

MARYLAND GAZETTE, AND POLITICAL INTELLIGENCER.

[VOL. LXXI.]

ANNAPOLIS, THURSDAY, NOVEMBER 25, 1815.

No. 44.]

PRINTED AND PUBLISHED

BY
JONAS GREEN,
CHURCH-STREET, ANNAPOLIS.

Price—Three Dollars per Annum.

CHARGE.

Delivered to the Grand Jury at the opening of the present session of the Criminal Court of Baltimore County, by his honor

JUDGE MARTIN.

An infinitely wise and good God, when he first created man, created him innocent, and consequently happy. For innocence and happiness are so inseparably connected, that the last is ever attended by the first; and without the first the last can never be attained.

His creator was then his only sovereign, and his only lawgiver, whose holy laws were engraven on his heart, and to all which a prompt obedience was the spontaneous result of that love and reverence for the author of his existence, which, while innocent was part of his nature. And thus would man have ever remained, had he continued in that state of innocence, in which he was created. Human governments, in that case, would never have been formed; nor would civil institutions ever have existed: for they would not have been wanted. Our creator would have continued to be our only ruler and governor. This earth would have been a blooming paradise; and we ourselves but little lower than angels.

But man being endowed with freedom of will, without which he could not have had either merit or demerit in his actions, nor have been more accountable for them than is an elegant and ingeniously constructed piece of mechanism for its movements; yielding to these temptations by which he was proved, rebelled against his God, and lost that, his divine image, in which he was created. His whole nature became entirely changed, and debased; his intellect became darkened; his will perverted, and all his inclinations & passions wholly evil and corrupted; and thus he became, the slave of all the vile lusts of the flesh, and wicked affections of the mind. Thus sin & misery entered into this world; and as the human race multiplied, the earth became overspread with monsters as much more deformed and dangerous, than the most savage beasts of the forest, as vitiated intellect exceeds the instinct of nature, who, being unrestrained, except by the imbecility of their powers, and the imperfection of their understanding; it was the necessary result, that the weak should become a prey to the strong, the indolent and timid to the enterprising and bold—and simplicity and ignorance, to insidious cunning and craftiness; and the whole human race walking in their own evil ways, and doing whatever seemed good in their own eyes, this would soon become one deplorable theatre, on which was displayed nothing but misery and crime. And in the horrid atrocities, which, within the last 20 years, have been exposed to our view in that unhappy nation, which once was the seat of all that was elegant, polite and refined, we have a most distressing proof of the inconceivable guilt into which mankind are capable of plunging themselves when forsaken by God, and delivered up to their own evil imaginations.

To guard against such enormities; to preserve peace and order in society; to secure the rights of individuals from being infringed; to protect them in the safe enjoyments of property and reputation, liberty and life, the establishments of human governments became necessary; which having once been effected, old ones have been done away, and new ones have been successively established in their places; from a very early period of the world to the present time. All professing to have those great ends in view, though most of them seem very ill suited for their attainment, and as many of them have had their origin in force or in fraud, it is not much to be wondered at, if the happiness of

their subjects has not been sufficiently attended to in their formation. Even those which have originated in compact, the most legitimate of modes, have from the weakness and imperfection of human nature, too often been found, in the sequel, by no means productive, to that degree, which was hoped for and expected, of that good which was the object of their founders.

Of the various kinds of government which have been at different times adopted by different nations, this and the others of the U States have chosen those of the republican form—a form of government most excellently adapted for a people who are wise and enlightened, virtuous and good—And it may most truly be said, for such a people only. For when their rulers and citizens become ignorant and foolish, wicked and depraved, such governments are sure to degenerate into tyranny or anarchy, which last is indeed the worst, the most insupportable kind of tyranny—for as this consists in the uncontrolled despotism of one, so that consists in the uncontrolled despotism of many.

But, however beautiful a republican government may appear in theory, it has, notwithstanding, two capital vices, which are discovered in practice, and which are inherent in its nature; the one relating to its rulers, the other to its citizens. The evils arising from both, which proceed pretty much from the same cause, that lust of power and the propensity to abuse it when obtained, which is inseparable from our depraved nature.

The restrictions of their power, and the short period of its duration, frequently excite the rulers of such a government from a desire to increase their power, insidiously to attempt the most dangerous encroachments on the constitution, by which they are restricted; and a too eager wish to perpetuate their power induces them, too often, instead of seeking this by an honourable and faithful discharge of their duty, and trusting to the grateful acknowledgments of the people, for affecting their wish, to resort to the most shameful intrigue, and the vilest corruption—and after having at first wriggled themselves into office, by the unworthiest means, to apply to means, if possible, still more unworthy to continue themselves therein. While, on the other hand, the people, from the abuse of that freedom, or in other words, of that portion of power, reserved to them by republican institutions, too frequently endeavour to overturn and destroy the constitutional authority of their governments, and instead of by rational and honourable investigation, attempting to convince their fellow-citizens of the illegality or impolicy of those measures which they disapprove; in order to obtain a redress of their grievances, and a removal of their authors, in a peaceable and constitutional manner; are too often hurried away by some incendiary, under the form of a popular demagogue, who has nothing to risk but his worthless neck, into violence and rebellion in opposition to provisions frequently the most salutary. Instances of which we find from the historic page have too frequently occurred.

It is a trite observation, that virtue is essentially necessary in a republican government. Nor can anything be more true—virtue is the life, the soul of such a government; without which it is a corrupt and stinking carcass.

But from hence many seem to think, that virtue and republicanism are so inseparably united, that every citizen of such a government must of course be virtuous; and that a man need only be known to be a republican to be considered as a paragon of every virtue—would to God, this was truly the case! courts of criminal jurisdiction might then be done away, and your services be dispensed with; or if wanted, would only be required for those of a different political character.

To determine the justice of these pretensions we need only to inquire, what is virtue? Or in what does it consist? Virtue, as distinguished from piety, by which we mean particularly the discharge of our

immediate duties to God, consists in the performance of all those things which are required of us according to our respective situations in life, for the comfort and happiness of our fellow creatures. But true virtue and true piety are so intimately connected together, that the one cannot subsist without the other; for no action can be truly virtuous, but that, the motive of which flows from, and may be resolved into the love of God—which is indeed, the fulfilment of all the law and commandments. The man, who, performing those actions, which are eternally virtuous from no better motives than the promotion of his own interest, the acquisition of popularity, the gratification of his vanity, or as a stepping stone to his ambition, would not boggle for a moment, at the guilt arising from the perpetration of actions both externally and internally vicious, whenever they would best serve his selfish purposes.—There can, I repeat it, be no real virtue but that which flows from and may be resolved into that pure and undefiled religion, which was sent down from Heaven to restore man to that paradise, out from which he was driven by sin. It follows from thence that no man can be truly virtuous but him who is truly religious.

These are truths, which, tho' scoffed at by many who have the vanity to call themselves the wise men of this world; and though a cold-blooded, flinty-hearted, soul-freezing and false Philosophy, conceived and brought forth in Hell, and nursed by the Devil, propagated through out Europe, the source of all her wretchedness and misery, and too extensively introduced into these U States, hath attempted to eradicate these truths from the human heart, yet this court will ever feel its pride to embrace with unequivocal approbation, and not the less, because they are truths, which have been taught us by that God, whose cradle was a manger.

Need we now recur to the question, whether the people of these U S, or of this state, have that share of virtue, necessary to animate and give energy to a republican government; or whether we are that virtuous people among whom republican institutions are likely to remain permanent & preserve their original purity? That man must indeed have been an anchorite, shut up in a cell without intercourse with the world, who can be for a moment at a loss to give his decision.

At the time when the American revolution first had its commencement, there was not, I am convinced a people in the universe more deeply imbued with the principles of morality, virtue and religion, than were the citizens of this country; and to this we were principally indebted for its completion unstained by any remarkable enormities; but perhaps the sun, in its annual course does not at this time shine upon a people who have since that period become so greatly deteriorated in virtue, morality and religion.

Their principles began early to depreciate with the depreciation of their paper money; happy would it have been if their depreciation had ceased, when paper money ceased to exist!—But the paths of vice are declivous, and rapid is the descent. To this we may add, that for twenty years past, Europe has been sweating out upon this deviated country an almost unremitting torrent of her filthiest feculency, by which not only that mass of corruption, which was among us has been individually increased, but those who were tainted before, have become still more rotten, and in too many instances many, who were until then sound, have received the infection.

To the extreme profligacy and depravity of manners among all ranks of society; to that wickedness and vice, which rising up its head, stalks unblushingly through our land, must be ascribed all those evils, under which we are now suffering, including the present war, with all its concomitant calamities. Vainly do we attribute them to "the violation of sailor's rights," and other acts of injustice of the British government, on the one hand—or to the weakness

the folly or wickedness of our own on the other, as their immediate cause; for even the injustice & injuries suffered from other nations, & also the curse of having weak, foolish or wicked rulers, when it happens to be the case, are themselves judgments too, inflicted upon a people as a punishment for their sins.

The Supreme Being, in his wise Providence, hath made it his constant rule to punish national crimes by national afflictions. The political existence of nations is confined to this world, and in this world he always chastises them for their national guilt; and sometimes utterly destroys them.

War, famine and pestilence are the three scourges most usually adopted by him, wherewith to avenge himself on nations who have trampled his mercies under their feet, and insulted his justice. Of these war is the most bitter and severe, the most to be deprecated, as beside its own appropriate evils it is frequently productive of both the others, pestilence and famine: beside which nothing can be more fertile in dissoluteness and corruption of the morals of a people, nothing so productive of new and additional scenes of vice; and thus war constantly furnishes additional supplies to those very sources from which it first originated.

And as war is one of the greatest calamities, by which an avenging God can in his wrath punish mankind, so can no guilt be more aggravated or inexpiable, than the guilt of the man, who without justifiable cause, plunges a nation into war. Such a man is accountable to his God for all the distress and misery, both public and private, which shall flow therefrom. In the sight of heaven he will be viewed as the wilful, the deliberate murderer of every individual, who loses his life in its prosecution. And his soul is stained by every drop of blood, which shall be spilled thereby; stains, which must be washed out in this world by tears of the deepest & most bitter contrition, or will be punished in another by the hottest fire of divine indignation!

Does any one doubt, that war is sent upon a nation as a punishment for its sins, and that we are not now suffering in consequence of our iniquities? Let him hear what St. James says upon this subject:—

"From whence came wars and fightings among you? Come they not hence, even of your lusts, that war in your members?"

Ye lust and have not: Ye kill and desire to have—and cannot obtain:

Ye fight and war, and yet ye have not, because ye ask not.

Ye ask, and receive not, because ye ask amiss, that ye may consume it on your lusts."

And though his answer is interrogative in form; he means it as the strongest affirmative; as much as if he had said "there surely cannot be among you, to whom I address myself, a man of common sense and understanding who can possibly doubt, that wars and fightings proceed from the cause to which I have assigned them."

As therefore the calamities, under which we are now suffering, proceed from, and are the just punishment of our wickedness, as a people, so nothing can be more available for their removal or alleviation, than a general and universal reformation in our lives; by turning from sin to righteousness.

And as a general reformation can only be brought about by the reformation of individuals; it becomes the duty of each individual to begin with himself, and by his example and precepts endeavour to extend it to others.

Whoever would wish to see this war, with which we are now afflicted by an avenging God, terminated by an honorable peace; or, if that cannot be obtained, that Heaven may smile upon our arms, in its further prosecution; let them clean their hands from all iniquity and purify their hearts from all pollution; let them humble themselves before the Lord; let them cease to do evil, and learn to do well. They, who thus act, whatever may be the boasting of others, will prove

themselves the purest patriots, and the sincerest friends of their country; while on the contrary, they who continue in their vicious pursuits; go on, adding sin to sin, with greediness; who indulge themselves in the gratification of all their unruly passions, whatever may be their professions, are its greatest enemies; and, as far as in them lies, they ensure the disgrace and discomfiture of our armies, while they sharpen the swords and strengthen the hands of our enemies. And of all such persons it may indeed be with great truth said, that "they are guilty of moral treason."

I have, gentlemen, observed to you, that the necessity of humangovernments originated in the fallen and corrupt state, to which man was reduced, by disobedience to his Creator, for the prevention or punishment of crimes, as far as they affect the interests of civil society. But governments would be of little use unless wise and salutary laws were enacted by them, with sufficient sanctions for that purpose; nor would such laws be of much service unless strictly enforced, and the punishments allotted to the several branches of those laws inflicted with certainty and impartiality. For these purposes, courts of criminal jurisdiction have been established, and according to the wise provisions of this state, and of England, from whence we have adopted them, grand juries are the mean through which those violations are required into, and presented to the court. You see therefore, gentlemen, how important a part you have to act in the promotion that reformation of so devoutly to be wished for by every friend to his country, as far as the same can be effected by the dread of human punishment.

It is your special province, gentlemen, to search into the violations of every law, the breach of which is punishable, and present them to the court to be ultimately decided on by a petit jury—I say, gentlemen, of every law, for however unwise or impolitic any law may be; and however desirable may be its repeal, yet if not repugnant to our constitution or to the laws of God, it is the duty of every good citizen, while it remains in force, to obey it, and the duty of the court to punish its infraction.

A recurrence, gentlemen of the Grand Jury, to the oath you have taken, a copy of which you will have with you, will sufficiently point out to you the great outline of your duty. You are diligently to inquire into all offences, which are given in charge to you—which may be disclosed to you by the witnesses, who will be sent to you; or which may come within your own knowledge, for if any members of the grand jury are acquainted of their own knowledge with any offences having been committed, it is their duty to inform their brethren, and of the grand jury to make presentments on such information.

In agreeing on your presentments, it is not necessary that you should have positive testimony from those who were eye-witnesses. Crimes, especially those of a deeper guilt, are generally attempted to be committed in secrecy. Strong circumstantial evidence is all that can in most cases be had—it is all that ought to be expected, and frequently will be more satisfactory even than direct testimony.

You are, gentlemen, to receive no testimony on the part of the person against whom the inquiry is making, nor are you to receive witnesses at his instance; and therefore you ought not, in any case, to make a presentment unless where upon the evidence before you as it stands uncontradicted, you could conscientiously, as petit jurors, say, that the person was guilty of the crimes with which he is charged.

You are, gentlemen, in making your inquiries, to be actuated only by an honest regard for public justice, uninfluenced by motives arising from envy, hatred or malice, in making your presentments; and in the present state of the public mind, it may not be improper to caution you particularly against suffering yourselves to be in the least degree operated upon by party distinctions or considerations. Let your sole

Daily Federal Republican

At the commencement of the late session of congress, our readers will recollect, that the reporter for this paper was placed a seat among the stenographers in the floor of the House of Representatives. By a subsequent resolution the Speaker was required to furnish seats for more stenographers, and they were by the same resolution all to be placed in the gallery. For some reason or other, the public unknown, this resolution has never been complied with by the Speaker; of course we could not have a reporter in the house this session. Although, therefore, we have made every exertion that our disadvantageous situation would permit, to furnish our readers with the proceedings and debates of congress, yet many omissions have been inevitable, and these have in no measure been supplied by the same mutilated abstracts which have been published in the National Intelligencer. That Gazette is under the absolute control of the administration, and through evil report and through good report, must support the interests and measures of its masters. Hence it has happened that during the late session, although Gales is a stenographer, and has a seat provided on the floor, but very barren abstracts of the congressional business have been furnished, and almost every debate has been suppressed. The motive for this suppression may be discovered in the manner in which the debates have been conducted, & the issue of the most of them.—They certainly would never have raised the reputation of the majority in congress, or have tended to strengthen the administration among the people. The debates have been extremely interesting and upon the most important subjects. Bold truths have been freely spoken, the errors and vices of the administration have been unfolded.—But as our reporter was excluded, and as Gales has chosen to suppress the debates, all has been lost to the people. This evil must be remedied.—If Federal Reporters are excluded the floor, they must with other citizens enter the galleries. But under the resolution above alluded to, before the next session, we presume, new and additional accommodations will be provided for stenographers. And if there is a stenographer in the country competent to give the debates on all subjects in the house, he will be procured for the next session of congress. It is our determination, if sufficient encouragement is afforded, to issue, besides our present publication, a daily paper during the session.

Facts and events are daily occurring at the seat of government, extremely interesting to all classes of society; and the earliest publicity should be given them through the country.

Those who are willing to patronize the Daily Paper, will send on their names without delay, post-paid. We have no other object in view but to serve the cause, to do which effectually it is necessary to keep pace with the Curt Gazette, which scarcely ever issues, without containing some misrepresentation and deception to the injury of the people. The affairs of administration have become so desperate, that the practice of suppressing altogether or discoloring important information, and of frequently disseminating the boldest falsehoods, requires every effort to increase and strengthen the guards of truth, to counteract a system of organized deception and falsehood, destructive of the public morals, and aimed against the best interests of the nation. The Daily National Intelligencer is chiefly supported by Federal merchants, whose business requires constant and early information. If that information can be as readily derived from some other than the impure source now relied on, it is to be presumed there will be no hesitation in discontinuing patronage to mischievous print whose proprietors and directors are immediately interested in deceiving the public, to further the sinister views of an embarrassed ministry.

Just Published

And for Sale at George Shaw's Book Store, Price, \$1 50 in Boards—\$2 00 Bound,

The Report

Of the Committee of Grievances and Courts of Justice relative to the Riots and Mobs in the City of Baltimore.

Together with the DEPOSITIONS

Taken before the said Committee.

50 Dollars Reward.

Ran away from Salubria, near Edgar's Town, Washington county, (Md) on the 14th inst. a negro slave who calls himself BILL GUY, the property of the subscriber. Bill is about 5 feet six or 7 inches high, rather of a lighter complexion than the generality of blacks, extremely awkward and ungainly in his address and particularly in his walk, and has a wild and suspicious stare when accosted. He is between 18 and 21 years of age and was raised by Mr. Benjamin Harrison of West River at which place he has a mother and other relations. The above reward will be given to any person who shall secure him in any goal in the United States, if taken out of Washington county. O. H. W. STUBBS, Washington County, 2 July 16th, 1815.