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THE PROCEEDINGS
OF A

Convention of Delegates,

convened at Hartford, in the State of Connecticut, December 15, 1814.

REPORT, &c.

The Delegates from the Legislatures of the States of Massachusetts, Connecticut, and Rhode-Island, and from the Counties of Grafton and Cheshire in the State of New Hampshire, and the County of Windham in the State of Vermont, assembled in Convention, and leave to report the following result of their conference.

The Convention is deeply impressed with a sense of the arduous nature of the commission which they were appointed to execute, of devising the means of defence against dangers, and relief from oppressions proceeding from the acts of their own government, without violating constitutional principles, or disappointing the hopes of a free and injured people. To preserve patience and firmness to those who are already exhausted by distress, sometimes to drive them to despair, and to progress towards reform by the regular road, is irksome to those whose imaginations discern, and whose feelings prompt, to a shorter course. But when abuses, reduced to system and accumulated through a course of years, have pervaded every department of government, and spread corruption through every region of the state; when those who are clothed with the forms of law, are enforced by an executive whose will is their source, no summary means of relief can be applied without recourse to direct and open resistance. This resort, even when justifiable, cannot fail to be painful to the good citizen; and the success of the effort will no security against the danger of the same. Precedents of resistance to the worst administration, are eagerly seized by those who are naturally hostile to the best. Necessity alone can induce a resort to this measure; and should never be extended in duration beyond the exigency, until the people, not merely in the fervour of sudden excitement, but after full deliberation, are determined to change the constitution.

It is a truth, not to be concealed, that sentiment prevails to no inconsiderable extent, that administration have given such constructions to that instrument, and practised so many abuses under colour of its authority, that the people for a change is at hand. Those who so believe, regard the evils which surround them as intrinsic, and irreparable defects in the constitution. They are led to a persuasion, that no change, at any time, or on any occasion, can aggravate the misery of their country. This opinion may ultimately prove to be correct. But as the evidence on which it rests is not yet conclusive, and as measures adopted upon the assumption of certainty might be irrevocable, some general considerations are submitted, in the hope of reconciling all to a course of moderation and firmness, which may wethem from the regret incident to sudden decisions; probably avert the evil; and at least ensure consolation and success in the last resort.

The Constitution of the U. States, under the auspices of a wise and virtuous Administration, proved itself competent to all the objects of national prosperity, comprehended in the views of its framers. No parallel can be found in history, of a transition so rapid as that of the United States from the lowest depression to the highest felicity—from the condition of weak and divided republics, to that of a great, united, and prosperous nation.

Although this high state of public opinion has undergone a miserable and afflicting reverse, through the prevalence of a weak and profligate policy, and the evils and afflictions which have been induced upon the country, are not peculiar to any form of Government. The lust and caprice of power, the corruption of patronage, the oppression of the weaker interests of the community by the stronger, heavy and wasteful expeditures, and unprofitable and ruinous wars, are the natural springs of bad Administration; in all ages and countries. It was indeed to be expected, that the rulers of these States should not make such disastrous haste to give their infancy in the embarrassments of old and rotten institutions, and all this have they done; and their conduct calls loudly for their dismissal

and disgrace. But to attempt upon every abuse of power to change the Constitution, would be to perpetuate the evils of revolution.

Again, the experiment of the powers of the Constitution, to regain its vigor, and of the people to recover from their delusions, has been hitherto made under the greatest possible disadvantages arising from the state of the world. The fierce passions which have convulsed the nations of Europe, have passed the Ocean, and finding their way to the bosoms of our citizens, have afforded to administration the means of perverting public opinion, in respect to our foreign relations, so as to acquire its aid in the indulgence of their animosities, and the increase of their adherents. Further, a reformation of public opinion, resulting from dear bought experience, in the Southern Atlantic States, at least, is not to be despised. They will have felt, that the Eastern States cannot be made exclusively the victims of a capricious and impassioned policy. They will have seen that the great and essential interests of the people, are common to the South and to the East. They will realize the fatal errors of a system, which seeks revenge for commercial injuries in the sacrifice of commerce, and aggravates by needless wars, to an immeasurable extent, the injuries it professes to redress. They may discard the influence of visionary theorists, and recognize the benefits of a practical policy. Indications of this desirable revolution of opinion, among our brethren in those States, are already manifested. While a hope remains of its ultimate completion, its progress should not be retarded or stopped, by exciting fears which must check these favorable tendencies, and frustrate the efforts of the wisest and best men in those States, to accelerate this propitious change.

Finally, if the Union be destined to dissolution, by reason of the multiplied abuses of bad administrations, it should, if possible, be the work of peaceable times, and deliberate consent. Some new form of confederation should be substituted among those states, which shall intend to maintain a federal relation to each other. Events may prove that the causes of our calamities are deep and permanent. They may be found to proceed, not merely from the blindness of prejudice, pride of opinion, violence of party spirit, or the confusion of the times; but they may be traced to implacable combinations of individuals, or of States, to monopolize power and office, and to trample without remorse upon the rights and interests of commercial sections of the Union. Whenever it shall appear that these causes are radical and permanent, a separation by equitable arrangement, will be preferable to an alliance by constraint, among nominal friends, but real enemies, inflamed by mutual hatred and jealousies, and inviting by intestine divisions, contempt and aggression from abroad. But a severance of the Union by one or more States, against the will of the rest, and especially in time of war, can be justified only by absolute necessity. These are among the principal objections against precipitate measures tending to disunite the States, and when examined in connection with the farewell address of the Father of his country, they must, it is believed, be deemed conclusive.

Under these impressions, the Convention have proceeded to confer and deliberate upon the alarming state of public affairs, especially, as affecting the interests of the people who have appointed them for this purpose, and they are naturally led to a consideration, in the first place of the dangers and grievances which menace an immediate or speedy pressure, with a view of suggesting means of present relief; in the next place, of such as are of more remote and general description, in the hope of attaining future security.

Among the subjects of complaint and apprehension, which might be comprised under the former of these propositions, the attention of the Convention has been occupied with the claims and pretensions advanced, and the authority exercised over the militia, by the executive and legislative departments of the national government. Also, upon the destination of the means of defence in which the Eastern States are left; while at the same time they are doomed to heavy requisitions of men and money for national objects.

The authority of the National Government over the militia is derived from those clauses in the constitution which give power to congress "to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions." Also "to provide for organizing arming and disciplining the militia, and for governing such parts of them as may be employed in the service of the U. S. reserving to the states respectively the appointment of the officers, and the authority of training the militia according to the discipline prescribed by congress." Again, "The President shall be commander in chief of the army and navy of the United States, and of the militia of the several states when called into actual service of the United States." In these specified cases only, has the National Government any power over the militia; and it follows conclusively that for all general and ordinary purposes, this power belongs to the states respectively, and to them alone. It is not only with regret, but with astonishment, the Convention perceive that under colour of an authority conferred with such plain and precise limitations, a power is arrogated by the executive government and in some instances sanctioned by the two houses of congress, of control over the militia, which if conceded, will render nugatory the rightful authority of the individual States over that class of men, and by placing at the disposal of the national government the lives and services of the great body of the people, enable it at pleasure to destroy their liberties, and erect a military despotism on the ruins.

An elaborate examination of the principles assumed for the basis of these extravagant pretensions; of the consequences to which they lead; and of the insurmountable objections to their admission, would transcend the limits of this report.—A few general observations, with an exhibition of the character of these pretensions, and a recommendation of a strenuous opposition to them, must not however be omitted.

It will not be contended that by the terms used in the constitutional compact the power of the national government to call out the militia is other than a power expressly limited to three cases. One of these must exist as a condition precedent to the exercise of that power—unless the laws shall be opposed, or an insurrection shall exist, or an invasion shall be made, congress and of consequence the President as their organ, has no more power over the militia than over the armies of a foreign nation.

But if the declaration of the president should be admitted to be an unerring test of the existence of these cases, this important power would depend not upon the truth of the fact, but upon executive infallibility. And the limitation of the power would consequently be nothing more than merely nominal, as it might always be eluded. It follows therefore that the decision of the President in this particular cannot be conclusive. It is as much the duty of the state authorities to watch over the rights reserved, as of the U. States to exercise the powers which are delegated.

The arrangement of the U. States into military districts, with a small portion of the regular force under an officer of high rank of the standing army, with power to call for the militia, as circumstances in his judgment may require; and to assume the command of them, is not warranted by the Constitution or any law of the U. States. It is not denied that congress may delegate to the president of the U. States the power to call forth the militia in the cases which are within their jurisdiction.—But he has no authority to substitute military prefects throughout the Union, to use their own discretion in such instances.—To station an officer of the army in a military district without troops corresponding to his rank, for the purpose of taking command of the militia that may be called into service is a manifest evasion of that provision of the Constitution which expressly reserves to the

states the appointment of the officers of the militia; and the object in detaching such officer cannot be well conceived to be any other than that of superseding the Governor or other officers of the militia in their right to command.

The power of dividing the militia of the states into classes and obliging such classes to furnish by contract or draft, able bodied men to serve for one or more years for the defence of the frontier, is not delegated to Congress. If a claim to draft the militia for one year for such general object be admissible no limitation can be assigned to it, but the discretion of those who make the law. Thus with a power in Congress to authorize such a draft or conscription, and in the Executive to decide conclusively upon the existence and continuance of the emergency, the whole militia may be converted into a standing army disposable at the will of the president of the United States.

The power of compelling the militia and other citizens of the United States by a forcible draft or conscription to serve in the regular armies as proposed in a late official letter of the secretary of war, is not delegated to congress by the constitution, and the exercise of it would be not less dangerous to their liberties, than hostile to the sovereignty of the states. The effort to deduce this power from the right of raising armies, is a flagrant attempt to pervert the sense of the clause in the constitution which confers that right, and is incompatible with other provisions in that instrument. The armies of the United States have always been raised by contract, never by conscription; and nothing more can be wanting to a government possessing the power thus claimed to enable it to usurp the entire control of the militia, in derogation of the authority of the state and to convert it by impressment into a standing army.

It may be here remarked, as a circumstance illustrative of the determination of the Executive to establish an absolute control over all descriptions of citizens that the right of impressing seamen into the naval service is expressly asserted by the Secretary of the Navy in a late report. Thus a practice which in a foreign government has been regarded with great abhorrence by the people, finds advocates among those who have been the loudest to condemn it.

The law authorising the enlistment of minors and apprentices into the armies of the United States, without the consent of parents or guardians, is also repugnant to the spirit of the constitution. By a construction of the power to raise armies, as applied by our present rulers, not only persons capable of contracting are liable to be impressed into the army, but those who are under legal disabilities to make contracts are to be invested with this capacity, in order to enable them to annul at pleasure contracts made in their behalf by legal guardians.—Such an interference with the municipal laws & rights of the several states could never have been contemplated by the framers of the constitution. It impairs the salutary control and influence of the parent over his child—the master over his servant—the guardian over his ward—and thus destroys the most important relations in society; so that by the conscription of the father, and the seduction of the son, the power of the Executive over all the effective male population of the U. States is made complete.

Such are some of the odious features of the novel system proposed by the rulers of a free country, under the limited powers derived from the constitution.

What portion of them will be embraced in acts finally to be passed, it is yet impossible to determine. It is however, sufficiently alarming to perceive, that these projects emanate from the highest authority, nor should it be forgotten, that by the plan of the secretary of war, the classification of the militia embraced the principle of direct taxation upon the white population only; and that in the house of representatives, a motion to apportion the militia among the white population exclusively, which would have been its operation a direct tax, was strenuously urged and supported.

In this whole series of devices and measures for raising men, the convention discern a total disregard for the constitution, and a disposition to violate its provisions, demanding from the individual states a firm and decided opposition. An iron despotism can impose no harder servitude upon the citizen, than to force him from his home and his occupation, to wage offensive wars, undertaken to gratify the pride or passions of his master. The example of France has recently shown that a cabal of individuals assuming to act in the name of the people, may transform the great body of citizens into soldiers, and deliver them over into the hands of a single tyrant. No war, not held in just abhorrence by a people, can require the aid of such stratagems to recruit an army. Had the troops already raised, and in great numbers sacrificed upon the frontiers of Canada, been employed for the defence of the country, and had the millions which have been squandered with shameful profusion, been appropriated to their payment, to the protection of the coast, and to the naval service, there would have been no occasion for unconstitutional expedients. Even at this late hour let government leave to New-England the remnant of her resources, and she is ready and able to defend her territory, and to resign the glories and advantages of the border war, to those who are determined to persist in its prosecution.

That acts of congress in violation of the constitution are absolutely void, is an undeniable position. It does not however, consist with the respect and forbearance due from a confederate state towards the general government, to fly to open resistance upon every infraction of the constitution. The mode and the energy of the opposition should always conform to the nature of the violation, the intention of its authors, the extent of the injury inflicted, the determination manifested to persist in it, and the danger of delay. But in cases of deliberate, dangerous, and palpable infractions of the constitution, affecting the sovereignty of a state, and liberties of the people; it is not only the right but the duty of such a state to interpose its authority for their protection, in the manner best calculated to secure that end. When emergencies occur which are either beyond the reach of judicial tribunals, or too pressing to admit of the delay incident to their forms, states, which have no common umpire, must be their own judges, and execute their own decisions. It will thus be proper for the several states to await the ultimate disposal of the obnoxious measures, recommended by the secretary of war, or pending before congress, and so to use their power according to the character these measures shall finally assume, as effectually to protect their own sovereignty, and the rights and liberties of their citizens.

The next subject which has occupied the attention of the Convention, is the means of defence against the common enemy. This naturally leads to the inquiries, whether any expectation can be reasonably entertained, that adequate provision for the defence of the Eastern States will be made by the national government? Whether the several states can from their own resources, provide for self defence and fulfil the requisitions which are to be expected for the National Treasury? and, generally, what course of conduct ought to be adopted by those states, in relation to the great object of defence?

Without pausing at present to comment upon the causes of the war, it may be assumed as a truth, officially announced, that to achieve the conquest of Canadian territory, and to hold it as a pledge for peace, is the deliberate purpose of administration. This enterprise, commenced at a period when government possessed the advantage of selecting the time and occasion for making a sudden descent upon an unprepared enemy, now languishes in the third year of the war. It has been prosecuted with various fortune, and occasional brilliancy of exploit, but without any solid acquisition. The British armies have been recruited by veteran regiments. Their navy commands Ontario. The American ranks are thinned by the casualties of war. Recruits are discouraged by the unpopular character of the contest, and by the uncertainty of receiving their pay.

In the prosecution of this favorite warfare, administration has left the exposed and vulnerable parts of this country destitute of all efficient means of defence. The main body of the regular army has been marched to the frontier. The navy has been stripped of a great part of its sailors for the service of the Lakes. Meanwhile the enemy, scouring the sea coast, blockades our ports, ascends our bays and rivers,

(See last page.)

Private Sale.

I will sell, at private sale, a Lot Queen-Anne, Prince-George's corner, conveniently situated, and an excellent stand for a person wishing to enter into the mercantile business, or for a person who wishes a stand for a tavern, and perhaps no village in the state can be found, at which a decent tavern more wanted.

On the lot is a large store house, counter, shelves, &c. ready for the reception of a quantity of dry goods, groceries, also a two story dwelling house, with two rooms above, and below; a paved garden and yard, and an old building out of repair, with two rooms below and two above, for several years rented as a tavern. Terms may be known by application to
Wm. Brogden.
June 23, 1814.

20 Dollars Reward.

Ran away on the 2d of May, a Negro Man called Ned, with several others, added that of Jones, and brought suit in Anne-Arundel county, John Golder, for their right to freedom, which suit, at the last term of the court, was dismissed for the want of proof. He is a straight likely looking fellow, 22 years of age, 5 feet 6 or 7 inches high, and has under one of his eyes, a scar about an inch long and broad. No descriptive information be given as to his cloaths; he went with a straw hat, a country round about striped jacket and trousers, and good shoes and stockings. It is probable he may endeavour to get to Baltimore, or to the City of Washington. I will pay a dollar a mile on the distance he may be taken, if committed to gaol, so that I get him again; five dollars if taken at Annapolis and committed; ten dollars if taken in the neighbourhood, or twenty if taken in Calvert county.

I am informed that an old yellow woman resides in Calvert who calls herself Hannah Jones, and who is a Negro, who claimed their freedom call aunt—she is wife to a miller who attends or did attend a mill, once the property of a Mr. Smith, and purchased by Capt. David Carcaud.
WM. BROGDEN, ff.
Jan 23, 1814.

NOTICE.

The subscriber having obtained from the orphans court of Anne Arundel county, letters of administration D. B. N. on the personal estate of Samuel Green, late of Anne Arundel county deceased, all persons having claims against said deceased are hereby required to bring them in, legally proved, and those who are indebted to the same to make immediate payment, more especially those who are indebted for age on letters, &c.
Richard H. Harwood,
Admr. D. B. N.

Feb. 21.

By the Committee of Claims

The Committee of Claims will sit every day, during the present session, from nine o'clock in the morning until three in the afternoon.

By order,
William K. Lambden, Clk.

By the Committee of Grievances & Courts of Justice

The Committee of Grievances and Courts of Justice will sit every day during the present session, from nine o'clock in the morning until three in the afternoon.

By order,
Louis Gassaway, Clk.

50 Dollars Reward.

Ran away from the subscriber on the 2d of October, 1814, a negro named DICK; he is a short, yellow complexioned fellow, about 35 years of age, 5 feet 6 or 7 inches high, and polite when spoken to. He took with him a pair of cotton country cloth trousers, with a broad blue stripe, & a white country cloth jacket and waist coat. He is a rough shoemaker and took away with him his tools. Whenever he brings home the said negro, I will give him a pair of shoes, and I will receive the above reward with all reasonable charges.

Benjamin Harwood, of Anne Arundel County, South River Neck, near Annapolis.
N. B. It is supposed the above negro man may have gone to Montross county, where his mother lives with Mrs. Murray, near Montgomery County, and may have a pass. If he is taken, I will give him a pair of shoes.
December 1.

A LIST OF THE AMERICAN NAVY, WITH A LIST OF THE BRITISH NAVY.

For Sale at GAZETTE, No. 12, Church Street, and at this Office.
Price 12 1/2 Cents.

Blank Bonds, Deeds

Mon on Bond, Appeal Bonds, &c. and Warrants for sale at this Office.