

GAZETTE.

VINCENNES.

SATURDAY, AUGUST 17, 1833.

CONGRESS.

COUNTIES.	Lat.	Long.	Pop.	Dele.	Elect.
KNOX	38 1/2	62 1/2	112	93	3
DAVIES	38 3/4	24 1/4	41	82	1
MARION	41	135	18	164	1
SULLIVAN	123	31	457	358	37
VIGO	98	56	227	137	704
FUTNAM	30 1/2	52 1/2	114	896	239
LAWRENCE	140	36	78	278	94
GREEN	43	67	167	238	401

We have yet to hear from Clay and Owen counties, and regret that we are not able this week to give the Congressional vote complete; however, from those already received, there is little doubt of Mr. Ewing's election.

In relation to the communication which appears in our columns to-day, from Samuel Judah, we feel it our duty to say, that nothing but a determination to act impartially, has induced us to give it publicity in our paper, and it was a "tight squeeze" at that.

In our capacity as editor, we have no desire to take part in any controversy between individuals, and express no opinion as to the merits or demerits of the one now going on between the individuals concerned; they are well known to most of our readers, and it is for them to form their own opinions. We would also remark that we refused the publication of D. C. Johnson, because it was viewed as an attack. We admit this, because its author claims it in defence, simply.

FOR THE VINCENNES GAZETTE.

Mr. Editor:—The attention of the people after an age of carelessness, being at length directed to the improvement of the river Wabash, it may not be thought out of place to make a few remarks on the subject. There is no doubt that the early and earnest attention of our state legislature will be given to this matter, and that the members elect from the Wabash counties will use their utmost endeavors to procure an appropriation of money equal at least in amount to the sum contingently appropriated by the legislature of Illinois at its last session, say \$12,000. It is highly probable that great exertion and management on the part of our Representatives from the valley of the Wabash and White rivers may procure the appropriation: If so, a beginning at least will be made to an undertaking, which, if correct policy had been pursued, should ere this have had a completion. Human wisdom is folly, and human foresight is blindness—are truths fully exemplified by the present situation of the Wabash country, particularly the lower part of it. But a short time has elapsed since the eloquence of the tongue and the pen were employed to excite the energies of the people in favor of a canal to unite the Wabash with Lake Erie. Splendid hopes were held out and bright visions of wealth and prosperity dazzled the imaginations of all, a fever was excited, an appropriation of land from the General Government was obtained, the faith of the State was pledged, the canal was commenced, the summit level section sold out to contractors, and now it is found out that one end of the contemplated canal lays in the state of Ohio, who will neither agree to make it herself, nor allow any one else to do it, and the other end, or a part of it runs through the land belonging to the sovereign Miami nation of Indians, who will not sell out their right. But supposing these obstacles to the completion of the canal removed, and the work completed, there are others which render it altogether useless to us. The north east end of the Canal, disembogues into the Maumee, and the south-west into the Wabash, at or near the mouth of the Tippecanoe river. It is said that the navigation of the Maumee is worse than the Wabash, and the experience of the last 12 months has proved to our cost, its delays and uncertainty. With these difficulties staring us in the face, it would be madness to look for the fulfillment of the promises and prophecies hitherto made in our day and generation. The cotton and sugar of Louisiana and Mississippi, will not ascend our rivers on its way to a northern market, our staple products of pork, flour and whiskey will not find their way to the shores of Lake Erie, in any time coming, to do good to the present population of this country. It is therefore in vain for us to wait, to lay by with our hands folded; we have worked for posterity, now let us do something for ourselves. The same exertions which brought about the commencement of the canal, will complete the improvement of the river. We have supposed that our State will make an appropriation equal to that of Illinois—making in all \$24,000, to suppose this, is all that can reasonably be hoped for. This sum for the improvement of this river is altogether inadequate, but it is all or more than we can afford, drained as we are by the general government, and for the comforts and necessities of life which are imported from other states, new in our improvements, without a market for our produce, and even tenets of the land not liable to tax-

tion by the state, we must therefore apply to congress for help.

A bill passed the house of representatives and senate of the United States two years ago, making appropriations for various works of internal improvement—one of the items was \$20,000 for the improvement of the Wabash river. The bill was vetoed by the President, because some of the sums appropriated were for works which he did not consider national, and thus, for being found in bad company, we lost our appropriation. It has invariably been acknowledged by the friends of the administration in this quarter, that this was the cause of the failure to obtain the \$20,000, and it has also been admitted by those who think themselves judges of the President's hair drawn constitutional scruples in relation to works national and local, that the improvement of the Wabash is national, inasmuch as it waters two states—inasmuch as the Cumberland river which is a tributary to the Ohio, has been pronounced national, and been treated accordingly, and this river is another of the same description. The approaching session of Congress is a propitious one for us to advance our claims; the Treasury is full to overflowing. The increase in quantity of the representatives in Congress from Indiana and Illinois from 4 to 10, will give us influence; and among the Wabash members, some are elected who are qualified to draw a bill for this separate purpose and advance its claims—a circumstance which for some years past, the people of this country could not boast of.

The voice of the people addressed directly to Congress, we have always considered more efficacious than passing second-handed through the legislature, governed sometimes by party feeling, and often influenced by corruption. I would therefore recommend the different counties in Indiana and Illinois, who feel so deep an interest in this matter, to memorialize Congress and let the memorials or petitions be subscribed en masse by citizens of every creed and party. I have little doubt that if this were done, aided by the talent we will now have in Congress, that an appropriation would be made and that in a few years we would have an uninterrupted navigation to New Orleans, which is the natural market for the surplus produce of the country.

Should the people approve of this idea, old Knox should be up and doing, and set a good example to the younger counties.

TO THE PUBLIC.

There are some subjects so unpleasant, that only urgent necessity can induce men to meddle with them. The difficulties between John D. Woolverton and myself, are of this sort, at least to me. Those who during the past year have had any intercourse with me, know how seldom, and with what distaste, I have alluded to those difficulties. My friends and associates know, that trusting in the assurance afforded by a good conscience, that time would develop every thing connected with these charges against me—exhibit him and his associates in baseness in their own naked deformity, and enable my fellow-citizens to do me full and ample justice. I have bared my bosom to the storm of prejudice which this person has so artfully labored to excite and have pursued my ordinary course without endeavoring to enlist or conciliate the good feelings of any—and bitter have been the consequences.

But, this person, not yet glutted—still haunted by the creation of his own conscience—that gnawing devil which ever glares from his countenance—not satisfied with all the reproach he has brought upon me, with my removal from office upon suspicion, and loss of once dearly esteemed friends, and defeat in the late election—is yet following the pursuit, and has caused a publication to be made in the Sun of the last week and from the Gazette office in handbills at his own expense, but in the name of D. C. Johnson. Under these circumstances, I beg to trespass on the patience of my fellow citizens, and solicit their indulgence, while I attempt to defend myself against the malignity of this individual—to do justice to my own character, due to my family, my friends, and myself, and to exhibit him and his associate and tool, Johnson, in their own true colors.

I shall attempt to do myself justice in as few words as possible, but many may be necessary.

I may wound the feelings of some of my connexions, but to him, and not to me, they must look for the cause.

I may introduce persons or subjects not directly connected with the matter, and handle them roughly, but let it be remembered that such is the manner in which I have been treated, and that I have borne and forbore until further forbearance would be alike unnatural and disgraceful. After dark, on Saturday, the 17th day of November last, I was informed, that J. D. Woolverton, had the original Cottrell papers—that the writing resembled mine—and that several respectable persons had certified that they believed it mine—this was the first information I had that my name was even in suspicion connected with the matter.

On the 18th of August, preceding, I had received from the Treasury Department a copy of the charges, with instructions to examine them; and on the same day examined the accounts and cash at Woolverton's office. On the 23d September, I wrote to the Secretary, making a report of the situation of the cash—and if at all leaning to either side, rather partial to Woolverton in my statement of an unauthorized loan made by him to Capt. Beckes—and concluding, by submitting to

the Secretary, my conviction, that there was no such man as Cottrell in the country—that indeed the charges were in a fictitious name. My enemies can get a copy of this letter from the Department; my friends and all impartial men will be satisfied to see it in my Letter Book. In truth, I not only believed that the name was fictitious, but also, that Woolverton himself was either the author or procurer, for the purpose of establishing his own fair character; of cleansing some of the many dark spots and dirty places rumor points at; of strengthening his claims for re-appointment.

I believed this, because such was the common impression of our citizens—because it was consistent with my knowledge of him and his habitual trickery—and because it alone could account for the nature of the charges—and especially for the strange circumstance, that the persons selected for witnesses against him, with two exceptions, were all either family connexions, securities in his bond, pledged for his integrity, personal friends, or persons in whose families he practised as physician.

The Secretary suspended the investigation.

Woolverton, in the beginning of November, by the aid doubtless of his friend, associate and colleague in this affair, Ratliff Boon, obtained the original papers. But here again it is necessary to return to August. Prior to the first day of September, two months before Woolverton could have seen the original papers, or could have known the appearance of the writing, unless indeed he was from the beginning acquainted with the whole matter, and knew that my hand writing had been imitated. He, Woolverton, took a gentleman of this town, one that he erroneously supposed inclined towards me, to his house; showed him a copy of the charges and also some publication known to have been written by me, and endeavored to point out some resemblance of style between the two, and intimated that the same person, that I wrote both. And persons who left Vincennes early in September, to attend the Indian treaties, publicly charged me with the authorship of the Cottrell papers, and referred to Woolverton as their authority. Dr. Hiram Decker, well knows the truth of the first of these statements—and he, and others, know the other. I ask then, why did Woolverton charge me as the author, in August? The pretence of a resemblance of style is too far fetched—unless that supposed resemblance had been intended—unless my style had been imitated as well as my writing counterfeited; and then indeed it was natural, that a resemblance, supposed, in consequence of an effort at imitation, should be used by a party to the fraud in argument against me. Woolverton knew that my hand writing had been counterfeited; that an effort had been made to imitate my style; his guilty conscience caused him constantly to feel, that all might not be sufficient; he incessantly labored from the beginning to fix upon me the suspicion. The original papers were received by him sometime in the beginning of November. It was well known that I intended to leave town about the 20th for Indianapolis. It is said the hand writing closely resembled mine. Nevertheless for some ten days at least, I believe from the third to the seventeenth, these papers were kept in secret. They were exhibited in secret, certificates from my enemies and his friends were procured in secret. A meeting was held at his house and certificates were obtained under a request and promise for secrecy. And I only learned all this, when the manly spirit of one high-minded individual taught him, it would be praiseworthy to violate a disgraceful pledge, cunningly asked for and incautiously given.

Now again, why all this? If the evidence of the style, or of the hand writing, or of both, was so conclusive against me, why not charge me openly, at the street corner, and in the face of day? I am but a single individual—not strong in person—not powerful in wealth—destitute of connexions in the country—and dependant entirely upon my own merit and my own exertions. Why did he not at once and openly charge me with the offence and shew to me and the public the evidence? As well might it be asked, why the assassin stabs at night? why the thief steals in the dark? why the counterfeiter works in secret places? It is fear—the natural fear, incident to a conscience, incessantly haunted by images of guilt—prompting its miserable subject to seek shields and safeguards in the multiplicity of contrivances and in the superabundance of caution.

If J. D. Woolverton had seriously believed that I was the author of those papers, he would at once and openly have charged me with it—at the latest so soon as he had received the original papers. Such only could have been the course of a manly spirit, of any one, indeed, fired by the indignation, so natural to injured innocence.

Such was not his belief—such were not his feelings—such was not his course. Three months were spent in dealing out insinuations—two weeks more in secretly procuring certificates, when accident made the disclosure.

When informed of the charges against me, I set myself at work to discover the writer. I ascertained by accident, that D. C. Johnson, had said, he could write my hand, that he had been seen to imitate my writing, and I knew him to be the associate tool and pigeon of Woolverton.

I asked of Gen. John Myers his assistance, not because he was my friend, but because he was conversant with Johnson's habits. Gen. Myers did elicit from John-

son enough to satisfy us, that if he did not actually write the papers he knew much about them. I went then to Johnson, he was somewhat under the influence of liquor, but had his senses fully and clearly, and after much talk he said, that I might look upon him as the writer, that he had no intention to injure me, and that he could not expose those who were concerned with him. I asked him to make a public acknowledgement, but he refused. This all passed late on Saturday night, perhaps on Sunday morning. At my request Gen. Myers was with him much on Sunday for the purpose of keeping him from the bottle. On Sunday night, he admitted in the presence of Gen. Myers, that he was the writer, and proposed to give a written acknowledgement, provided I would sign a paper which he had prepared, I recollect examining the paper, there was some stuff at the top of it which did not seem to belong to it and was intended to have been torn off; some of it was of a nature I could not sign and this I erased with my pen, the balance appeared harmless and I signed it. Johnson then insisted that Myers too should sign it, and he did so. D. C. Johnson was not at this time drunk, though it was evident he had been intemperate—he promised to drink no more—to come to my house early the next morning—to make copies of the certificate he then gave and if I thought proper to make oath to them.

On Monday morning, the 19th November last, before my breakfast, D. C. Johnson did come to my house as sober as any man, and solemnly swore to three affidavits, all written by himself, in a plain regular hand and good grammatical English—three times, solemnly swore before Gen. W. Johnston, that he, and not I, "wrote and preferred the Cottrell charges."

I have said he was perfectly sober, and will prove it before I conclude. Conscious of my own innocence, and furnished with this document, I felt myself safe and acted accordingly. I was mistaken. I had not then realized in my own person the bitterness growing out of party contests. I was not aware of the extent to which public opinion had been prejudiced. I did not appreciate the weight which would be attached, to evidence of a mere resemblance of writing—my case had been prejudged. Too many men had prematurely formed their opinions; too many political opponents were willing to believe any thing ill of me; too many were interested in getting me out of the way of themselves or friends, for me then to have justice. But especially there was one circumstance that I could not explain, and which seemed to clinch the nail upon me. I was in Terre Haute on the 28th or 29th of July. The Cottrell papers were mailed there on the 30th. This has since been accidentally met. Francis Cunningham, Tavern Keeper and Postmaster, of Terre-Haute, has sworn before Judge Parke, that D. C. Johnson was in Terre-Haute on the last days of July, about the same time I was there. And thus the Post mark at Terre-Haute on the 30th, is made perfectly consistent with his affidavit and my innocence. Some two weeks previous to the late election, I was informed by several good men that this person, Woolverton, was exhibiting to voters of our county, in private, some papers signed by D. C. Johnson, relative to this same Cottrell affair. It was asked, why they were not published in the newspapers, and an opportunity afforded me to reply to them? And the answer of John D. Woolverton repeatedly made was, that it might be thought unfair before an election—the publication would be made afterwards. In this, this person has exhibited another specimen of his assassin-like malignity—of his low dark and cowardly spirit. But I am wrong, these epithets do not suit him. He acted as well might become the associate of D. C. Johnson, who stands indicted by the Grand Jury of Knox County for forgery; who was charged by his father-in-law with forgery; who acknowledged under oath that he had imitated my writing. He acted as well became one, charged himself by the affidavit of John M. Le Roy, with deilement by base money. In the name of justice, if the publication would be unfair, could the private exhibition be more fair? Could any but a mind stimulated by a guilty conscience conceive, could any but a heart long corrupted by vice and its associations feel, that it would be less fair, less just, less manly, to publish than to shew in private, false charges against a candidate a few days before an election? Only J. D. Woolverton's mind could conceive this—only his heart could feel this—only he is mean and base, and at the same time weak and foolish enough to imagine such pretences would answer.

But so it is. And in the Western Sun of the 10th instant, these same papers thus secretly shown before the election are published, and at the same time handbills have been printed at the Gazette office, upon the personal call and at the expense of this Woolverton. But before I proceed to the consideration of this publication, I ask all reflecting men, why is it that each additional effort publicly made by this person, Woolverton, against me, has been preceded by days and weeks of incessant labor, on his part, to anticipate public opinion, to enlist privately the opinions of those not well inclined to me, to secure the prejudices of numbers as it were on his side, before he dare step into the face of day? It is guilt, still distrust ing all the bulwarks it has provided—it is conscious guilt, still alarmed at the phantoms of its own creation, and still dreading merited detection. But to consider this Woolverton's publication with the name of Johnson; I trust that I shall be

able to shew that this same D. C. Johnson, in the same publication, in which he makes an hypocritical profession of reformation—well becoming the son of Homer Johnson, of Bellville, heaps deception upon deception, and strings falsehood after falsehood. Yet, as it would occupy too much space to examine all, I must content myself with serving up to the admiration of the public a few specimens only of Johnson's reformation and Woolverton's trickery.

Woolverton's man, Johnson says, "Francis Cunningham of Terre-Haute, Wm. Burtch, Wm. J. Heberd, Samuel Tomlinson, and Elihu Stout, of this place, and Homer Johnson, of Bellville, formerly Clerk of this county, have all, when on their examination before the Hon. B. Parke, in March last, most solemnly sworn to the writing of the said Cottrell papers, and unanimously pronounced it to be Samuel Judah's, all these men being well acquainted with his hand writing, &c."

For proof that this statement is false, let the following extracts from the testimony of these witnesses be read. I give it verbatim, and if any one doubts its correctness, let him not go to Woolverton for satisfaction from his mangled and altered documents, but apply to Judge Parke, who will probably give a certified copy of the evidence.

Elihu Stout examined.—Questions by Major Dewey for Woolverton.

Ques. 1. Have you seen Mr. Judah frequently write, and are you acquainted with his hand writing?

Ans. Yes.

The Cottrell papers shew, No. 1, 2, 3, and Mr. Stout said,

No. 1. Resembles Mr. Judah's hand writing, I believe from the resemblance that it is his.

No. 2. The same answer precisely.

No. 3. I do not believe Samuel Judah wrote the first line, "Hon. Louis McLane," it does not look like his. I should doubt his writing any of it, though the second line looks somewhat like his.

Ques. 2. Do you discover any appearance of Mr. Judah's hand writing in disguise in the envelope? No. 3.

Ans. I cannot say, as I have never seen his writing in disguise.

By Mr. Judah.

Ques. 1. How many years have you been acquainted?

Ans. At least fifteen.

Ques. 2. How many years have I been in the habit of writing articles for your newspaper?

Ans. Not less than ten.

Ques. 3. Have you been in the habit of copying my hand writing, good, bad and indifferent?

Ans. Yes.

Ques. 4. Does my hand writing vary much?

Ans. There is a general resemblance.

Ques. 5. Does the superscription, No. 3, shew that general resemblance?

Ans. Not so much as to make me suspect it to be yours. Now let it be kept in mind that Mr. Stout had been intimately conversant with my writing for at least ten years—that he only swears to his opinion as to a part of the papers, and that from the resemblance—and that he swears positively he does not believe I wrote the paper marked No. 3; and is it not most clear that Woolverton's man Johnson, has alleged a falsehood in stating Mr. Stout swore to the writing of the Cottrell papers and "pronounced it mine?"

Samuel Tomlinson was sworn and examined by Maj. Dewey.

Ans. to 1st question—the Cottrell papers shew. The charges No. 2 do not look like Mr. Judah's writing. No. 1, looks more like his writing—on the whole, I think it all looks like his—I cannot say; I believe he wrote the charges No. 2. As to No. 3, I believe he wrote the second line of the superscription.

Of this gentleman's testimony, it is only necessary for me to state, that he had seen my writing daily for months, and known it for years. The public will perceive that as to the 1st line of No. 3, of which Mr. Stout said he did not think it my writing, Mr. Tomlinson says nothing; as to No. 2, the charges, he doubted. And as to any part, he only spoke from the resemblance, though Woolverton makes his man Johnson say that Mr. Tomlinson swore to the writing of the Cottrell papers, and pronounced it mine.

It is true that the other witnesses, Cunningham, Burtch, Heberd and "Homer Johnson of Bellville," did swear even to the tail of the hog; but I shall take the liberty of giving my views of the circumstances under which their opinions were formed, or their testimony given; and trust that I shall satisfy the public that their testimony adds not any weight to that of Messrs Stout and Tomlinson. However, it should be observed, and all reflecting men will feel the importance of the observation, and in justice to the first three of these individuals, it should be made; that evidence as to the identity of hand writing is simply and solely a matter of opinion: wherever there is any resemblance between the writing under examination and the writing of the person charged, a little prejudice, whether arising from feeling or from interest, may incline the mind and control the opinion of the witness, however honest in general he may be.

Francis Cunningham was sworn, the Cottrell papers were shown him, and he replied to Maj. Dewey.

Ans. to 2d ques. "I have said heretofore that I believed Mr. Judah wrote those papers, and I believe so now."

In reply to some questions from me, he answered as follows:

Ques. "Did Woolverton and Ratliff Boon aid you to obtain the appointment of Postmaster at Terre-Haute?"