

AMERICAN PATRIOT.

Governor's Message

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Pennsylvania Legislature.

December 8, 1815.

This day at 12 o'clock, the governor of this state transmitted to both the houses of the Legislature, the following

MESSAGE:

To the Senate and House of Representatives of the Commonwealth of Pennsylvania.

AT no period of our existence as a nation has our character stood so deservedly high and our prospects been so bright as at present. Single handed we have waged a glorious war against a nation of all others most able and willing to cripple our commerce, annihilate our navy and dry up the sources of our independence and happiness. An honorable peace has brought with it an abundant commerce, which will enable our government to meet all demands and provide for all probable future wants. The navy, which in our contest with Great Britain was the first and the last portion of public force which covered itself with glory, and the nation as with a shield, has, within a few months, carried our fame into other nations, and conquered another enemy.—After liberating our captive fellow citizens, it dictated the terms of peace. The Barbarian pirates, that for centuries have plundered and extorted tribute from all Europe, have been humbled by the youngest nation of the earth. The crescent of the east has been eclipsed by the rising star of the west, and we should be more or less than men, if these repeated gallant achievements of our countrymen at home and abroad, did not make us proud of the name of Americans; a pride which it is honorable to cherish, and which I trust will be cherished, until every man who is entitled to the appellation will feel so much of its dignity as to make it a respectable passport throughout the world.

Since the meeting of the last legislature, events the most important, extraordinary and unexpected have agitated and convulsed Europe. An individual, attended by a body guard, confiding in the affection of the people and the devotion of the army, landed on the shores of France. His name the herald of his glory, was hailed with acclamations; he rode as in a triumphal car to the capital; not an arm nor a voice was raised against him, and he was in a few days seated on the throne which a Bourbon had hastily abdicated. The sovereigns of Europe combined against the man whom a nation had welcomed. They poured their armies upon France like a mighty torrent, and a single but sanguinary battle decided the fate of that kingdom, and hurled from his throne that man whose genius and talents had caused kings and empires to forget their hatred and unite against this mighty one as the common enemy of all. The allied armies entered France, and compelled her to drink deep of the cup of which she had made others taste. France, the first and most faithful ally of the United States, is devastated and dismembered by foreign arms, while those of her own children, instead of being turned against the invaders, are employed in destroying each other. United, they would have stemmed the tide of invasion and turned back the waters of bitterness upon those who are

now consuming their means of subsistence, violating the dearest objects of their love, and turning them from their homes, hungry and houseless. As human beings we must feel for our fellow men, nor can we help feeling acutely for the sorrows and sufferings of those who stood firmly with us in our day of adversity, who with their arms assisted to raise, and with their blood to cement, the glorious temple which we raised to independence. Shall those awful dispensations of Divine Providence pass before us without our being deeply impressed with the baleful consequences of being a divided people? We must unite upon national ground; we must cherish a national spirit and become an united people against all foreign foes; or (which God forbid) the day may come when we, like the people of France, in sackcloth and ashes may weep over the ruins of our unhappy and dismembered country. The page of history is full of the most impressive lessons, but if any one truth be more repeatedly or impressively illustrated, it is the necessity of union amongst the people. Let us be wise, and profit by the experience of ages. In our late war we had too much of contention, too much of division, but Heaven be praised, with all our embarrassments and all our drawbacks, a just and glorious war has been terminated by an honorable peace. Long may the peace continue; long may the nation repose in honor and safety on the laurels with which our faithful militia, our brave army, and gallant navy have profusely strewed the land, the ocean and the lakes. The best way to preserve peace, is to be prepared for war. We live in an eventful age, and duty requires prudent preparations to meet those dangers which jealousy, hatred and envy may engender. The late war has done more to secure the permanence of our republican institutions and to establish for us a character abroad, than its most zealous advocates and most sanguine friends could have hoped. It has shewn us our strength and our weakness, and we owe it to ourselves, our posterity and mankind, to profit by the knowledge thus acquired.

During the late war the soil of this commonwealth was never trodden by an hostile foot, yet it had at one time a greater number of militia and volunteers in the service of the United States than were at any time in the field from any other state in the union. Our militia and volunteers were actually engaged with the enemy in Canada, on lake Erie, at Baltimore and elsewhere, and stood ready to repel him from the states of New York and New Jersey. These are proud facts for Pennsylvania, and I could not deny myself the gratification of placing them, without comment, before our fellow citizens; not, however, without cherishing the hope that they may stimulate to such legislative provisions as shall make the militia the best and safest, as it always must be the surest, instrument for the support of national independence and the preservation of internal tranquillity.

Experience has shewn the futility of the idea of converting every man into a soldier. An efficient defence must in my judgement be sought in a select militia. Such a body, always organized, disciplined and well appointed, can on any emergency be promptly brought into the field; and so long as freedom is appreciated and patriotism inherited from a brave ancestry, we shall never want abundant materials to form such a force. To attain this desirable ob-

ject, it would seem only necessary to aid and foster the spirit that animates our youth, by granting immunities to those who shall enrol themselves in select corps to serve such a period as may be fixed by law, holding forth to him who honorably discharges his duty, future exemption from service, a liberal remuneration for the uniform accoutrements furnished by him, and for the time he shall have spent in acquiring the art of war. It is well observed, in the farewell address of the great and the good Washington, that "timely disbursements to prepare for danger, frequently prevent greater disbursements to repel it." The whole male population between certain ages might be held in reserve, enrolled and mustered perhaps once a year. The quantity of labor which would be performed by this latter body on those days now spent in attempting to teach them the military art, would be in value, equal to the expense which ought to be incurred in organizing and equipping a very considerable body of select militia. I can not dismiss this subject without declaring my conviction that the late war has manifested the patience under privations, the military ardor, and innate courage of our fellow citizens. In the south, where difference of language, of habit and even of national prejudices, tended to disunite and distract, yet all were, through the delicate attentions, sagacity, firmness and super-eminent qualifications of one of the first heroes of the age, made subservient to the general weal, sources of the most honorable emulation and causes of the most glorious triumph.

The reports of the brigade inspectors, made agreeable to law, of the arms, ammunition, military stores and camp equipments, in their respective brigades; exhibit valuable property, some of it in such a state as to impress the legislature with the necessity of collecting into depots where it can receive the attention necessary to preserve it from destruction. I would suggest that an arsenal for such purposes be built at the seat of Government, and another some where near lake Erie. Of the rifle, so destructive to an enemy in hands of our hardy woodsmen, there are few the property of the state. I would recommend the purchase of some, and an increase also of field ordnance.

The loan of \$300,000, directed by a law of the last legislature, to enable the United States to pay the Pennsylvania militia and volunteers who had been in service the last campaign, was effected as soon as practicable. Unfortunately the sum was not sufficient to pay all who were entitled, and Congress not having made any appropriation of monies for the payment of militia some remain unpaid even at this late period. If any thing should prevent Congress from promptly attending to this subject, I would recommend an additional loan to enable government to pay those meritorious citizens who are yet unpaid. Legislative exposition is required of the law giving additional pay out of the state treasury to our militia while in the service of the United States. It is doubted whether the provision of the law extends to and embraces the cases of those of our militia who had been ordered in the service, but who were arrested on the march by the order of the secretary at war before they arrived at the place of rendezvous.

A declaratory law appears necessary to prevent in cases a deprivation of the elective franchise. The letter of the constitution does not as is found in practice, secure

that invaluable right to all those who are believed to be within the spirit of its guarantee. It is submitted to your consideration whether, under legislative provision, the qualifications necessary to exercise the right of suffrage may not be more clearly defined and better secured, than if all cases of doubt are left on the decision of irresponsible officers, whose decisions on similar points are as dissimilar, as are the feelings, prejudices or opinions of the different individuals who constitute the various election tribunals throughout the state.

Relieved from the various and complicated duties incident to a state of war, the legislature will turn more of their attention to the cultivation of the arts of peace and the amelioration of such of our laws as may be found to have any unsound analogy to the severity of European polity. First in order and first in the interest of humanity stands a completely revised penal code. The materials in the report of the Attorney General, and reports and bills of late legislatures on this subject, will it is hoped be found so ample as greatly to lighten the labor of graduating a scale of crimes and proportionate punishments. A system of criminal jurisprudence which shall as far as human laws shield persons and property against outrage or injustice, and yet be tempered with mercy and mildness, is, I am confident, expected by the christian and the philanthropist. In the contemplated system, it is hoped, will be introduced ample provision for the suppression of vice. In addition to what on this subject is mentioned in a communication I had the honor to make a former legislature, dated December 10th 1813, to which I beg leave to refer, permit me to suggest the propriety of preventing, as well the demoralizing practice of holding unauthorized fairs, and of so regulating those that are authorised as to prevent their being scenes of dissipation and vice, rather than marts for the purpose of sale and barter, as the preventing also the violation of the law against lotteries. Its penalties are openly evaded, under the specious name of "distribution of property;" by this ingenious device, swindling is practised to an enormous amount. It would in a great measure prevent or at least tend to lessen the evils of drunkenness, if the property of habitual drunkards were placed in the hands of trustees, without whose consent debts subsequent contracted by any such mentally diseased persons should by law be irrecoverable.

Frequent and serious reflection has confirmed the suggestions made in the communication above alluded to, that the result of forfeited recognizances in cases of personal wrong, ought of right to be applied to remunerate the parties injured; also as to the modification of the sums to be paid for tavern licenses; provision to be made to prevent the too frequent setting aside the verdicts juries (now become more necessary when new trials are ordered for reasons having no bearing upon the merits of the matter in controversy); respecting larcenies committed without the state; the inefficiency of the writ of habeas corpus: the frequent applications for pardon, and the want of a court of revision in capital cases. I beg leave to introduce to your notice also, that it frequently occurs in counties where the sitting of the court of quarter sessions is limited to four days, that criminals cannot be sentenced, because a verdict of guilty is not found within that period. Imprisonment to the next term is the consequence, costs are incurred and the