

COLLECTION OF DEBTS IN INDIANA

Vincennes 24 Aug^t 1805John Askin Esq^r

D^r Sir: On Saturday last I had the pleasure of addressing you by the Mail, which I renew this morning by the opportunity of M^r Conner who travels across the Country. In my last I acquainted you, for the information of the Miamis C^o that my colleague John R. Jones who is a member of our Council now in Session had introduced and passed in the Council, a Bill which if it became a Law would deeply wound the Interests of the C^o, That it was intended to save Vigo, By declaring that creditors must receive lands in payment at two Thirds of the value which a Jury shou'd find; and that Personal Property should not be liable. I added that I would interest my Friends in the other House where the Gentleman I employed for the C^o is a member, to defeat the object of the Bill, or effect such an amendment as would exclude the Case of the C^o. All that could be effected was a Section or two subjecting Personal as well as real Estate to be sold if they would bring two-thirds of the valuation; and if not to remain four m^{os} in the Hands of the Sherif who would advertise them. But we could not succeed in passing that then the goods should be sold for what they would bring. They are therefore to remain until they shall be accepted by the auditor or sold for two-thirds We then were able to carry a Section declaring that nothing in the law should extend to Contracts before made or to have an *ex post facto*, or retrospective effect. This leaves cases to the decision of the Judges, but in the opinion of some will not avail the C^o I am preparing a Petition to the Gov^r to request of him to withhold his signature from the law, altho' I am convinced he will not grant the Prayer of the Petⁿ.

I hope M^r Abbott will be persuaded of the necessity of repealing the Power given to M^r Jones and me jointly; and vesting it in me alone or in as many as he pleases provided that none of those who are now known to be unjustly Friends of Vigos or Enemies to him and the rest of the C^o. I have the satisfaction to observe that almost all the People in Town are against the passage of the law: But I am clear[ly] of opinion it will be approved of by the Gov^r. In which case