

FOR THE WESTERN SUN.

The times in which we live are certainly marked by strange events. Never since the formation of our government have principles been professed and openly promulgated so dangerous in their tendency, so utterly subversive of our republican institutions, as at the present. Never in the history of our country has there been a period when it behoved every patriot and friend to his country, to "buckle on his armour" and prepare for fight, to arm himself in defence of all that freedom prize, and by word, and if necessary by deed, to show the world that the sneers of the discontented and the taunts of the enemies of republican institutions, whether here or elsewhere, are treated with scorn and contumely, and known only to be despised.

Half a century has not yet rolled round since the adoption of our present constitution, and we are called upon to say, that it is utterly incompetent for the purposes for which it was created; that the union of these states may be dissolved by the *cession* of a single member of the confederacy; that the "sacred knot" which binds us together may be *peaceably* unloosed, or if not, forcibly cut asunder, that the golden chain may be broken by the dissevering of one of the links, and that the rest may be so soldered that its binding force and efficacy shall not be weakened; in fine, that one stripe may be stricken from our broad banner, and one star blotted out forever, and yet the flag, which in "the battle and the breeze," has been the rallying signal of freedom throughout the world, the guide by day and the "pillar of fire" by night, to all who have contended, here or elsewhere, for the rights of man, is still to be borne aloft, without loss, and without dishonor: Such, in substance, are the sentiments advanced, and the language made use of by those who would "calculate the value of our Union." It is fortunate, my countrymen, that here, as well as in most parts of our happy country, these feelings thus boldly avowed, and unfortunately for the peace of our country, *solemnly sanctioned*, have met with but a feeble support, that the good sense and sound judgment of the American people has, in so many ways, both executive, legislative and popular, shown to those who have been unwise, and unfortunately for themselves and their country, advanced these monstrous doctrines, that the spirit which animated our fathers is not yet extinct, and that now, as in days gone by, we prize even above life itself, the peace, prosperity and happiness of our Union; not that of the single state in which chance or inclination may have located us, but of the whole confederacy, not alone the welfare of Indiana, but of South Carolina also.

A brief and simple inquiry into the origin of our government and the formation of our present constitution, may not at this time be uninteresting; and as few have probably taken the trouble to investigate it, satisfied with the blessings it confers, it may not be unseemly time in calling their attention to it, for if the doctrine contended for at the present day is correct, if the powers of the general government are as limited as argued for by those who are such sticklers for "state rights," it is high time an amendment was made to it. For I do contend that if a single state at its own volition for any either real or supposed grievance, arising from an act of congress, *constitutional* or otherwise, has the right to secede, to dissolve its connection with its sister states, at its own sovereign will and pleasure, the union is a rope of sand. Our constitution, the work of patriots and sages, most of whom have already gone beyond the reach of its influence, and who we trust are now enjoying the reward of their labours, is a multitude. And the form of government under which we have lived and flourished, and under which we shall live and flourish for centuries, notwithstanding the single dark speck in our political horizon which has lately made its baleful appearance among us, was but a form devoid of all substance, and calculated instead of being a blessing as a curse; unequal in its practical operation to the old articles of confederation, and the utter impracticability of which for the government of the states was the cause and reason why the present was established. After the conclusion of our revolutionary contest, indeed before, the plan of a more perfect Union was a subject of deep and serious consideration. We were engaged with the mother country in a struggle for the dearest rights of man, "the right of self government." And long before the contest was brought to an issue, and even before the declaration of our independence was signed, as early as the 11th of June, 1775, congress undertook to digest and prepare "articles of confederation." The business, however, was at tended with great delay, and it was not until the 15th of March, 1777, that "the discontented interests and prejudices of thirteen distinct communities," could be so far united as to agree to them. These articles were submitted to the *state legislatures* for their ratification and approval, they were declared to be the result of necessity, and as affording the best system which, under all circumstances, could be adopted, and which would probably be most likely to be assented to. The framers of the articles themselves acknowledged their deficiency, but as some form of government was absolutely necessary to enable us to act efficiently in the common cause in which we were embarked, and the perils attending which had alone united us. They submitted them to the

good sense and criticism of the *states* for their ratification. These articles met with still greater obstacles in the states themselves; most, however, assented to them from mere necessity, knowing probably, that a union of some kind was necessary for the common safety. Delaware did not adopt them until 1779, and Maryland expressly rejected them, and instructed her delegates to withhold their assent to them, for this singular reason, until there was an amendment or additional agreement, to appropriate the *new lands* in the *western part of the union* to a "common fund to defray the expenses of the war." The refusal of Maryland gave great encouragement to the enemy, ready then as now to take advantage of our divisions, injured the common cause, and was a source of sincere regret to every friend of America, at home or abroad. These considerations, induced that state finally to yield her assent to them, and on the first of March, 1781, upwards of three years from their first promulgation and only two years before the peace, these articles received the unanimous approbation of the United States; the first written agreement by which these states acknowledged their confederation as a government. What a lesson should it teach us: For if under all our embarrassments, with the enemy spreading desolation and ruin throughout our country, our towns burnt, our fields laid waste, without money and without credit, our citizens declared rebels, our soldiers without clothing and ammunition, with all the horrors of war in the very heart of our country, one state alone could thus nearly ruin our hopes and blast our prospects of independence, merely because the other states would not make "a common fund of their western lands." If under all these circumstances, one state, because she would not yield her assent, kept us without a government at the most critical period of our political history for three years and upwards, and under the pressure of a common calamity, such as we experienced, and from the force of *local interests* alone refused her assent, how difficult it might be again to try the experiment of amending what the wisdom and experience of near half a century has satisfied us is the best popular form of government for a free people.

The articles of confederation it will be recollect that were ratified by the *state legislatures*. The states agreed to them as *states*. They were in fact nothing more than a compact between the *states*. It is true they conferred upon congress though imperfectly and unskillfully the chief rights of political supremacy. They were a written acknowledgment on the part of the states of those undefined and general powers which had been adopted by congress under their instructions, at their first assembling, in 1775, at Philadelphia, and by which they were instructed to "concur, agree upon, direct, order, and prosecute such measures as they should deem fit and proper to obtain redress of American grievances." Or in more general terms, "they were to take care of the liberties of the country."

Let us now examine what were the difficulties attendant on this form of government, and which, after the *short experience* of four years from its ratification by the states, induced them to abandon it altogether, and to substitute in its place the present constitution of the United States. The old "articles of confederation" gave to congress the exclusive cognizance of our foreign relations, the right of making peace and war, and the unlimited requisition of men and money on the states, as might be deemed necessary for the common safety; but the powers of the government were not as in the present constitution, distributed and carried down through the medium of a judiciary and executive, to the *individual citizens*, like all other confederations of states, either ancient or modern, the acts of congress were binding on the *states* only in their *sovereignty capacity as states*. They did not operate on the people directly. They were "sovereigns within a sovereignty," and this was the great defect in the confederation of 1781. Congress might pass an act, but it was in the power of a single state to *nullify* it. For as the act had to be ratified by a state before it could operate as a law, if a state refused to obey, there was no power to enforce it, hence a law was perfectly nugatory as there was no means of enforcing it when a state was refractory. Laws may be enforced upon individuals, but the disobedience of a state requires the use of arms in carrying it into effect. "The mild influence of the civil magistrate, however strongly it may be felt and obeyed by private individuals, will not be heeded by organized communities." The history of all republics teaches this lesson, and hence the melancholy examples in Greece, in Germany, in Switzerland, and Holland, of civil wars arising from the disobedience of the separate members. There was no provision for adding a sanction to the laws in the articles of the confederation, each state obeyed or not as suited their own sovereign will and pleasure. There was no such thing as constructive power known, however essential it might be deemed. The powers granted were "*expressly*" granted, and hence even a liberal and equitable interpretation, in cases where such interpretation was necessary, was denied, and prostrated in many cases entirely, the exercise of those powers about which there could be no doubt. What was the consequence? Almost as soon as the compact was ratified, the states began to fail in their obedience. There was scarcely any thing which could wound the pride, or degrade

the character of an independent nation, which we did not experience, and there were some alive now who may possibly read this essay, who will remember with feelings of regret, the point of national degradation which we had reached in the year after the peace with Great Britain, and the termination of our contest with the mother country. "To shorten an enumeration of particulars, and which can afford neither pleasure or instruction, (says a writer who was a delegate in the convention of '81 and who aided greatly in the formation of the present constitution,) it may be, in general demanded, what indication is there of national disorder, poverty, and insignificance that could befall a nation so particularly blessed as we are which does not form a part of the dark catalogue of our public misfortunes?"—Power, controlled or abridged, is always the rival and enemy of that power by which it is controlled or abridged.

If a state has the right to call in question the act of the nation, and to decide upon its fitness to the peculiar circumstances which surrounds the lesser sovereignty, if they have the constitutional power to obey or not, as inclination or prudence may dictate, to consider of the conformity of the thing to their own immediate wants and interests, or the momentary conveniences or inconveniences that would attend it in a spirit of interested and suspicious scrutiny, with a strong predilection in favor of local objects, and without a just understanding of the national circumstances and reasons which induced the general government to adopt the act, and this same process is to be gone through with in *twenty-four states*, it requires "neither a prophet, or the son of a prophet" to predict that the execution of the laws framed by the counsels of the whole will always fluctuate, on the discretion of the ill informed and prejudiced opinion of any part, and that which was devised by the wisdom of all, will be marred by the act of a single member. Such is the doctrine contended for at the present day—a doctrine fraught with so much evil that our union could not have continued a year longer if the wisdom of our forefathers had not remedied it—an evil which was the bane of the old confederacy, and to provide an antidote to which induced them to establish the constitution under which we have prospered in peace and triumphed in war. "Such were the difficulties we encountered," says Mr. Madison "until each state yielding to the persuasive voice of immediate interest or convenience successively withdrew its support, till the frail and tottering edifice seemed ready to fall on our heads and crush us beneath its ruins."

Such a state of things could not endure long; the states became sensible of their common danger; they felt the necessity of a close union;—they saw that this doctrine of "State Rights" would not answer; they found that the anomaly of a "sovereignty within a sovereignty," however it might appear on paper, was but a bad theory when carried into practical operation; that the "*nullifying process*" was dangerous; that the powers of the government must be increased;—that the operation must be direct, and not through the medium of the legislatures; in fine, that it must be a government of the *People*, and not of the *States*. The change was dredged by great and good men; but the experiment must be made, or there was an end to the government;—and thanks to him by whom princes rule and judges decree justice, it was made, and the result has shown the wisdom of its framers; it has proved most clearly and satisfactorily what the enemies of republican institutions have asserted was impossible—the power of a free people to govern themselves—and may the lesson be inculcated to the latest of our posterity.

The first proposition for a Convention, the first effort made to relieve the country from degradation and ruin, came from and was made by the state of Virginia; a state which, whether for the sacrifices she made in the revolutionary contest, for patriotism, for valour, for liberality, for high minded and chivalrous conduct, has never been surpassed if ever equalled by her sister states of the confederacy;—the state which, whether in blood or treasure, has always paid her full quota for the common weal and welfare. But from whom should the requisition come, but from the land of Henry and Washington?

The proposition was, "For a convention of delegates to regulate our commerce with Foreign Nations." From this convention, assembled for a purpose so apparently unimportant to our general interests, sprang the first germ of that measure which, under all circumstances, has been, and long may it continue to be, "the shield of our defence" in peace or war, the present constitution of these United States. The proposal was well received by the other states, and several of them sent delegates to the convention, which met at Annapolis in September, 1789. The assembly being small, and the states but partially represented, they deemed it advisable to do nothing but unite in a strong application to Congress for a general convention, "to take into consideration the situation of the United States and to devise such other provisions as should be proper to render the Federal Government a *real government* adequate to the wants of the Union." Congress felt both the wisdom and patriotism of the appeal, and recommended a Convention of Delegates from the several states to revise, amend and alter the articles of Confederation; all the states except Rhode Island acceded to the proposal, and delegates were appointed

STATE OF INDIANA,
Pike County.

PROBATE COURT.

November Term, 1832.

Nancy Kinman,

vs.
Archibald Kinman's heirs

Henry Kinman, Jas. Kinman, Meridith Howard, Benjamin Kinman, Riley Kinman, Willis Kinman, Juliana Kinman, & Nancy Kinman, heirs and legal representatives of David Kinman, deceased.

Now came the petitioner and filed her petition to set aside the Will of the said David Kinman—Ordered that notice thereof be given by publication of the pendency of said petition, that the said heirs be and appear before said court at its next term, and shew cause why the petitioner's prayer should not be granted, otherwise the same will be acted upon in their absence; and on further motion, this cause is continued until the next term.

A copy—Test.
JOHN MCINTIRE, Clerk.
January, 18, 1833. 51-3t

INSURANCE.

THE WABASH INSURANCE COMPANY, Vincennes, is now prepared to issue policies. *Houses and Furniture, Stores and Goods, Boats and Cargoes* will be insured upon fair and reasonable terms; and thus an opportunity is afforded to every prudent person to secure at a trifling expense, his property from accident.

Office on Market-street, adjoining the store of Tomlinson & Ross.
Samuel Judah, President.
John Ross, Secretary.
Samuel Tomlinson, Nicholas Smith, David S. Bonner, J. B. Martin, Wm. J. Heber, Thomas C. Bailey, Thomas Bishop, M. Murphy, Directors.

The company will loan money for short periods, upon real or personal security, and will exchange uncurrent bank notes, foreign gold, &c.

Persons who may occasionally need money, and do not wish to involve their friends, may fill a bond and mortgage as a collateral security, and thus be accommodated upon their own liability, with this advantage also, that those who may thus borrow, will be allowed to repay the whole, or any part, at any time, and have an abatement of all the interest agreed upon, for the time unexpired, but two per cent.

The company will receive money on deposit, and will allow interest at the rate of six per cent per year for deposits.

HOUSES IN THE COUNTRY will be insured at a very low rate.

Vincennes, Aug. 18, 1832. 28-1y

\$200 REWARD!

RUNAWAY from the subscribers, from on board the steamboat ARAN, thirty miles below Shawneetown, on the evening of the 19th instant,

Four Negro Men.

BOB, a yellow man, aged about 35, about five feet eight inches high, tolerably stout built; had on a blue coat and fur hat; no other marks perceptible.

SAM, a mulatto man, aged about twenty-one or two years, five feet seven inches high, Roman nose, is a remarkable likely man, with a fine suit of hair; had on Jackson coat with large outside pockets, and a fur hat.

CHILCE is a large black man, about twenty-seven years of age, five feet seven inches high; he is a blacksmith by trade—a very likely man—he has rather a down look when looked in the face—he had on a filled linsey roundabout & pantaloons, I think gray, though not certain.

HENRY is a brown black, about twenty-one or two years of age, about five feet eight inches high; had on a drab filled linsey coat, Velas vest, and fur hat; he is very intelligent fellow, and has been raised a house servant; his eyes are a little sunk in his head.

I expect they will make for some town in Ohio, as they have all been accustomed to country towns. We will give the above reward for the apprehension and securing said Negroes in any jail so that we get them again, or one hundred dollars for either.

Letters addressed to Woodville, Mississippi, will secure prompt attention.

BRANCH JORDAN,
BENJ. H. LEWIS,
Nov. 20th 1832. 43-4t

NOTICE.

THE

Subscriber having commenced

the HATTING BUSINESS on Water street, Vincennes, in the house formerly owned by Wilson Lagow, takes this method of informing the citizens, and the country at large, that he expects to keep on hand, and for sale, a general assortment of FUR HATS, which work he intends to have made in a neat, substantial and fashionable manner.

The highest price given for all kinds of FURS.

H. M. GILHAM
Vincennes, Ia. March 17, 1832. 6-1t

TIN AND SHEET-IRON

HAVE a large assortment of TIN

WARE on hand, which I will sell at wholesale or retail low for CASH or PRODUCE, such as may suit. Job work done at short notice.

N. SMITH.

Vincennes, Jan. 25, 1832. 50-1t

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Hats! Hats! Hats!

CASH, or WORK, will be given for any quantity of clean LINEN or COTTON RAGS at the WESTERN SUN office.

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