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## THE WESTERN SUN,

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### From the Indiana Register, of the 27th May, 1817.

To the members of the late legislature.

As a stranger, passing thro' your country, and sincerely anxious for its future prosperity and reputation, I could not but regret, upon a cursory perusal of the proceedings of your legislature, the passage of a law which so strongly strikes at the very foundation of your future credit, and my astonishment was still greater that an individual could be found to whom the destinies of your infant state had been committed, so lost to its interests, so regardless of justice and so ignorant of his duty as a chief magistrate as to give his approbation to it. The law that I have reference to may be found in the record of your proceedings, for a publication you have none, (a postponement of which is one of the wisest of your acts, for although it should not redound to your credit as honest men, it will show that some one individual among you had a claim to the character of a cunning one, who could extend his views at any rate as far as a succeeding election) respecting the claims of such individuals as now hold warrants given by the territorial government for services rendered at a time when they were unable otherwise to discharge the demands upon them.

In the first place your legislature and governor must have known, that such a law was unconstitutional as "no individual state shall pass any law which shall impair the obligation of contracts."

This is the language of the constitution of your country which upon your admission into the union, you became bound to obey and observe and that same law remember, has been recognized by the constitution of your own state, [art. ix. sec. iii.]—Now I ask, could there be a more gross violation of that same principle than the one committed by your honorable body during the last session. By the strongest ties of justice—by every principle of humanity, you are bound for the payment of those warrants issued previous to your admission into the union; the consideration for which they were given, you acknowledge to be good—the persons by whom they were granted, you confess were duly authorized—and the persons who now hold them, justly entitled to the same. Then, upon what principle of law and equity, I would beg to know, has the legislature of this state a right to pass a law to impair the obligation existing between the people of Indiana and individuals, respecting their payment, if the warrants were given payable with interest, that interest may at all times be recovered, and as to the principal, the state is firmly bound for it, any law which they may make to the contrary, notwithstanding.

Do you wish, like the trifling stripling, who feels himself no longer bound after the age of twenty-one, for his just debts, contracted previously, to plead minority—to acknowledge you were mere infants at the time the debts were contracted or those obligations incurred, and incapable of managing your concerns.—If this is the case enroll it in capitals upon your records for the admiration of posterity, that they may duly appreciate the noble spirit of their fathers. Give them an example of your generosity, just and honest conduct one indeed worthy of their imitation, you may then have a claim upon their gratitude, if you have forfeited that of the living.

But where could have been those black pages in the history of the American republic; that cast so deep a shade

over the glorious birth of your independence, and which have been washed by the tears of the patriots, who achieved it, where the miserable sufferers, that are daily sinking in the grave or wandering in poverty—caused by the base injustice of your country, when your legislature in an enlightened age could coolly and deliberately pass a law that may deprive many an honest man of his bread and of the common comforts of life rob the very men, who had rocked the cradle of your infancy.

Our national government, indeed, set the example, from its consequences, we have hoped it never would have been followed.

Day after day, we are called upon to witness some melancholy instance of their injustice and gratitude. How often do we meet the aged and infirm old soldier, whose looks have been bleached under the helmet, whose staff is now his all, in the humble voice of a suppliant, extending his feeble arms for charity.

Enquire of him, how have you been reduced to this deplorable state, after combating for the liberties of your country and devoting the prime of your life to her service: it is impossible, that in the hour of her prosperity she could have forgotten you. What is the answer you invariably receive: "at the commencement of our revolutionary contest, my country was poor; but I cherished the hope that in happier times she would be grateful I consequently freely offered my services, all I had to bestow—in exchange, she gave me her promises, all she had to return. After the storm was over and I saw my country placed in the chair of independence and peace—in poverty I returned to my family and home. A new set of men arose to direct the destinies of my country; to them, the soldier was unknown—by them, his services were forgotten and his wounds only served as a passport to obscurity. Our claims, which we held as a pledge for their faith, were respectfully presented and our services represented in language which we fondly anticipated would, at least awaken their gratitude." What was the answer?

"We have now an organized government. A constitution has been formed, which will secure to you and to your posterity, liberty and your rights as freemen. It was from dire necessity the nation became indebted to you. We feel for your situation and pity your sufferings; provided you will be satisfied, one dollar in a hundred, will be given you—if not, you must return to your fields and once more gain your bread by the sweat of your brow." This is the language addressed to men, who gained the independence of the country by their blood. Where is the man, not dead to feeling, who looks back upon that picture of human depravity, but what blushes for their conduct—where the patriot, who weeps not over that foul stain upon the honor of his country?

This is, nevertheless, the course you have pursued, indeed you have not been so generous as to give one dollar in the hundred, for your law says if any person shall neglect or refuse to present their warrants for payment on or before the first day of May next, he shall not at any time afterwards have any right so to do, and the state shall be under no obligations after the period last mentioned for the payment of any of the said warrants, and your chief magistrate, who ought to be the guardian of the people's rights, has approved of that law. Provided that law is followed, depend upon it, the reputation of your state is gone—its credit is lost. By the passage of this very law, your legislature has shown, what confidence may hereafter be reposed in you.

But even if it had appeared to your honorable body, expedient to lay aside the common rules of honor, you should, at least have consulted those of prudence—to have cloaked your conduct with some semblance of justice—to have deceived, rather than to have openly insulted your constituents, you should never have violated your own constitution or attempt to execute a law, which has no existence. Your own constitution says "no law shall be in force until published." When was the law in question, which was to take effect on the 3d of January, 1817, published?—What no-

tice have the people had of the passage of that law? The only place where it is to be found, is on the records of your proceedings.—Your honorable body could not have expected that the people of Indiana were to convene at Corydon to ascertain what their legislators had done five months have now elapsed since the close of the late session and the people are still left in ignorance and will probably remain in this state until some succeeding legislature will condescend to inform them.

The execution of this law is perhaps considered "a case of emergency" as you term it. Your treasury must either be overflowing, to urge the government of Indiana, to so precipitate a settlement of their accounts, or your hon. body must have supposed, if it is not done previous to the session of a succeeding legislature, you will forever, or most of you, lose the opportunity of again exercising your judgement upon the subject.—Upon the latter ground, we entertain some pity for you—are willing even to pardon you—to forget the injuries we have already suffered, upon the consideration that you will hereafter be incapable of doing more. Go to your farms until the people can find some other employment for you—no doubt they are willing to forget you.

I conclude these remarks, by observing, that although they are general, and may be taken as indiscriminately applying to the members of your legislature, I feel a pride in exonerating many individuals of your honorable body, whose conduct as gentlemen whose talents and information as legislators, will effectually screen them from that censure that others, to whom they apply, have by their behavior so justly merited. The former have been intrusted with the confidence of the people and while they pursue the same course of conduct, depend upon it, it will not be withdrawn. The people have shown their judgment in selecting you and a future election will convince you of their approbation. As to those who have forfeited that confidence and inflicted an indelible stigma upon the reputation of your state, let the indignant voice of the people summon them from the councils of your country and consign them to that vale of obscurity for which nature intended them.

It has been stated as a fact, that a copy of the laws was not delivered to the printer for publication until after the adjournment of the legislature consequently the gentlemen appointed to publish them are entirely exonerated from censure. For fear of exhausting the patience of the public, the further consideration of this subject shall be postponed for some future number. X.

### \*An Act providing for the payment of certain claims.

Sec. 1. BE it enacted by the general assembly of the state of Indiana, That whenever, within the period hereinafter mentioned, any person or persons shall present at the auditors office for payment, any warrant or warrants issued by the authority of the late territorial government of Indiana, in favour of any person or persons and which remain unpaid; it shall be the duty of the said auditor of public accounts to calculate the interest due thereon, and endorse the same on such warrant, and enter the amount of principal and interest of every such warrant the time when it was issued, and the name of the person in whose favor drawn, in a book to be kept for that purpose, and after having filed such warrant, to draw on the treasurer of the state for the amount of the principal and interests in favor of the party entitled to the same, and the said treasurer shall pay the same out of any monies in the treasury not otherwise appropriated.

Sec. 2. All such territorial warrants as aforesaid shall be presented for payment as aforesaid on or before the first day of March next or no interest shall be paid thereon after that period.

Sec. 3. If any person shall neglect or refuse to present for payment as aforesaid any such territorial warrant on or before the first day of May next he shall not at any time afterwards have any right so to do, and the state shall be under no obligations after the period last mentioned for the payment of any of the said warrants, nor shall the auditor of

public accounts be authorised to liquidate or settle any such claims after that time.

Sec. 4. The said auditor shall give notice to the public on or before the first day of February next of the passage of this law, and that the funds have been deposited in the treasury for the payment of the said territorial warrants, which notice shall be published in every news-paper of this state, and in one news paper published at Louisville, Kentucky, and at Cincinnati, Ohio, for three weeks successively.

This act to take effect from and after its passage.

ISAAC BLANKFORD,  
Speaker of the house of representatives.

CHRISTOPHER HARRISON,  
President of the senate.

Jan. 3, 1817, Approved,

JO A. ENNINGS.

Much dissatisfaction having existed and been pointedly expressed by many of the citizens of this state, in consequence of an apparent neglect of duty in Mr. Whitlock, district paymaster—we insert, in this day's paper, a correspondence between Mr. Jennings then delegate to congress from this territory and the secretary of war, together with communications from the paymaster general to Mr. Whitlock.

When it is understood that the directions from the pay department to Mr. Whitlock, for the payment of the Rangers were retained by Mr. Hendricks, by whom they were forwarded, from the 28th of February till the 17th of June; notwithstanding Mr. Whitlock was twice thro' the state during that time attending to the duties of his office, we have certainly just ground to believe that the people will know where to attach the blame.

[Ed. Sun.]

### House of Representatives,

11th of OCTOBER, 1814.

SIR,

Under the provisions of an act of congress, entitled, "An act authorising the president of the U. States to raise certain companies of rangers for the protection of the frontiers of the U. States" approved the 2d of January 1812 and other acts of a similar character; four of those companies of rangers were raised in the Territory of Indiana.

During the spring of 1813 they were brought into public service as mounted men, and as such continued therein until last winter, when they were ordered to be dismounted and serve on foot; the effects of this order on these men were peculiarly hard, many had purchased horses upon the faith of receiving pay as mounted men, to enable them to enter into the ranging service, but on being dismounted, their wages were curtailed their horses became items of expence without the possibility of disposing of them, but with a less equal or nearly so, to the expenses incurred in their sustenance.

The act above recited, provides for their serving either as mounted men or infantry, but to me it appears, that as they were raised as mounted men it was not intended by the act of congress alluded to, or by the executive government, after having made its selection that they should be raised as mounted men, that they should be harassed with orders so injurious to them, as were those which dismounted them.

To another circumstance connected with this subject I beg leave to call your early attention.—Col. Russell of the 7th Regt. in February or March last by order of genl. Harrison, suspended several of those companies of rangers from service. Shortly after this order was carried into effect information was received that the Indians had attacked the frontiers for the protection of which those rangers were more particularly intended.—The order therefore was countermanded, and the companies were again brought into the actual service of the U States;—If those men had been actually discharged, they could not again have been called into service without their renewed consent or enlistment; indeed not a solitary man of them, received any written evidence of their discharge from the public service.

Under these circumstances, the district pay master, has not felt himself entirely at liberty to pay these men, for the