stifle my disappointment at the unfortunate issue; but to counterbalance this, I trust it cannot be said I am too much, when I justly claim for some other things effected, the cheering beams of your approbation. In the progress of his letter, I shall, certainly embrace as many of the particulars as I can. Before I proceed however, allow me to do an act of merited justice to my late colleagues. This is the more proper as some former representatives of Knox displayed opposition and insincerity, which caused the delay of the glorious measure for which I so long struggled. Now, when it is at length adopted with large majority, surely the people will gratefully remember all those who aided to provide for a work calculated to advance general interests—a work to increase the wealth, the trade, the population, the resources, and the power of this section of the state. Every intelligent man knows, that successful legislation often demands a sacrifice of individual opinion in matters of expediency, or in points of minor importance; and for every such difference of opinion, originally cherished, proper allowance should always be made. But I trust the people will never allow personal or party dislike, to operate in legislative action. Depend upon it, a pitiful personal or party triumph, must be in time, always viewed as a miserable compensation to the country, for defeating correct measures, or abandoning correct policy.

The canal measure had always the support of the representative of Daviess and Martin counties; and in this particular, I am gratified to say, the delegation of my entire district acted in concert—the award bestowed on "good and faithful" servants is therefore merited. I wish the same concert had been uniform—the votes of Mr. Bonner alone, on some important matters, merit my commendation. I will now proceed with a summary of multitudinous business of the session—reserving a note of some particular matters (together with a glance at the unmerited calumnies and misrepresentations issued in profusion by a debased editor of the name of Morrison) by which to graduate the length of this address. Morrison himself is too notoriously contemptible, but his unholty crusade against me, (no doubt instigated and emboldened by my unprincipled enemies, whose unworthy paragon ambition I treat as I do Morrison, with merited scorn,) has been in part transferred into the columns of my old friend Penn, editor of the "Advertiser" at Louisville. I am sorry for this; but I console myself with the belief that my acts and my words can be judged where my slanderers can be made known. The base tales of base men, whenever repeated, will never cause me to falter in serving my constituents. I trust they know me—and I shall always endeavor to do my duty. Yet, when the "Louisville Advertiser" (edited by S. Penn, Esq.) can be induced to revile and abuse me, and without even a shadow of truth, resort to scurrilous abuse to injure my influence or destroy my reputation, I know not what a base party spirit may not attempt. But unaided, and single handed, I shall forever rely on the people's love of justice, and the power of truth. I shall recur to this personal matter as space may permit.

The acts, memorials and joint resolutions of this session, may in bulk facilitate short of twice the usual size; they outnumber those originated at any previous session. Road bills constitute at least two thirds of the whole, and a figure just showing about one hundred and fifty of such, (as they tripped along in the midst of confusion of the last weeks of the session,) has already been published. Not one additional cent of the three per cent fund is granted to any of them. If it had been proper for the legislature to act on many of these road bills, and the people had desired it, I should rejoice at such increasing facilities and improvement, as I do at the building of bridges, and improving on navigation; but when changes in state roads is by law within the province of the courts; when the labors now devoted to existing roads is quite insufficient in many cases, and no additional means could be granted to make, or improve new ones, I thought it improper to waste so much time and money, legislating upon the subject. It would be of no avail here, to inquire into the cause of so many acts for roads; whether it was members anxious to please individuals, or hopes created by the allowance to each county of \$4000—(a former session, one thing is certain, if the counties scold the money, and fail to bridge and improve the main leading roads, the appropriations heretofore will render little service; another thing is almost equally certain, if the legislature give a power to the judiciary, it should no longer exercise the same power. The departments of our government are, and forever should be, separate and distinct. Laws cannot be made and administered by

the same body, under our constitution.—One salutary road law at least, we adopted, I mean that to prevent useless applications to the legislature. Hereafter, upon petition of twelve freeholders, the boards doing county business, can order all proper and necessary changes within their proper counties. I hope the considerate councils of experience and wisdom, will sanction this act in relation, at least, to all wished for changes in established roads. A state road from Mount Pleasant, in Martin county, to Bloomfield in Green county, and a transfer of a portion of the three per cent fund, heretofore appropriated to the state road leading from Washington, Daviess county to Indianapolis, for the erection of bridges, are the only matters of this kind from the district, which come before either house. On the subject of roads, I may here notice that a basket full of rail road charters were adopted. I cannot enumerate them, but all lead towards Indianapolis. One from New Albany via Salem—one from Jeffersonville via Columbus—one from Madison—one from Lawrenceburg—all to Indianapolis, and thence to Lafayette, or "north-west to the Wabash river." A charter is also given to construct one from mouth of Tippecanoe to Lake Michigan. The misfortune is that these charters are not well guarded. When future application be made to the Legislature for extended time to commence and complete these roads, the wisdom of that body, will, no doubt, make the grant upon limited and proper conditions. I am an avowed advocate of every feasible improvement that tends to benefit. By saving time, distance is lessened; and if rail road projects could succeed from hence to the sea board distance would be almost annihilated by the rapidity of travel. I dislike perpetual charters to companies of any kind, even our constitution can be amended in time without any breach of contract. I thought the number of charters granted must destroy all inducement to capitalists—or failing heretofore in a twinkling, I would have tried rail road stock, hence to New Albany. If any road in this state can now, or here after be rendered a railway with profit, it will be this western thoroughfare passing through my district to St. Louis. The United States owe much to it—a debt to be received ere long. Materials to construct a durable rail road can be had in Martin county; and good example will benefit us in due time. My doubts of the practicability and policy of constructing rail roads at this day, in this state, may be changed when wood can be found to last as long as iron or stone! But I can be convinced of my own obstinacy alone refuses to control opinion by experience—its lessons guide me. A new train of circumstances, in the progress of improvement, may alter my present impression of the relative advantages of rail roads and canals. With the advancement of science, rail road facilities progress; but generally where canals are not practicable. The ultimate triumph of either mode of improvement is of small consequence in my opinion, compared to the benefits to accrue from both modes, each in its proper place. I shall always as a public servant, regulate my discretionary opinions by what appears best, and most advantageous to the people. Indiana, though unpretending and unobtrusive, will soon consult her own interests. She will soon burst through the trammels and contentions which yet obstruct her vision in relation to these and some other matters.

Many attempts were made to alter various parts of the revised code of the last year—no change prevailed but such as could not be dispense with. The omission to require Justices of the Peace to give bond and security, the doubtful oversight in regard to the collection of debts by executors and administrators, with other such discrepancies, are remedied. Justices have full jurisdiction of all debts within the limit of their authority; and voluntary judgments upon confession, without process, may be entered up to the amount of five dollars. This will save costs but care may be necessary to prevent an abuse of the privilege. Many attempts were also made to change county boundaries, county seats, obtain divorces, &c, but vested rights, and individual contracts, begin to be held sacred, except, indeed, in all matters touching state roads! There property is lessened, and increased in value, without due care or reflection.—The revenue of the state now yields more than the ordinary expenses of the government, and will soon bear a reduction. No particular change is made except in reference to delinquent tax lands; tax speculation will cease for a time; such property will no longer be sold by the collector, but held over, and returned to the treasurer of state as subject to the tax. After three years elapse without redemption, all such delinquent property may be sold and converted into a fund to encourage common schools in the proper county. This matter will be again acted upon; if the means be not approved, the end in view, must at least be applied; and three years is allowed to redeem. With the fixed resolution to secure a common school fund, I amended a bill in senate, by providing that any individual (commissioned officer excepted) subject to militia duty, might exempt himself from fines for non attendance at musters, (except in time of war,) by

paying one dollar each year to the school commissioner of the proper county, to constitute a common school fund for his proper township; the receipt of said commissioner to be noted as valid by the collector of the regiment, &c. This idea had long operated upon my mind, and consultation gave it strength. It would render the militia more efficient—secure their actual numbers for all valuable purposes—do away the dissatisfaction now cherished, and advance upon a certain foundation, a great and glorious object!—The senate adopted the amendment by an overwhelming majority; but a small majority of the house of representatives refused to concur, after two separate committees of conference, and it now rests with the people of the state to instruct their next representatives. I will not propose upon a subject so obviously interesting, and so easily understood. During this session, two cases of impeachment were sent to senate, both Justices of the Peace—one of Hendricks county and one of Lawrence. Young L. Hughes of Hendricks county, was convicted; this disqualified him for office, but a majority of the court could not agree upon a specific period of disfranchisement, and without future relief from the legislature, it is doubted by some, if conviction under the constitution does not perpetuate the disqualification. The other case of A. J. Anthon, from Lawrence county, was dismissed by the managers on the part of the house of representatives without a hearing. After much reflection, I introduced a bill regulating impeachments, defining "high crimes and misdemeanors" in office, and explaining the essentials of an impeachable officer. The increase of impeachments must be in some way controlled—the expense is intolerable; but the subject is surrounded by constitutional scruples. That the legislature can define offences, and affix penalties, and order illegal and corrupt official acts to be indictable, is not questioned; still, reflection was required, and the bill was not called up; it will come forth with unfinished business, to the next session.

A new act incorporating the town of Washington, Daviess county, originated in the house of representatives, and became a law. An act in relation to Knox county poor house, merely conveys authority to perfect title to the ground on which it was erected. The portion of the three per cent fund due to Knox and some northern counties, set apart to improve the Wabash river, turns out as reported by the agent, to be much short of what was expected: only about twenty six hundred dollars would now seem to be derived from that appropriation! which, added to the two thousand dollars, specially appropriated in 1829, for the same object, does not altogether amount to five thousand dollars. It is now required, be it more or less, to be paid over to the fund commissioners of the canal on common interest, and may increase something until required for use. A memorial and joint resolution has been forwarded to congress, praying aid to construct a canal to connect White river with the Wabash at Vincennes. This work is important and practicable—not alone in the common acceptance of the word, in reference to the physical execution of the project, but also in a proper sense. If the present application to congress unfortunately fails, success may still be attainable—power may be better disposed in time, or the Borough or any number of citizens may procure a charter, and the certain profits in prospective, would soon afford inducement to capitalists. I hope the application now will succeed; both in a local and general point of view, it will be of great and lasting utility. The general assembly has for years past memorialized congress for aid to improve the White river, and our senator Mr. Hendricks, (who is at the head of Senate's committee on internal improvements,) informed me in December last, that he believed he would succeed this session, in procuring means for that purpose; also, that he only awaited the report of Capt. Smith, who had examined the Wabash near three years ago by order of government, to urge that subject with the aid of reiterated memorials from our general assembly; and he seemed to anticipate a grant of land as certain. Another memorial of the general assembly has been forwarded, praying aid to be given by congress to improve the Louisville and St. Louis mail route. If this again fails, it is the last I shall ever consent to send until there be an increase of representatives from this state, able to do more than elect one, as party politicians, at home.

Indiana was asked this session to ratify and confirm an act of the legislature of Kentucky, incorporating a company with \$500,000 capital stock, to build a bridge over the Ohio river at the falls. Agents were sent on from Louisville, and their assiduity soon rendered the subject (which had been five years before the general assembly of that state,) all engrossing. Every other matter was made to give place to it; and the "fine bridge" was soon converted into a double lever, to sink the reciprocal interest of our state in the seeming opinion of a majority, that a corporation at Louisville may be raised to exclusive privileges. I was anxious to enforce the building of the bridge, although it will be carried over the Ohio near Det-

tersville; and seeing that Kentucky had not consulted the equal interest of Indiana, I directed my efforts to secure the full enjoyment of a perfect equality of immunities, jurisdiction and privileges; also to limit the charter, or to limit the period to which it may extend without our power to alter or amend. The bridge was desirable—but its profits were to be mainly derived from our citizens, and I preferred time for reflection. The fever was up, and those whose views were not identified, or coincident with salutary measures for our advantage, urged it to its passage by the most paltry arguments. Some conditions were affixed to our act of ratification. They secure a free bridge, if the two states will pay the company the full sum expended with interest at the expiration of fifty years. It is clear, Indiana will not be able to make a free bridge of it at that period. The company regulate their own tolls—twelve per cent per annum, clear profit allowed on the whole capital, in addition to all charges. One fifth part of the stock is reserved for Indiana if she chooses; and I introduced a joint resolution, now in force, to ascertain upon what terms money may be had upon the stock, to secure it. This state should have had the sale of one half (5,000 shares); it will unquestionably soon command a large advance in the moneyed markets. Although I viewed the shape of the bill, and its want of reciprocity, and the duration of the powers relinquished to be quite objectionable; yet I could do no more to correct these things; and for the benefit of the western mail route, voted for it. Here was a new field for Morrison's mis-called "Democrat" to slander; but tainted as he is known to be, a sense of what I owed to myself, caused me to pass his abuse with utter indifference. It is to you, my fellow citizens, I give my reasons for all I do on your behalf. As a public man, it is on your candor and justice my public reputation must rest. The course pursued by the "Democrat," when I noticed its false, mutilated and imperfect reports of much that was done in Senate, and the envy, ambition and hatred which I know actuates some of "the worthy farmers," cause me to overlook every thing from such a correct source. If I had acted otherwise, I should then have conceived myself subject to reproach; and if I had represented Knox county only, I should with my conventions, have voted against the charter as it stands, without the instruction of my constituents to direct me.

This was a session memorable for incorporations. A company obtained a charter to erect a little toll bridge over Blue river, at Fredericksburgh. Travelers on our main road, will only avail of it as suits the occasion. Seeing the rage for charters, I prepared one in perpetuity for certain citizens of this state and of Illinois authorizing the creation of a stock to build a bridge over the Wabash at Vincennes; but as it could be sent for ratification to Vandalia, in time for the general assembly of that state, and as I desired no unadvised action upon the matter without certain ground to result, I abstained from presenting it in the bustle of the last weeks of our session; time will perfect the measure after consultation. Five new counties have been created—Wabash, Miami, the Revolutionary Huntingdon, Lagrange and Laporte.

The plan of a state house to cost \$60,000, to be completed in the year 1836, is adopted, commissioners appointed, and the contracts to be paid out of money arising from the sale of the land donated for a seat of government. The next apportionment should make but a small increase of members. The present house can only accommodate a few more; and the entire number authorized by the constitution when our population will be fourfold, should prevent a too rapid increase of expense and legislative trouble.

An act regulating the writ of *ad quod damnum* in Knox county, was petitioned for. It enacts the common law now in force, under the 8th section of an act, with same title, to be seen page 67. Revised code of 1831, which contemplates satisfaction for all damage done by mill dams, not estimated by the jury when the sue was condemned. This act gives the board, doing county business, power to order sluice gates, to prevent the overflow of dams &c.

The support of the poor, in many counties is oppressive; and a system of district asylums must be resorted to; Knox county is oppressed. To advance this measure which will come up with the unfinished business next session, I introduced a joint resolution requiring of Clerks to forward to the speaker of the next general assembly, the number and expense of paupers in their several counties. These passed the senate, but some of the house of representatives want no such intelligence. It shared the fate of a similar measure in that house a year ago. Another attempt was made to provide for paupering our constitution, but the vote could not be sustained. I proposed two excellent amendments, to be adopted to vote on the first Monday of March. These changes were made required others, and the manner, the mode, the changes required and not provided for—the agitated period to submit such a bill, and the propriety of a convention to have