

To the People of Indiana.

NO. III.

We have laid before the public, in the two last numbers of the Democrat, a brief statement of facts relative to the political affairs of the State. It is our design to impress upon the minds of the community, that portion of the public who are the real and substantial supporters of government, the men who pay the money which defrays the expenses, pays the salaries, and elevates the dignity of the gentlemen who hold the offices of honor and profit in Indiana, a true sense of their own importance, and a just consideration of their indefeasible rights and privileges.

In what proportion are the favors of office distributed among the people who furnish the money which pays official salaries. Every citizen of the State, be he rich or poor, contributes to the public Treasury, and every citizen, be he rich or poor, stands on the extended plain of equality, as regards his right to receive and execute official trusts. The people are alone blameable if they permit themselves to sink into vassalage, or suffer themselves to take a stand in society second to the professional gentleman, the monied gentleman, or the official gentleman. All these gentlemen have to depend upon the Farmer, the Mechanic, the Artizan and the Laborer for the tenure of their greatness; and it is in the power of these "pillars of the Republic" to crush him who would make distinctions among men, which are not characterized by other merits than the mere assumption of pretended superiority.

On the subject of equal rights of citizens it is useless to repeat ideas which are common to every reflecting man. We are not so ignorant of our privileges as we are slow to exercise them. It is a truth which needs no exemplification, that not more than one man in four hundred ever receives back to his benefit or account one cent of the money which is drawn from his pockets in the shape of taxes, and which is given in recompense to those who hold offices. This state of affairs is not a necessary consequence upon the spirit and intention of our civil institutions; but it arises from the lethargy and carelessness of those whose privilege it is to participate in the discharge of the full duty of citizens. The principle of rotation in office is one which corrects many evils. It teaches every man that he has only such rights as are common to his fellow citizens. It is no uncommon thing for persons to hold offices from ten to fifty years, and it is equally common for others equally qualified, who are their neighbors, never to hold an office in their lives. A principle of sympathy seems to obtain in the human breast, and because a man has once held an office (although probably well paid for it) we are apt to think it a hardship to deprive him of it—while, on the contrary, we would not consider the injustice of never allowing others who have never received the first cent of the bounty of the public, an opportunity to enjoy a reasonable dividend.

But to apply the preface to the subject shall be our motive. The Adams and Clay men of Indiana have so long held the keys of the State Treasury, that they have grown purse proud, and deem it sacrilege to ask them to divide and take a share corresponding with their numerical strength in the State. Tell them that they should not engross all the favors of office, and they will reply that their qualifications and long service entitle them to continue.

A short table of salaries, which are every one in the hands of Adams and Clay men, would be such a striking illustration of our premises that we are induced to submit such an one. The following Officers are paid by the people, and although there is a majority of at least seven thousand Jackson men in Indiana, not one dollar of this great amount falls to their share:

Two United States' Senators, whose annual salary is, each 1800,	\$2 600
Three Supreme Judges, each 700,	2 100
Seven President Judges, each 700,	4 900
Seven Prosecutors, each 50,	2 450
One Secretary of Treasury—salary and perquisites, say 650.	650
One Secretary of State—salary and perquisites, say 650,	650
One Auditor of Public Accounts, salary and perquisites, say 650.	650
One Agent of three per cent fund 200.	200
One Agent of Indianapolis 200,	200
One governor—salary and perquisites, 1200	1200
One Lieutenant Governor, 125,	125
Three Canal Commissioners, each 500.	1500

17,225

Here is a short exhibit of total disfranchisement of Jackson men. Every office which is controllable by the Legislature is thus filled. This is a mere portion of this system of proscription pursued by the Clay party. Clerks of the Legislature, en masse. Sergeant-at-Arms, &c. &c. were last year of the same political kidney. Seventeen thousand two hundred and twenty-five dollars of the people's money given exclusively to the Clay party, and not one

dollar to a Jackson man. This is the way the aristocratical minority rule the majority, and rule them with a rod of iron. This is the liberality of the opposition—those who oppose the will of the people. And this is not all; they are not satisfied with holding all the offices within the gift of the State, but the piteous cry of proscription for opinion's sake is continually resounding in our ears. They would still be willing to enjoy in addition all the gifts of the General Government.

How long will the people, the Jackson public, submit to such degradation and injustice? How long will they pay men to persecute them, and to cut them off from the common rights of citizens and freemen? The people have the power—they can correct this gross usurpation of office! We ask them to consider these matters—to act fearlessly and independently. No man should be a representative—no man is a representative, in reality, unless that man will do in every act, as the people whom he represents would do were they present to act in his stead. Let the people teach the lesson to their servants, by INSTRUCTION, and they, the people, will rescue themselves from the sneering imputation of being blind to their own interests, and of being the dupes of designing political aristocrats.

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COMMUNICATIONS.

EXAMINER—No. VIII.

Fellow citizens, there are certain oaths for the clerks to take, previous to their entering on the duties of their office, after being duly qualified and elected. And for the information of all concerned, I will here quote the laws on that subject:

In the revised laws of Indiana, in 1824, there is an act organizing circuit courts and defining their powers and duties. Section 3, (Page, 25.) "The clerk of the circuit court, before entering upon the duties of his office, shall take an oath or affirmation similar to that which is required to be taken by the clerk of the supreme court, a certificate of which shall be endorsed on his commission, and a copy thereof filed in his office; and shall also give bond payable to the state of Indiana, in the penalty of two thousand five hundred dollars, with two or more securities, to be approved of by the two associate judges of the proper county, conditioned faithfully to discharge the duties of his said office," &c.

An act organizing the supreme court, and defining its duties. Approved January 2, 1824 (Page 128.) Section 4. "The supreme court shall appoint its own clerk who, before entering on the duties of his office, shall take an oath of office, similar to that which is prescribed in the second section of this act, which oath shall be administered by one of the judges of said court," &c. (Page 129.) Section 2. (Page 128 and 129.) "Every person so commissioned, before he enters upon the duties of his office, shall take an oath or affirmation, which shall be administered by any person legally authorized to administer oaths, in the following form, to wit: 'You do solemnly swear (or affirm, as the case may be,) that you will support the constitution of the United States, and the constitution of the state of Indiana, and that you will, to the best of your ability and judgment, faithfully discharge the duties of your office,—as a clerk of the circuit court in the —— judicial circuit of the State of Indiana; and that you have not since the first day of January, eighteen hundred and nineteen, either directly or indirectly, knowingly given, accepted, or carried a challenge, to any person in or out of the state, to fight in a single combat, with any deadly weapon, and that you will not knowingly give, accept, or carry a challenge to any person or persons, to fight with any deadly weapon, in single combat, either in or out of this state, during your continuance in office.'

Fellow citizens, can both of your late candidates for the office of clerk of Dearborn circuit court, take the above oaths? No, it is not possible that Gen. James Dill will presume to be qualified to the clerk's office, by taking this oath. The circumstance of the General's contract with Mr. Lane, at Hardsburg, some time past, is too fresh on his memory to admit of so base a crime. Should it be decided by the court that he was eligible to the office of clerk of the Dearborn circuit court, (which cannot be done by men of good understanding and sound judgment,) this injunction of itself, will put a final bar to his further pretensions as clerk of a circuit court in this state.

Fellow citizens, as the constitution of Indiana expressly declares, "that the said Clerks respectively, when qualified and elected, shall hold their offices seven years and no longer, unless re-appointed," I will ask again who has the power of re-appointing, the court or the electors? You will all certainly answer, the court undoubtedly has that express power vested in them in their jurisdiction, which power is not within their reach, only in cases of absolute necessity, when destitute of a qualified and elected clerk. I would further ask, how a man can be elected to any office, when he is not eligible to that office? It is not possible in the nature of all rules of calculation. A man elected to an office, when he does not come within the reach of that election, it is a solicitude; or to suppose a person can be elected to office, when that person is expressly prohibited from serving in such office. Fellow citizens, permit me further to call your attention to this subject, are not all the votes given to Gen. Dill lost, for a clerk of the Dearborn circuit court, as completely so as though they had been thrown into the fire, instead of putting them into the poll box? What can be the difference when he is expressly forbid holding the office or being benefitted by them? Should that prove to be the case, of which I have not the least doubt, who is your clerk elect? Do I hear you say, all with one voice, that Samuel Morrison is legally and constitutionally the clerk of the Dearborn circuit court, fairly elected by the electors at their annual Election in 1830.—It is hardly possible to err in this question.

Fellow citizens, I have mounted the box on your watch tower, and I intend to declare to you fearlessly and undeniably, the great errors and impositions which are practiced on your constitutional rights and privileges, without any regard to persons. I feel a tender regard for my fellow citizens; and be it far from me to wish to injure any of them, either in character or property. But shall I remain silent any longer, and suffer those great errors to be continued, because I shall hurt some friend's tender mind. If I have a friend who has a tender mind, let that tenderness of mind be actuated towards the constitutional support of our government, and we are all safe in possession of such friends. Fellow citizens, I feel confident that I shall obtain one victory in

this examination, that is, I shall convince the community of those errors, if I do not succeed in finding a remedy, which will afford me a source of consolation.

Is it not almost beyond comprehension, that we should suffer these impositions so long? we certainly must have been very remiss in our duty, and have very little independence to perform it, to let year after year roll away and no one to inform the people that our county clerk held his office the last seven years unconstitutionally, he not being eligible to that office but one term of seven years.

Follow citizens, are you prepared to support our constitution, or shall we timely and manfully submit to all those usurpers, who are trampling that good instrument underfoot, and setting our rights at defiance? Look well to your own birth rights. Examiner.

GRAND JURORS.

To the Grand Jurors of Dearborn county, the following oath and charge is respectfully submitted:

OATH. "Saving yourself and fellow jurors, you as foreman of this grand inquest, within and for the county of Dearborn, do solemnly swear in the presence of Almighty God, the searcher of all hearts, that you shall diligently enquire, and true presentment make of such matters and things as shall be given you in charge, or otherwise come to your knowledge, touching the present service; the counsel of the state, your own and your fellows, you shall keep secret, unless called on in a court of justice to make disclosures; you shall present no person through malice, hatred or ill will; nor shall you leave any person unpresented through fear, favor or affection, or for any reward or hope thereof; but in all your presentments, you shall present the truth, the whole truth and nothing but the truth, according to the best of your skill and understanding; and for this you shall answer to God at the Great Day."

"The same oath which A. B. your foreman hath now taken before you on his part, you and each of you shall well and truly observe and keep on your respective parts; and as this you shall each answer to God at the Great Day."

CHARGE.

GENTLEMEN OF THE GRAND JURY:

By virtue of a writ of *Venire Facias* under the hand and seal of James Dill, clerk of the Dearborn circuit court, you have been summoned and are now empannelled as the Grand Jury of inquest, within and for the body of the county of Dearborn. So repeatedly, gentlemen, have you discharged the duties of that important station, to which your country now calls you, that it would be presumption in me to imagine you unacquainted with these duties; at this time it affords gratification to behold so respectable a collection of my fellow citizens, assembled on the present occasion, and it cannot but be consolatory to myself and the rest of this court, to feel from experience, an assurance that you will do every thing in your power to support the laws of your state, and strictly by your indictments, agreeably to your oaths, to present every person guilty of offences, without partiality, favor or affection. The penal laws of this state have too long, gentlemen, been considered, not only weak, but perhaps pusillanimous by offenders; it has too long been believed so, and it is high time that the energy of the laws should be used to prove the contrary.

"The general nature of crimes & their punishment; the discussion & measurement of which forms in every country the code of criminal law. The knowledge of this branch of jurisprudence, which teaches the nature, extent and degrees of every crime, and adjusts to it, its adequate and necessary penalty, is of the utmost importance to every individual in the state. For no rank or elevation in life, no uprightness of heart, no prudence or circumspection of conduct, of should tempt a man to conclude, that he may not at some time or other be deeply interested in these researches.

The infirmities of the best among us, the vices & ungovernable passions of others, the instability of all human affairs, and the numberless unforeseen events, which the compass of a day may bring forth, will teach us that to know with precision what the laws of our country have forbidden, and the deplorable consequences to which a wilful disobedience may expose us, is a matter of universal concern." You shall present all crimes and misdemeanors whatever, committed within the limits of the country, and breaches of the penal statutes, either by private citizens or officers.

You are strictly enjoined by your oath aforesaid, to examine all officers from the judge down to the constable, whether they have given bond and taken the necessary oaths, and performed their duty according to law; and by so doing you may save half a winter's legislation, in legalizing the acts of officers who do not perform their duties according to their oaths or the law. Gentlemen, the law is imperative. All officers before entering upon the duties of their respective offices, shall take an oath to support the constitution of the United States, and the constitution of Indiana, and to perform the duty of such office according to law. And when any officer takes the foregoing oath, and does not comply with the law, he violates his oath and the law of the land.

It is to be hoped that all judges and other officers administering the laws, will mete every aid and encouragement in the righteous discharge of their duty, and that their sentences will be respected and carried into proper effect; otherwise we need hold no courts, but becoming in a state of insubordination, leave every man to assert his own rights, and maintain what he may call his own privileges in the best way he can; for gentlemen, when the laws are trampled upon, and judges and other officers debarred, no good order or decorum can exist in society, but all must be confusion, and the worst of anarchy.

Gentlemen, you will remember, that you are not a jury to try offenders but only to present offences, as they may be laid before you or come to your knowledge, on behalf of the state of Indiana.

Should you need the assistance of the law on the present occasion, you have a right to call upon your prosecuting attorney, for information, which doubtless, will readily furnish you with. Consider, gentlemen, that the peace, quiet, safety, and the lives of the inhabitants, ever rest in the hands of a Grand Jury; do your duty impartially, and trust for your reward to your own consciences, your country and your God.

MRS. BARNEY'S LETTER.

The publication of this letter seems to have had a magic influence upon the fair portion of the reading community, and induced many distrustful and secluded matrons, to seize their pens and enter the list of newspaper writers. The following, from a respected female reader, is the second epistle we have received, elicited by the publication of Mrs. Barney's letter.

TO BOTH SIDES.

Poor Mr. Barney! I frequently involuntarily exclaim within my self, poor man, removed from office, consequently deprived of all means of supporting his helpless family, afflicted with infirmity and ill health, in so much that he was not able to write a letter. But it is hoped he is not so feeble but he can rock a cradle, to keep some of the little ones quiet, while his help-mate is writing a lengthy scrawl now and then to the President, highly seasoned with acrimony, loading him with calumny and invective; with a charge of a breach of faith to her husband. It may be Mrs. Barney is in the right, and my ideas on the subject are wrong: for Mrs. Barney's opportunities for acquiring useful knowledge, must have been very great, both in her youthful days, and also in her more advanced years; in this respect I have nothing to boast of over many of my sex. I hold that we ought to have a free and independent mind and be jealous of our rights, and maintain our station with dignity. I do not think it ever was intended, by the wise author of our existence, that we should be that degraded part of the human family, which some have supposed, (especially in former times,) in this respect the scale is turning, and we shall rise (as I think) to an equality in talents, and education, with the stronger sex; but let us move in our proper sphere, and not interfere with matters that do not belong to us, more than laboring in the field.

Mrs. Barney's letter is before us—we all may read it. I do no feel disposed to make many remarks upon it; but with all her charges, and violent attacks on the President, I discern much selfishness through the whole. If the President had removed all the men from office, as he really has done, excepting Mr. Barney; or if he had even removed some worthy man from a more lucrative office, and raised Mr. Barney to the same, we should have heard none of these bitter complaints from her, against the President. Now, in my humble opinion, if any good is to result to the country by removing this large number of public officers, and placing other persons in the same office, we must acquiesce, for we ought to sacrifice private interest to public good; but if this is not the case, and the exchange of officers is only to enhance expenses, strengthen a party, and serve to cut asunder the bands of union, in this magnanimous nation, if this is the case, certainly our wise republic will remedy the evil by electing one in due time of superior talents, and capability, that will conduct the affairs of the nation, so as to preserve our independence with dignity and honor.

How Mrs. Barney can have eight small, helpless children at one and the same time is a paradox to me. I can reconcile it in no other way than this, they must be all very young, as well as small; or they must be dwarfs and idiots. Either of those cases would be very trying to a mother, more especially the latter. This certainly is a very singular case, such an one as has never come under my knowledge; one such case in a family some times occurs, and I have ever considered it a great calamity. But if it is the former, much depends on the mother, to rear and educate them, that they may be a blessing in their day and generation; with a suitable education in the arts and sciences, with a mother whose wise precepts and good examples, will direct

them in the path of virtue, with health and industry, they will make ample amends for the loss of their wife, which she laments, even to distraction. It is in this case I don't judge wisely, I judge disinterestedly; I have no share in public office, neither do I wish for any. If I may be allowed to enjoy the blessing of a private and retired life, and live above contempt, and disregard alike the frowns and flatteries of the world, this is the height of my ambition.

I also have eight living children, the same number with Mrs. B. They are not very small or helpless—the youngest of whom is 7 years old, a sprightly boy. All the others are able, & capable, with their own industry, to provide every thing that is necessary for themselves, in an honest and honorable way, and without any assistance by public office. Taking into consideration Mrs. B.'s letter to the President, and drawing all the conclusions that are within the limits of my abilities, instead of the office her husband has so long had in his possession being a blessing to his family, it has been quite the reverse.

Mrs. Lane's letter we also have, and can peruse it at our leisure. If my abilities were adequate to the task, I would draw a middle line between the two letters. The one is too lavish in abuse, and calumny on the President, to be excusable in any person, male or female; seeing he is our chief magistrate, even if he has been as much in the wrong as Mrs. B. has set him forth to be, it would have better become a wise and discreet wife and mother to have cast a mantle over his faults and failings and preserved as much as possible the dignity of our country—for the eyes of all nations are upon us. Mrs. Lane's letter in my opinion, is as far from the line on the other hand. Supposing President Jackson was really the wisest man that ever graced our nation, with a character unsullied with any irregularity whatever, and was perfection itself, she could not, with all her natural and acquired abilities, have loaded him with more encomiums. She has extolled him to the skies, as though he was something immortal. I do not think it right to bestow so much praise and adulation on any fallible mortal. One observation I shall take the liberty to make, that is, I think the President is a devout christian; or at least one thing is obvious, he is a true believer in rewards and punishments.

The silver stream that has for so many years uninterruptedly flowed to nourish, and support Mrs. Barney's family, has in the course of events dried up, to their great consternation and regret, leaving them without any means of succor; and in the mighty turning and overturning of affairs, another luxuriant stream has been diverted from its accustomed channel, and by the same generous hand, has been turned to refresh and nourish a branch of Mrs. Lane's family. It is no wonder that a tender mother should feel grateful sensations in her throbbing bosom, towards the donor of such a rich boon to a beloved child. In this way we are bound to excuse her in the loud acclamations of praise she has so profusely lavished on her benefactor. Perhaps, in the extravagance of her expectations she had forgotten that no bliss is perfect; that good and evil are mixed and flow from the same fountain; that every bitter has its sweet, and every sweet its bitter; and that it was even so in this case. It is written, "in the days of prosperity rejoice, and in the days of adversity consider." Now, this is better time for rejoicing, and I feel inclined to rejoice with her; for on our wearisome journey through life, if we did not find now and then, interspersed in our thorny and uneven path, some cheering fruits, pleasant flowers, and refreshing shades, we should be disheartened and faint by the way. This is a world of change; and I would have Mrs. Lane remember Mrs. Barney, who was living at her ease, in affluence and perhaps extravagance, on the public bounty, supported by the industrious hand of every free American citizen, whom she looked down upon, perhaps with contempt; forgetting that the industrious working part of the community are the strength and bulwark of the nation.

I think Mrs. Barney deserves a gentle reproof; but Mrs. Lane has chastised her with severity. I also think it would have appeared with a better grace from a more disinterested source. With Mrs. Barney I have no personal acquaintance; with Mrs. Lane I have long been acquainted, and her talents, mental abilities, character, industry and economy, are unquestioned by me. They both have, with sincerity, the good will and best wishes of a

Female Observer.