

COMMUNICATIONS.

AMOS LANE'S APPEAL
TO THE PEOPLE OF THE STATE OF INDIANA.

No. I.

Fellow Citizens: The only apology for addressing you at this time is, that a number of individuals and leading politicians in the east end of the state, some of whom reside in Lawrenceburg, have made it their study, for the last 16 years, to misrepresent, slander, and persecute Amos Lane. That no means, which ingenuity and falsehood could invent, wickedness devise, or talent execute, aided by combination, professional envy, political rivalship and conspiracy, have been left untried, to keep down and destroy that individual.

At one time you have seen the whole power of legislation exerted, at the expense of the people, in violation of their unanimous voice, in legislating him out of the office of prosecuting attorney of the 31 judicial circuit. At another, the robes of an individual, high in judicial authority, bleached in the dews of midnight conspiracy, to complete the work of high-handed persecution. To disclose these circumstances, and the part each has taken, will be the object of this, and the subsequent numbers. In which it shall be the constant aim of the writer to exercise soberness and truth; neither extenuating or setting down aught in malice. He has had long in contemplation to lay before the public certain documentary evidence, in justification of the public and private character of Amos Lane; to repel those slanders, disclose those conspiracies, and prove to the world, that those individuals, while they were engaged in saying all manner of evil of him, in order to poison the public mind against him, entertained privately, the most exalted opinion of the honesty, integrity, and talents of Amos Lane.

The present appears not only a propitious moment, but called for, from the circumstance of a late general and indefinite attack, made upon his private character, in the Western Statesman, by one of its editors. The writer, conscious of his innocence, called upon the editors of the Statesman in vain to point out an immoral, dishonest or dis honorable act of Amos Lane, which had fallen within either their observation. He also called upon his enemies to do the same. All were silent as to any specific charge; yet the editors continued their general and indefinite slanders. To repel them, is to prove the negative, and prove them all false, by the whole tenor of his life, that they are the result of political and professional envy.

To sustain the character of Amos Lane, from a period anterior to his arriving at the age of 21—leaving not a year, a month, or a day unaccounted for, by even the evidence of his enemies—is the object now in view.

In order to be more clearly and distinctly understood, it is deemed important to state, briefly, the places of his residence for the last 27 years.

Amos Lane commenced the study of law in the county of Cayuga, N. Y. with Joseph L. Richardson, on the 12th day of Sept. 1803, and continued in his and Daniel Shepard's office, until the 7th of August, 1805. Resided in the county of Saint Lawrence, the last of 1805, and until the fall of 1806; in the village of Steubenville, Ohio, the whole of the year 1807; and from the 4th of March, 1808, until the present moment, in this neighborhood, and the last 16 years constantly in this village.

The writer holds himself responsible for the slightest deviation from truth, in matter of fact, or circumstance.

The certificates, recommendations, letters, and documents, to be published, will be referred to by number; and should any one be disposed to doubt the genuineness or authenticity of any document published or referred to, the originals shall, at all times, be subject to inspection.

No. 1.

This is to certify, that Amos Lane has been a student at law, and a clerk in my office, for the term of one year, five months and nine days, to wit: from the 12th day of September, 1803, till the 21st day of February, 1805, and that he is a man of good moral character. Dated, Levana, Cayuga County, February 21st, 1805.

J. L. RICHARDSON.

This certificate, given under the solemnity of the oath of the individual, as an attorney, proves most conclusively, that Amos Lane, from the 12th day of Sept. 1803, until the 21st day of Feby. 1805, was "a man of good moral character."

No. 2.

This may certify, that Amos Lane commenced a clerkship as a student at law in my office, and under my direction, on the twentieth day of February last, and has continued as such to this day, being five months and eleven days; and that the said Amos Lane is of good moral character. Dated, Aurora, Cay. c. Augt. 7th, 1805.

DANIEL SHEPARD.

This certificate is equally satisfactory of his being a man of good moral character, up to the 7th day of August 1805, then in his 22d year.

No. 3.

Dr. Sir: The bearer hereof, Mr. Amos Lane, is an acquaintance of mine, and has for some

time been reading in my office; and is now setting out a tour in the county of St. Lawrence, with a view of making a permanent residence in some part of that county, in the practice of the law.

You'll please receive him as our acquaintance. Any favor you may be able to render him, will be pleasing to us.

Mrs. Shepard desires to be remembered to Mrs. Brown, August 8, 1805.

I am, Dr. Sir, with esteem,

DANIEL SHEPARD.

Jacob Brown, Esqr.

This letter of introduction, from Daniel Shepard, the writer of the above certificate, of high respectability, to Jacob Brown, his brother-in-law, late major general of the army of the U. States, dated 3d of August 1805, proves that Amos Lane was not only a man of good moral character, but amiable and respectable, deserving the friendship and patronage of the good and great, and was an open letter; and the absence of general Brown accounts for its remaining in the hands of Mr. Lane.

No. 4.

INDIANA TERRITORY. I, James Dill, Dearborn county, Set. Clerk of the circuit court of Dearborn county, in the said territory, in whose office and care the books and records of the former courts of common pleas and circuit courts, of the county of Dearborn, have been transferred and deposited; do certify, that in the records of proceedings of the court of common pleas, of said county, of the term of April, 1810, it is, amongst other things ordered to be certified, that Amos Lane, a citizen of the United States, and this territory, is of good moral character.

In testimony, whereof, I have hereunto [Seal] affixed the seal of our said circuit court, this 7th Octo 1814.

JAMES DILL, CLERK.

This certified order of the court of common pleas, of the county of Dearborn, made at the April term, 1810, proves Amos Lane, at that date, to be "a man of good moral character."—And more especially, as the granting of it, was opposed by James Dill, then at the bar, by all the means in his power. To do this, the false and spurious letters, which he afterwards published under the title of "the Modern Great Man," were placed in his hands.—Of this publication, and its author, the writer will have occasion to say much. But even of this man, whose injuries to Mr. Lane, oceans of blood could not wash out, it is not his wish or intention blazon abroad his follies or foibles, but cast the mantle of charity over them.

To assail, is not the object of these numbers; to wound others, not their aim. The writer can assure the oldest and most inveterate enemy of Amos Lane, that the smallest hair in his head shall not be touched, farther than shall be essential to the attainment of truth, and the justification of his character. Nor will he be driven from this firm resolution, of doing unto others as he would they should do unto him, from a fear or dread of James Dill, and his political associates, threatening and preparing to publish a third edition of the same history. No, he rather they would go on and publish a third, a fourth, a fifth, and the ninety and ninth edition; let them outnumber the stars, and equal the sand on the sea shore; nor stop here, but say and publish all manner of evil of Amos Lane; it will but establish on high the object of these numbers.

That the unkind spirit of persecution is abroad—that Amos Lane has not only been, but still is, an object worthy of their highest envy, their deepest malice, and blackest hatred; at whose unoffending heart, to sustain their own professional and political standing, they are determined to cast the last arrow of persecution.—Upon whose head, fearing it should come in for a portion of public confidence, they are determined to pour out the last viol of wrath. To general Dill the writer would say: examine your own heart, retrospect your own life, and then place your hand upon that heart, your eyes on Heaven, and if you can say James Dill is without sin, then, and not till then, cast the third stone at Amos Lane. He would make the same solemn appeal to each and all of his enemies. Yes, to the whole seventeen, who contribute to the publication.

No. 5.

This is to certify, that I have been well and personally acquainted with Amos Lane, since the spring of 1808.—That he practised as an attorney and counsellor at law in the Boone circuit court, Kentucky, in which I officiated as the clerk of the said court, until 1815.—That the said Lane was generally engaged in all the business, both civil and criminal, and so far as I was capable of judging, the said Lane performed all his professional duties with independence, ability and honest integrity, and with an unusual degree of attention, industry and perseverance; and with great success.—That during the period aforesaid, a part of which time I had a near neighbor to Mr. Lane, I have had considerable dealings with him, as a neighbor and private citizen, commencing our private dealings in 1808.—And that the said Lane has always conducted himself as a peaceable, sober, and moral man, and in all his dealings fair, honest, and honorable; and that such is his general character as a lawyer and a man.

May 21st, 1817. ABSALOM GRAVES.

The above certificate of Absalom Graves, than whom a more respectable, better or honest man never lived, not only sustains the character of Amos Lane, from the spring of 1808, until the 21st of May, 1817, for morality, but proves him a sober man, a peaceable man, an honest and an honorable man, and fair in all his dealings, and an attentive successful lawyer. Mr. Lane

has in his possession a similar certificate from nearly every man of respectability, at that time, in Boone county, bearing equally honorable evidence of his honesty, sobriety, fairness in dealing, integrity and talents during the same period; one of which will appear in each number.

No. 6.

STATE OF INDIANA. December term, Dearborn Probate court, 1823.

It is ordered, by the court, to be certified, that Amos Lane, Esqr. of Lawrenceburg, Dearborn county, Indiana, is a man of good moral character.

This extract is also the solemn act of a court of record, of the county of Dearborn, which proves beyond all doubt, that in December, 1823, Amos Lane was a man of good moral character; and was ordered to be certified of record by judges, each of whom had been personally and intimately acquainted with Amos Lane for the last 16 years.

It is desired to be understood, that the evidences offered in this number, are but a few disjointed links in the chain.

Mr. Lane has in his possession the written evidence of some honored witnesses, all of which shall appear in due season, and proper order.

AMOS LANE

Sept. 24, 1830

EX-MINER No. VII.

In the course of my examination, the union of sheriff and collector was the most difficult to come at. These two offices we find in possession of one person, in most of the counties of this state; and both offices are lucrative, when the constitution expressly forbids it.

In this instance we are not authorized to concur, in so great an extent as in many other cases, any person for taking the collector's office, when acting as sheriff; for the appearance of law is on the side of the sheriff, not only as an inducement to take the office of collector, but as a command, in cases of refusal of others, to this blind and stupid act of the legislative body to make a law, (as they no doubt intended,) to unite those two offices in one person, is almost beyond credit, if we did not find the following act to that effect: An act for assessing and collecting the revenue. Approved, January, 1824.

SECTION 18. "The sheriff of each county, or any other fit person, shall annually at the time of the appointment of the assessors aforesaid, be appointed, collector thereof by the several boards of county commissioners, and each collector shall forthwith take an oath before such board, or any officer authorized to administer oaths, well and truly to perform the duties of his office, with security to be approved of by such board, in the penalty of five thousand dollars, conditioned for the faithful performance of the duties of his office according to the provisions which are or may be made concerning the same."

Here we see an error of a whole assembly of wise men, disregarding the great chart which they acted under—the constitution. The fact is, that an unconstitutional act cannot become a law, although enacted by a whole assembly of the state; for this plain reason, they have superseded their jurisdiction. This assembly of wise men were elected by the people as their representatives, under the authority and restrictions of the constitution, which is the foundation of our state government. The human family are subject to error, both as individuals and as men in a legislative capacity, but what appears the most surprising is, to find so many unconstitutional acts passed by the constituted authorities of Indiana. We are led to suppose that our former assemblies were of the opinion, that their acts were self sufficient, although contrary to the constitution; or we must be more charitably disposed, and consider them all ignorant of the great chart which they were sailing under, and excuse them on that ground.

Among the many errors they have fallen in to, there is none more apparent than the act of legalizing illegal acts.

The word legalize, implies an illegal act or acts. It is no difference whether it is by an individual or a large or small number of persons; an illegal act in either of these cases is a crime against the peace and dignity of the state, and is subject to punishment either by fine or imprisonment, according to the nature of the crime. The fact is this, legalizing illegal acts, is in reality legalizing crime; and if our assembly have the power of legalizing a small crime, they have power to legalize a crime of the largest magnitude, whereby an artful and intriguing man of great influence, could by flattering and finessing, have any crime legalized, and thereby escape the just punishment of the law.

But to return to our text. I would humbly ask, and beg to be excused for making the enquiry, how our sheriff can hold so many offices in direct opposition the commands of the constitution of Indiana? Behold our public news papers crowded with titles, all lucrative offices, viz. Sheriff of Dearborn county, Collector of Dearborn county, and Deputy Marshal to take the census of Dearborn county; three very profitable offices in possession of one man, Col. John Spencer; a very fit man for any of those offices, but can he hold more than one of them legally and constitutionally? if he can, pray explain to the public the frequently quoted section in the constitution: viz. Article 11, Section 13. "No person shall hold more than one lucrative office at the same time, except as in this constitution expressly permitted."

In the whole body of the constitution, there is but one permission for one person to hold two lucrative offices, that is clerk of a circuit court, and a recorder of a county; there is no permission for a sheriff to be collector or any other officer whatever, that is lucrative. Some pretend to say that taking the census is not an office. Let all those of that opinion ask the following questions—what is an office? what is a deputy? and how do officers sign their names, in distinction from individuals in a private capacity? I will give you yankee answers, by asking other questions.

Does not an office imply a duty to be performed for the public, in either a large or small community, for which the person receives some authority from his government or the community who constitute and confer the office? Does not a deputy imply the power and authority of which it derived its delegation? if the original had power of office, he delegates a part of that office and power to the deputy. Does not officers sign their names officially, attaching the title of authority which they act under?

There is no difference in the signature of official acts of the highest or lowest officers in the United States. The President of the United States, and a supervisor of highways, both sign their names when acting for the public in

an official capacity, according to their respective stations.

And a deputy puts his signature to all his deputized business, in as much of an official capacity, as the person does, from whom he derived his deputed commission.

Can all those smart and enterprising men, who hold two or more lucrative offices; who have taken a solemn oath to support the constitution of the United States and the constitution of this state, have continued in those errors for years without a man's reflection of their oath and their daily practice; if so I beg leave to call their attention to a consideration of a correspondence between their oaths and their official acts.

Will it not be fair and candid to contest those double and treble oaths, by the constitution, from which they derive their authority, in a legal and judicial manner? Examiner.

To the People of Indiana.

No. II.

We are under the promise to show to the people the necessity of attempting to protect their rights as citizens, from the encroachments of men who live upon their strength, and who claim and exercise a superiority over the plain, industrious and honest farmer and mechanic. These official gentry are common to every county and town in our state, and they are the personages who use all their abilities to model public sentiment, in such a manner that all things shall eventuate to their own advantage, either by placing themselves in power, or by conferring office upon their relations, retainers or political partners.

A train of interest and a community of feeling is created among them, which extends throughout the limits of every state, and which very generally ramifies throughout the various departments of government, both local and general. To individualize would be tedious, and it might be said that personal prejudices influenced our conclusions; but general examples may serve to explain our position, and to strike the attention of that portion of the community, who have neither time nor convenience sufficient to enable them to make general researches on these subjects.

That a community of interest influences the conduct of the political gentry of the times, who are generally known as the aristocracy of the country, is to us apparent from reflection on the following facts. It is the great principle of self interest which prompts men to desirous action, in most instances, where political ambition marks the character of individuals, and where a thirst for office is the ruling passion of their minds. This being admitted, and it is a fact which the observation of every day's events will establish, the only consideration is, what course will produce such and such results, in the beginning, and a certain state of affairs once produced, what will be the final result?

In illustration—the lawyer who is pinched for practice and fees, argues thus with himself; If I can succeed in electing lawyer B. to the office of Judge, he will be out of my way, and leave a greater amount of business to my share; Judge B. in his turn argues—if I can effect the election of Judge H. to the United States' Senate, I may possibly occupy his place as Supreme Judge, and in this system of gradation, brought about by interested persons, are the whole train of offices in the state disposed of, and the interests, rights and privileges of the people become a matter of bargain and traffic, in the hands of political shavers, who appropriate all the public favors to their own use, and who look upon them as their entailed inheritance.

The legislative halls of our state are filled on this great principle of reciprocity of interests among politicians—we mean men who make a trade of politics. It runs in a simple channel and may be discovered in almost every county election. Some man, already in office, wishes to rise higher in power and to effect his purpose he must have friends in the legislature. A few faithful and interested gentlemen are made acquainted with his views, and they soon devise means to get pledges and promises from those who may be considered prominent before the people. When such pledges, promises or leavings are received or discovered, such individuals are duly seconded in their pretensions by the aristocracy, and the cry that they are men of talents, intelligence and integrity is sounded in the ears of the people, merely that they may be elected to answer a certain determinate end. Here the interests of the public are again sacrificed at the shrine of political ambition, and still the people are lulled into the belief that their interests are best guarded when in the hole keeping of the aristocracy.

The people of Indiana have labored under a system of arrangement ever since the origin of their territorial government, and a change of that form only served to strengthen the bonds upon them. A very few persons have given laws and measures, with as much absolution of power as if they had been born to govern. To such as have ruled in justice and mercy the people will always be grateful; but to such as have labored for self and self alone, the people will soon speak in terms that will cause them to bear.

Previous to the election of Andrew Jackson in 1828, there was an almost perfect system of official nobility established, and a common man, or plebian, might as well have asked an office, and with about the same prospect of suc-

cess, as a plebian, might have claimed privileges of the patricians of Rome, previous to the days of Gracchus.

Since that period some of the offices of the General Government have fallen into the hands of the men of the people; but we may seek in vain for an officer in Indiana, who claims his office as a gift of the aristocracy, as a boon of the aristocracy, unless he has bowed the knee to Bala, and abjured the heresies of Jacksonism. Unless he fights, as a Swiss soldier, for those who hold the power in the state, he is told by the ballot box of the legislature, that he is unqualified, undignified and disfranchised. The money that is drawn from the pockets of Jackson men is virtually claimed in payment of sinecures to those who deserve them, and who will most effectually, by the influence of their official character, and their opportunities to mingle with the people, be able to subvert their desires and subserve the opposition.

The day of monopoly is drawing to a close in Indiana. The people are intelligent and they will not tolerate such a state of affairs.

The Jackson citizens of Indiana will not be disfranchised from office by the legislature, until that legislature shall absolve all Jackson men from the payment of taxes. The Constitution of our state makes no distinctions—equal taxation—equal representation—and we will add,—equal participation, is its spirit and its pride.

There is neither a Judge, a Prosecutor, a Canal Commissioner, or other Officer of State, who derives his office from the legislature