

THE WESTERN SUN

VINCENNES, OCTOBER 12, 1822.

The Hon. Wm. W. Wick, presiding judge of the fifth judicial circuit of this state, has decided that the statute providing for trials by jury before a justice of the peace for riots, routs, affrays and breaches of the peace, is unconstitutional. The clause of the constitution which this statute is supposed to contravene, provides.

"That no person arrested, or confined in jail, shall be treated with unnecessary rigor, or be put to answer any criminal charge but by presentment, indictment or impeachment."

A similar decision has been made by the Hon. Judge Call, in the first judicial circuit. If these decisions are recognized as good law, all officers who have collected fines under the statute will become liable to pay back the same; and those who have been tried and paid their fines, will be subject to indictment and punishment, in the circuit court.

Ind. Farmer.

JOHN M'LEAN, of Ohio, formerly a Member of Congress from that state, has been appointed by the President, as Commissioner of the General Land Office, in the place of the late Josiah Meigs.

Nat. Int.

COMMUNICATED.

MARRIED—On Thursday evening the 3d inst. by the Rev. Saml. T. Scott, Mr. Henry P. Brokaw, to Miss. Sally Ruble, daughter of Judge Ruble, all of this place.

FOR THE WESTERN SUN.

LETTER III.

Touching this plain question—*Are Dancing assemblies, Convivial meetings, and public amusements, obnoxious to censure—or prohibited by the word of God?*

"It softened men of iron mould,
It gave them virtues not their own;
No ear so dull—no soul so cold,
That felt not, fired not to the tone—
Till David's lyre grew mightier than
his throne!"

Recollecting a crowd of facts which may be familiar with every reader, of what has been well styled "*philosophy teaching by examples*," I was last night commenting on them with complacency; when a neighbour who would be thought eminent for gravity and importance, entered my chamber—discovering my occupation, he immediately interposed, and begged of me to desist. He observed, that (in his opinion) "such doctrines had an injurious tendency. For, that all dancing assemblies, all convivial meetings, and all public amusements, however civilizing to the ancient pagans was demoralizing to modern christians. That all such entertainments being prohibited by the holy scriptures, are in themselves, and by reason of several aggravations, as heinous in the sight of God as the breach of any command in the decalogue. That certain clergymen, and laymen of various denominations, had denounced all such meetings as absolute abomination; and that the one had determined to exclude from the participation of *holy things*, the other from their *holy friend ship*, every individual who might henceforth partake of them."

Then, said I—if with dancing and festal music, they interdict as wicked, all convivial meetings, and all the people say *amen*; what will become of the only general secular feast which I celebrate—I mean that of our national birth day—the anniversary of our Independence? Surely these worthy excommunicators & censors, err at least in the breadth of their denunciations! If they do not thus err, our national and individual sins are great indeed! *We are instructed by holy writ, that VIRTUE and VICE, ever remain what they are, tho' hypocrisy may change their names to suit times and places.* Hence it would appear, as the opinion of these exclusive saints, moralists and censors, that our citizens act improperly, or sinfully, by commemorating that day by dance, music, & other festivities!!! For one, plain, blunt christian layman, I shall say openly—ought erroneous teachers, or censors to be countenanced in this happy land by virtuous patriots. If they manifestly encroach upon the very elements of our political fabric, under the deceitful guise of a mere name—and by their avowed doctrine and conduct, trench too upon those of blameless and polished manners? Music, dancing, conversation, and the free interchange of courtesy and opinion—amid large circles of educated or ingenious citizens, are throughout the United States, reckoned among those elements. In such meetings, and with such seasoning, the sovereign people often impart the majesty of their free will. Con-

vivial entertainments, moderated by the presence of the mature with the young, are among the most common and obvious means by which men dispel that distrust and shyness, which strangers are but too apt to entertain even with the first dawnings of regard. Men must socially approach and mingle together, ere they can ripen into a generous confidence, which indeed nothing short of the familiarity of a close acquaintance can duly cherish. To interdict such approaches, by denouncing as vicious one of the most commodious avenues of social sympathy and political approximation—what is it, but to attempt to divide men like slaves—and probably subject a portion of them to the unmerited influence of those blustering, domineering deceivers? I then say openly, no such teachers or censors, shall be countenanced by me. Americans will, as suits them, enjoy "the feast of reason & the flow of soul" by music, and dance, and song—and I will venture to say, the absence of the innovators whose doctrines I am trampling under foot, will not be regretted by one virtuous mind. For one, I shall continue to maintain, that the convivial meetings which furnish almost exclusively, the homage that we render to the heroes of our country, ought never to be abolished.

As to the public amusements instituted and practised to commemorate our independence. I go further, and insist, that the exercises ought to be enlarged & improved into a perfect olympiad! The day that emancipated the new world from that dominion of kings, priests & knaves, which has half ruined the old, ought forever to be celebrated, by the most varied and brilliant demonstrations of heartfelt gladness. To contribute to embellish and perfect the holiday of the rights of man, by universally diffusing zeal for their unimpaired maintenance, is the sound policy, and the duty of every freeman. For at some future period, such an institution may become the main pivot upon which *union*, the palladium of our happiness, may depend. Rational delight is the most politic seasoning for profound duty. Independence should be rendered by brilliant associations of connected objects, not only precious to our understandings, but gratifying to the whole circle of our senses. Never then, shall the proper ornaments be stripped, by any sectarian, or non-descript, from that and other manly festivals, instituted, and supported and practiced, by the first fathers of our freedom. No—let age, wisdom, beauty, youth, dance, song, recitation, eloquence, conspire to deck our festivals—let taste display all its resources, and pleasure all its purity—let competitions which develope and expand the mental powers and personal graces, be always sanctioned—and while the Sun and Moon shall endure, let our citizens enjoy as often as they think proper, the exhilarating relaxation of happiness and content, in the hour of peace and liberty.

Such festivals I have more than once enjoyed with conscientious gratification, and thought in the interval, how genius & wisdom ought to combine to variegate and lift their pleasing embellishments, yet more widely! I have satisfied myself that they are calculated to produce the best effects upon our citizens—to neutralize and suspend all local animosities—to allay intestine bickering—to afford rational amusement and instruction to all classes—to cheer the gloomy, please the virtuous, and animate the reflecting—to perpetuate the legitimate sovereignty of the people—enable them to contemplate and enjoy the inherent majesty of their social condition—exalt their dead patriots and stimulate their living heroes. With delight I have contemplated the spectacle of twenty four free states indissolubly united, and millions of the beautiful and happy throughout the empire, animated by the same sentiment, abandoning their cares, in concert, to the most heartfelt gladness—and giving free course to those refined, beneficent and affecting emotions, that banquet a soul endowed with sensibility.

A WABASH LAYMAN.
(To be continued.)

FOREIGN ARTICLES.

[FROM NILE'S WEEKLY REGISTER.]

Great Britain & Ireland The prospects of the harvest in England continued good, and the distresses of the people of Ireland remained unameliorated.

No fewer than 6,040 persons were committed to jail in 5 years, from 1815 to 1821, under the game laws of England.

Spain. A squadron was about to sail from Toulon, supposed to be intended to cruise on the Mediterranean coast of Spain. The hostile designs of France are now pretty evident, and it seems to be a grand project to get possession of the person of the king, that he may sanction, by his presence, an invasion of the

country! The Spaniards appear to be aware of this; and, perhaps, the idea may cost the poor simple creature his life, before there is an end of such proceedings.

It was thought that the Spanish minister at Paris would be called home.

The monk of La Trappe, who excited the church militant to arms in defence of the catholic faith and the holy inquisition, made himself master of the forts of La Leo de Urgel, in the latter part of June. He has since assumed the title of "First Consul of the moderate republicans!"

There is much detail about the proceedings of the "Faction" in Spain. In some instances they appear to be in considerable force, armed and prepared to effect a change of the constitutional system to an absolute monarchy. Many petit battles take place, which are represented to be as generally unfavorable to them. The accounts chiefly go to shew that Spain is in a very disordered condition. The whole province of Catalonia has been declared in a state of war!

The "Aurora" says—The cortes at Madrid have detected and possessed themselves of a secret treaty, entered into between Louis XVIII. and Ferdinand VII, negotiated by the duke del Infantado and count Legarde; which had in its express view, the overthrow of the constitutional and representative system of government.

The march of a large French army to the frontier, (*cordon sanitaire*), was stipulated to be, at stated times, augmented to 50,000 men: military supplies to be provided by France.

Great Britain to aid with her fleet, and on condition that she should not acknowledge the independent states of the new world, Spain would cede to her the island of Cuba.

This treaty was entered into deliberately by Ferdinand, and when it was presented to him was not denied; but he promised (for the hundredth time) to be faithful to the constitution, if spared on this occasion.

The seizure and execution of the leaders of the liberales—Riego, Quiroga, &c. were among the stipulations, and the concurrence of Austria and Russia was expressly stated.

Turkey. It is confirmed that the Greeks succeeded in blowing up some of the Turkish fleet, by their fire ships—one of them was a new 74, with the captain pacha and 2000 men. In consequence, the final massacre took place at Scio, and between 4 and 5000 persons were butchered. The Greeks at sea are still able to check, if not defeat, the whole naval power of the Turks; and they feel a confidence of being able to work out their own liberation. Nearly the whole of the Morea is in their possession, and their army therein is reported at 60,000 men, tolerably well armed, but wanting ammunition. The Turks only hold two places in Candia—the Egyptian and Barbary fleets had attempted to relieve them, but they were beaten off with considerable loss. The following is given as an account of the naval forces of the Turks and Greeks—that of the former, in the hands of our brave and experienced seamen, would prove itself the most powerful: the Turks have 6 line of battle ships, 11 frigates, 15 to 20 corvettes, and 20 gun boats; the Greeks in two divisions of 40 each, principally brigs of about 250 tons, a few ships, say 8 or 10, of 4 to 500 tons.

Montgomery, (Ala.) Aug. 23. It is reported by a gentleman who arrived in yesterday's stage, that hostilities in the Creek nation had commenced between the Big Warrior and McIntosh. We have heard before that there was a misunderstanding between these personages; but have not learned the cause of their difference. The character of the reporter is known to us, and we doubt not his veracity.

KENHAWA SALT.

THE subscriber has on hand a quantity of KENHAWA SALT of superior quality, for sale by the barrel or single bushel, low for cash.

I will also give SADDLES, BRIDLES, & HARNESS, in exchange for good WHEAT, corn fed PORK, BEEF CATTLE, &c. to be delivered in November & Decr. next.

JOHN C. HOLLAND.
Vincennes, July 17, 1822. 25-1f

Land Office at Vincennes,
SEPTEMBER, 19th, 1822.

NOTICE.

IT is hereby made known, that pursuant to instructions from the Commissioner of the General Land Office, *Canadian Warrants* may, after the 31st of October next, be located on any lands within the reserved districts which have, heretofore, been offered at public sales.

JOHN BADOLLET, R. L. O.

Valuable Goods.

REYNOLDS & BONNER,

MARKET STREET, VINCENNES,

HAVE just received from NEW YORK PHILADELPHIA & BALTIMORE, a very extensive and general assortment of European, India, & American

DRY GOODS.

—ALSO—

HARDWARE and CUTLERY, CHINA, GLASS, and LIVERPOOL, } WARE, Superior COTTON & WOOL CARDS, STRAW BONNETS, Ladie's and Gentlemen's MOROCCO, } SHOES, KID, and LEATHER

A complete assortment of GROCERIES,

Patent NAILS, WINDOW GLASS, &c. &c.

All purchased at the lowest prices which enables them to sell accordingly. 33-1f September, 1822.

State of Indiana.

KNOX CIRCUIT COURT.

SEPTEMBER TERM, 1822.

Asa Thorn,

vs.

His Creditors.

On Petition for the Benefit of the Insolvent act

AND now at this time came the petitioner, by G. R. C. Sullivan, Esqr. his attorney, and filed his petition, praying the court to grant unto him the benefit of an act entitled, "An act for the relief of insolvent debtors," as also a list of debts by him due to the defendants, his creditors, as also of the notes & accounts due to him, together with a list of property by him owned or possessed, and his bond with security for the delivery of his property, and he having made oath according to law—it is ordered by the court, that a supersedeas do issue instanter, and that he give notice of the pendency of said petition in the Western Sun, a paper printed in this state at least three weeks in succession, and sixty days previous to the next court, and that the said court will act upon said petition on the third day of the next term.

A Copy—Test,

R. BUNTIN, Clk. c. c. c. October 9, 1822 37-3f

State of Indiana.

KNOX CIRCUIT COURT,

SEPTEMBER TERM, 1822.

George Simpson } On Petition for the against His Creditors, } Benefit of the Insolvent act.

AND now at this time came the petitioner, by G. W. Johnston, his attorney, and filed his petition praying the court to grant unto him the benefit of an act entitled, "An act for the relief of insolvent debtors," as also a list of debts by him due to the defendants, his creditors, as also of the notes and accounts due to him, together with a list of property by him owned or possessed, & his bond with security, for the delivery of his property, & he having made oath according to law—it is ordered by the court, that a supersedeas do issue instanter, and that he give notice of the pendency of said petition in the Western Sun, a paper printed in this state, at least three weeks in succession, and sixty days previous to the next court, and that the said court will act upon said petition on the third day of the next term.

A Copy—Test,

R. BUNTIN, Clk. c. c. c. October 9, 1822. 37-3f

State of Indiana.

KNOX CIRCUIT COURT,

SEPTEMBER TERM, 1822.

Francis Mallett } On Petition for the against His Creditors, } Benefit of the Insolvent act.

AND now at this time came the petitioner, by G. W. Johnston, Esq. his attorney, and the petitioner having heretofore filed his petition, praying the court to grant him the benefit of an act entitled, "An act for the relief of insolvent debtors," together with a list of debts by him due to the defendants, his creditors, as also a list of notes and accounts due to him, with a bond and security for the delivery of his property—it is therefore ordered by the court, that a supersedeas do issue instanter, and that he give notice of the pendency of said petition in the Western Sun, a paper printed in this state, at least three weeks in succession, and sixty days previous to the next court, and that the said court will act upon said petition on the third day of the next term.

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