

stead of being squandered upon roads, it has been appropriated to more important, and I hope to more beneficial objects.

Early in the session a resolution was introduced, directing an inquiry into the expediency of compelling Lawyers to give security. This resolution was voted down almost unanimously—It received my support however—partly because I thought it would be agreeable to some of my constituents, and partly because my colleague had introduced it. But I must be permitted to observe, that in my opinion on the project was not a wise one.—Lawyers are a necessary evil; the more they are degraded, the less the restraint society holds upon them. If the profession is at all the subject of legislation, it should be with a view to their collective as well as individual respectability. It is the fault of the people if a dishonest & faithless Lawyer receives any encouragement. It is the fault of the people if scoundrels are allowed to defraud their clients. A mark should be set upon such men. The finger of scorn should be pointed at them. They should be driven from the bar, and from the society of honest men. Public opinion, and not the legislature, is sufficient, and should exert its power in such cases. If security is required from Lawyers, public confidence would be placed, not in the character of the individual, but in his security. If the security was of a small amount, it would often prove insufficient. On the other hand, was security demanded in a large sum, a complete monopoly would be established by law in favor of the present practising Lawyers of good standing. The sons of poor men, and all strangers would be entirely excluded from the bar.

A bill was sent to the house from the senate providing for the establishment of a levy in the Lower Prairie. I did not conceive that this bill provided sufficient notice to the persons interested, and as a land holder in the prairie, I was one of those. The bill required notice to be given by advertisement, for ten days, in three public places of the township. The house upon my motion, adopted an amendment, requiring fifteen days personal notice to be given to residents of the township, and sufficient notice in a newspaper, to non-residents. I do not think that private property should be subjected to seizure and sale, without sufficient notice being first given the owner. The senate adopted the amendment.

The legislature have given the Board of Justices power, if they think proper, to sell the Poor house, and to adopt the general law for the support of the poor.—The Board of Justices can use their own discretion, and take advantage of the law or not, as the interest of the county may require. This measure was suggested to me by the knowledge that many of my constituents were opposed to the trouble & expense of keeping up the Poor house, &c. &c.—upon consulting my colleague I found him of my opinion. At my request, he moved a resolution which terminated in the passage of this law. It is now with the Board of Justices—the voters of the several townships may instruct their magistrates, and the will of the people can be done.

My opinions relative to the situation of our laws are well known. I am the decided friend of a written code, expressed in the plainest but most exact language.—The most enduring monument of the genius and greatness of Napoleon, will most probably be found to be his code. The power and the might of the Romans have passed away—but the empire of reason has been substituted for that of force.—The code of Justinian affords the rule of decision for the largest portion of the civilized world—that code is the foundation of the law of nations—its principles are taught, revered and obeyed in Europe, in America, and in the isles of the ocean. There are many difficulties attending the execution of a general reform in our laws—much time must elapse before the state will be able to progress in so desirable an undertaking—the object must be ever kept in view, those difficulties will be gradually overcome, and at some future day the work may be successfully undertaken. I intended to have introduced this subject for the purpose of exciting discussion, and of preparing the public—but was deterred by the observations in the governor's message respecting codification. However a resolution was introduced directing an inquiry into the expediency of printing the British statutes, and I availed myself of it, to move an amendment, so as to embrace the expediency of reducing all our laws to a written text. Upon this amended resolution, Mr. Stevens, the chairman of the Judiciary committee, made an able and favorable report.

Early in the session the house acted upon a bill to extend the jurisdiction of Justices to misdemeanors punishable by a fine not exceeding \$20. Several other necessary and beneficial provisions were

engrafted upon this bill and it passed, but in the senate was indefinitely postponed. In committee upon this bill, I introduced an amendment, allowing judgments to be pleaded in set off, and authorizing Justices to make set offs on judgments, and also to extend the provisions of the 18th section of the Justices act of 1824, to appeals tried in the Circuit court. Another subject of much moment acted upon, was the criminal law; an important bill upon this subject was defeated by reason of a disagreement between the house and the senate relative to whipping in certain cases. To whipping as a punishment, I ever was and ever shall be opposed.

The mail route between Louisville and St. Louis, is of the highest importance as well to Kentucky and Missouri, as to Indiana and Illinois. The exertions of Mr. Clendennin, of Paoli, the superintendant, have improved part of this road very much, and his diligence and faithfulness merit the approbation of his fellow citizens. But it is not within the power of this state to complete this road, and in Illinois it passes through a thinly populated country. Mr. Givens, of Posey county, introduced into the senate a joint resolution requesting from congress a grant of land to aid in completing this road, making bridges, &c.—this resolution was adopted. A resolution was presented requesting a change of that part of this road which is between White river and the widow Snyders—it was referred to the committee upon roads, of which Mr. McClure was a member—that committee reported, that it was inexpedient to legislate upon the subject as the existing laws were sufficient to give relief upon an application to the Circuit court. Much complaint was made in the legislature concerning our part of this road, and an attempt was made to take part of the Wabash fund to repair the bridge over Flat creek—such a bill passed the house in spite of our opposition, but was luckily defeated in the senate. That bridge should be repaired, and it is the duty of the Board of Justices to attend to it. The county road fund can be applied by them as they may deem proper.

A petition was forwarded requesting a road from Vincennes to Spencer, to be laid out. The committee upon roads reported, that it was not expedient to grant the prayer of the petition. But I availed myself of a bill from the senate providing for a state road from Leavenworth, via Bono, to Indianapolis, and inserted an amendment, appointing commissioners—Andrew Burnside and Joseph Chambers of Knox, Martin Wines, of Green and David Johnson, of Owen, to meet at Vincennes on the first Monday of May, and lay out a road to Spencer.

The location of a point on the Ohio for the termination of the Michigan road, occupied much attention. I was soon satisfied that a majority of either house could not be brought to vote seriously for any given point—Madison and Leavenworth were the strongest points; I supported in succession, Mount Vernon, Evansville and Leavenworth. A road from Indianapolis by Martinsville, Bloomington, Bedford and Paoli to Leavenworth, would pass through a very valuable portion of our state, and would be highly beneficial, if not to us, to our immediate neighbors. The road will be located to Indianapolis, but no further.

A petition was presented from citizens of Vincennes requesting to be exempted from working on roads out of the Borough. On motion for a special committee by Mr. McClure, that gentleman and two others were appointed—be suggested that I should be added—but I objected, being personally interested; Mr. McClure was not so situated, and could do impartial justice to the town and country. The committee reported against the prayer of the petition.

A general Road law was adopted—each person works two days, & half the amount of his state tax, at fifty cents per day.

A law was enacted to take the sense of the people as to a convention.

Some modifications have been made in the militia law; non-commissioned officers are exempted from attending drill-muster.

An act giving the state seminary a college fund was passed, and provisions for loaning the funds were made.

The formation of new Circuits was warmly pressed, by some upon the ground that three terms were necessary, and by others, because they thought the burthens imposed upon the Judge and Prosecutor of this Circuit were too great.—I concluded that the people of Knox county, and generally of this Circuit were satisfied with attending court twice a year, as jurors, &c.—and that although the Judge and Prosecutor have very laborious duties to discharge, yet that there is not any necessity whatever for either of them to retain their offices longer than will suit their own convenience, advan-

tage, or interest. Should either of these gentlemen resign, others will be found willing enough to undertake their labour. Had new Circuits been made, the taxes must have been increased to have met the expense, and that was with me a conclusive argument.

An attempt was made to introduce the ad valorem system—I opposed it. Some years hence I think it may do here, but not now. There is too much non-resident land—nor do I believe it would be right to tax improvements in a new country. I do not know whether this is a popular doctrine or not—but I know it should be popular, in this country at least. I would rather tax the speculator than the industrious settler—and accordingly I supported the tax upon the land, & opposed the tax upon the improvement.

Several applications were made for incorporations for Steam Mills, &c. and I was informed that a bill had been introduced, but was fortunately rejected, in the senate, authorizing persons at any time to incorporate themselves for the purpose of erecting manufacturing establishments, &c. I am opposed to incorporations upon principle—they destroy individual responsibility—they ever have been, and ever will be productive of the most serious evils. All the advantages which can possibly accrue from incorporations may be obtained, and all the evils we dread may be avoided by Limited Partnerships. On this subject I had prepared a bill, which has now become a law. I am inclined to think the provisions of this law to be complete. It is composed of the best features of the statute of New York, and of the section of the Livingston code upon that subject. It is less rammed than the one, and better guarded than the other. Individual responsibility is secured, and a fair division of the profits, among all the partners, general, as well as limited, is provided.

Some amendments of the Probate laws have been made. The courts are to keep a docket, and it is made their *official duty* to compel executors and administrators to make settlements. A third term of the court is to be held in each year on the second Monday of December—and the acts of the special courts are legalized.

Another act has been passed respecting the county seminary. The trustees are to be elected by the people. This was the law once before, and the board was not organised. Men will not & can not be expected to leave their farms to attend to public business in town without compensation. Our seminary has been most unfortunate. I voted against this bill, because I thought any thing was better than a continual change. But as many respectable gentlemen had petitioned for the change I did not make any exertion against it.

The law respecting retailers of spirits has been altered, they are to be licensed without having stabling and lodging as tavern keepers.

At an early period of the session a resolution was introduced in the senate, apparently for the purpose of instructing the representation from this state in congress relative to domestic manufactures and internal improvements; but in truth as I believe for the purpose of censuring the votes of Jonathan Jennings and Ratiff Boon last winter upon the woolens bill, and of influencing public opinion upon the presidential election. In my opinion the legislature of the state had no business whatever with these matters. They were elected to legislate for the state and not for congress. They were elected to make laws and not to influence public opinion concerning the election of president. But above all many of the representatives who formed the administration majority—were elected by the friends of General Jackson, & represented counties decidedly Jacksonian. I opposed the resolution when before the house, because I thought we had no business with it; because I am opposed to chaining the state to the politicks of any party—whether eastern or southern—and think the west should stand up for its own rights; and because I did not think justice was done the west. I cannot consent to tax coarse cloths worn by the poor, and exempt the fine cloths worn by the rich, merely to encourage eastern manufactures; and I cannot consent to censure long tried faithful public servants because they did not think with Daniel Webster—and because they would not consent to cherish the interests of the east unless the east would afford protection and support to the interests of the west. The agriculture of the west requires support as much as the manufactures of the east. By prohibiting the importation of foreign distilled spirits a market would be furnished for more than two million of bushels of corn to be used in the production of whiskey. But when Mr. Wickliff moved to insert such a provision last winter into the wool-

ens bill, every member of congress from New-England voted against it—Mr. Webster and all in a body. I moved to insert "Foreign distilled spirits," in the resolution after "woollens," but the majority opposed it. I then moved to insert "Flax and bar iron" and afterwards "articles manufactured from hemp," but was voted down. I am in favour of protecting the interests of every part of the country but shall ever oppose mere sectional measures whether eastern or southern.

I have now fellow citizens endeavoured to detail the principal matters acted upon during the session & the motive by which I was influenced.

My object was honestly to act for the advantage of the county and of the state, and my endeavour to contribute as much as possible to our common prosperity.

Differences of opinion will exist. Errors of judgment will occur. And it is impossible to meet the views of every individual. If any good has been done, it should excuse much evil. The esteem and confidence of his fellow citizens, is the public servants best reward. To merit that esteem and confidence was my warmest desire—Of my success, you are the judges.—Farewell.

SAMUEL JUDAH.

Vincennes, January 30, 1828.

#### TO PRINTERS.

#### TYPE FOUNDRY & PRINTER'S WARE HOUSE.

Corner of Vine & Centre sts. Cincinnati.

**T**HE Proprietors of the Cincinnati Type Foundry have lately made considerable additions to their establishment, and are now able to furnish, on demand, on very short notice, TYPE, from fourteen line Pica to Nonpareil, mostly of *new cut*, and as a great variety of Fancy Job Type, Cuts &c. as any Foundry in the United States, and at the same prices as at the Eastern Foundries:—also, Presses, Chases, Cases; Type metal Reglet, cast to regular bodies; Brass Rule of every description; Printing ink, of New-York, and Philadelphia make; Ball skins, Parchment, &c. &c. We will also procure Stereotype Plates, to order, from J. How's Foundry, Philadelphia, and deliver the same at Cincinnati free of charge, for transportation, commission, &c.

Printers who deal at this Foundry will please insert this advertisement conspicuously, nine times and forward their bills for payment.

O & H. WELLS.

Cincinnati, Dec. 17, 1827 49-9t

#### FRESH MEDICINES.

**D**OCTOR McNAMEE respectfully informs the citizens of the Wabash country, and the public generally that he has just opened his

#### MEDICINE STORE

On Market street, next door to S. Tomlinson's store, in the room formerly occupied by F. Dickson—where he is now opening Medicines just received. During the month of June, he will receive from Philadelphia, several packages additional, to complete the assortment, and make it ample. In conducting this business, he has engaged the assistance of DR. WOOLVERTON, which he hopes will enable him to accommodate those who purchase for family purposes to their entire satisfaction; the advantage of correct prescriptions to such, will be obvious.—Physicians purchasing may be assured of every article necessary in practice, and of genuine quality; none other will be offered—It will be made their interest to favor him with their custom.—Country merchants may find it to their interest to give him a call, or such medicines as they may want.

E Mc NAMEE.

Vincennes, May 15, 1827—15-1f

**DR. WOOLVERTON**, respectfully informs the citizens of Vincennes, and vicinity, that he has so far recovered his health, as to be able to assist Doctor Mc Namee, in the above business, and to resume his Practice, which he will do in the employ of Dr. Mc Namee.

J. D. WOOLVERTON.

#### Take Notice,

**I** SHALL apply to the Judge of Probate of Clark county, Illinois, on the first Monday in February next, to settle as far as I have been concerned, the estate of Cyrus Sharp, deceased.

LEVI SHARP, the surviving adm. of Cyrus Sharp, decd. December 29, 1827. 48-4t

#### For Rent.

**T**HE well known Tavern Stand in the town of Hindostan, Martin county, Indiana, lately occupied by J. D. Clements, will be let for one or more years.—For terms, apply to

JAMES D. SHOLTS. Hindostan, Dec. 12, 1827 45-1f