
Eleazer Oswald, Printer and Patriot

"By our constitution, every person has a right to the freedom of speech, and of writing and publishing his sentiments; and the *freedom of the press* is expressly secured to every man. Your memorialist, therefore, held himself justifiable in publishing the Address alluded to, which speaks for itself . . ." ⁵¹

After a careful inquiry into the facts of the case and much debate, the Assembly resolved that Oswald's charges against the justices of the Supreme Court were not sufficient ground for impeachment. The minority of twenty-three out of fifty-seven failed to pass their resolution that the action of the court ". . . was an unconstitutional exercise of judicial power, and sets an alarming precedent, of the most dangerous consequences to the citizens of this commonwealth." ⁵² This concluded the celebrated case of *Respublica v. Oswald* in which the power of the Supreme Court to punish a contempt of court by fine and imprisonment without a trial by jury was upheld. ⁵³

OSWALD'S OTHER ACTIVITIES IN PHILADELPHIA

Oswald had always been interested in the printing and sale of the classics, but had actually produced little in this field. One of the most interesting of the books which he printed was John Parke's *The Lyric Works of Horace Translated Into English Verse: . . . By a Native of America*. ⁵⁴ The author addressed the individual poems and sections of the longer poems to his friends, or to various important personages in the United States, among whom were Washington, Franklin, Lafayette and other military and political leaders. Two of the Odes of Horace were dedicated to Eleazer Oswald. The author also paid tribute to his friend and publisher in the preface:

"This last mentioned ode, in the translation, I have made free to address to my very worthy friend and fellow-soldier *Lieutenant-Colonel Eleazer Oswald*, late of the *American Artillery*; not only on account of his ushering this work into the world, but for his many eminent virtues as a brave soldier, and a good citizen. The hardships he has suffered, the toils he has endured, and the many trying vicissitudes he has experienced in the defense of his country, entitle him to the esteem of every patriotic and virtuous American." ⁵⁵

⁵¹ The memorial is printed in full in Thomas Lloyd, *Debates of the General Assembly of Pennsylvania. . .*, Vol. IV.

⁵² Thomas Lloyd, *Debates of the General Assembly of Pennsylvania. . .*, Philadelphia, MDCCLXXXV III. Vol. IV, pp. 336-337.

⁵³ The case may be found in A. J. Dallas, *Reports of Cases Ruled And Adjusted In The Courts of Pennsylvania Before and Since The Revolution*. Philadelphia, 1806. 2nd edition. Vol. I, pp. 319-327.

⁵⁴ Philadelphia, Printed by Eleazer Oswald, at the Coffee-House. M,DCC,LXXXVI. Not in Evans. A surprising number of the subscribers, whose names are printed in the volume, are citizens of Maryland and there are indications that the author resided in the state at intervals.

⁵⁵ J. Parke's, *The Lyric Works of Horace Translated Into English Verse*, p. xx.