Gassaway, Reg. Wills, for A. A. County.

e is hereby given,

subscriber of Anne-Arundel th obtained from the ort of Anne Arundel county, d. letters of administration te of Frederick Mackubin, e-Arundel county, deceased. sed, are hereby warned to same, with the vouchers the subscriber, at or before y of March next, they may y law be excluded from all he said estate. Given under this 3d day of February,

lames Mackubin, adm'r.

Dollars Reward.

from the subscriber on the who calls himself Philip Ad ut 40 years of age, 5 feet 1 s high, square built, with leasing counterance when has a shaking of the right ened by bleeding; his cloathollected, except a great-coat shing edged with red, very . It is probable he is harthe neighbourhood of Mr. unders, where he has a wife ve reward will be given for m in any gaol, so that I set and all reasonable expences ught to me, living in Prince county, seve rlbro', near Mr. ennis Ma

William . Sanders. 818.

of Maryland, sc. ecember 23, 1817.

cation by petition of Benja as, administrator with the ed, of Ebenezer Thomas, late. rundel county, deceased, it is at he give the notice relaw for creditors to- ex; laims against the said dethat the same be published week, for the space of six eks, in the Maryland Ga-Political Intelligencer. Oassaway, Reg. Wills, A. County.

e is hereby given, e subscriber of Anne-Arun

ne subsciber of Anne Arun's, hather bitained from the butt of Anne Arundal county and the subsciber of administrate will annixed on the estate for Thomas, late of A A seceased. All persons having ainst the subsciber and the subscriben or the first day of March or the first day of March or the first day of March of the subscriben or the first day of March or the first day of March of the subscriben of the first day of March of the subscriben of the first day of March of the subscriben of the su min Thomas, admir. IF. A.

TYOL OLD SOVE

timents of the people, ho degree of mathy and idle conditions of indiguing of indiguing of indiguing of indiguing in several of their leaders in several of their leaders in several of their leaders in their danger happily might have roused them. It is therefore a improbable that better information of a leading question.

Mr. MERCER'S SPEECH, Of the right of congress to push more frequent admostions volters. more frequent admonitions colorising the area and design, or the

more frequent admonistories, ing the arts and designs with the arts and designs with the feet of keeping alive the free fail of federalism, and a due sense of federalism, and to meet their designs, and to assist his own efforts in will proudly rely upon the Talent and Counsels of his Patrons and to assist his own efforts in debate, if I were not inclined to instain the authority of the house spon grounds somewhat different clusively confined to political self to meet of the decision of another kind may be committed to maximize the federalism of two distinct propositions. Has Trades, Treaties upon the mestic Intelligence; Improvement in Agriculture, Manufectures in the message power to punish contempts? Have the proceedings of the house been such as to warrant the federalism of intelligence of interesting matter, from which the Editor will always be constitution the power of punishing variety of interesting matter, from which the Editor will always be contempt? Have the proceedings of the house been such as to warrant the fermital to select the most enging which the Editor will always be contempt? Have the proceedings of the house been such as to warrant the fermital the power of punishing to contempt? My honorable colerated to select the most enging which the power of punishing such an act whom he understands to be sales.

With these assurances, he sale member of congress. If whom he understands to be sales to the power of punishing such an act

mits his Prospectus to a people, whom he understands to be roles liberal than enlightened; and books by his diligence and attention; is deserve the patronage and friest ship which they may feel an limit and to be to nation to bestow.

CONDITIONS.

The Kaston Gazette and Balen

Baston, December 1817-

CHEAP GOODS衛 WARFIELD & RIDGEL Have just received and offer fails a handsome and complete assorting

Mry Goods, 18
Which they can, and will dispose the lowest prices for CASH, with punctual customers on the minim A part of their Stock consists

Superfine London Cloths and Comerces, School do do do Superfine lisse cloths of the most fathional lours. Blue Mart and Bab Blue and Whith Kersyl Mare Baze, Coatings & loleskindo Red and Yellow Plannels, Coating Cottons, 4-4 tish Lines as Sheeting, 4-1, 6-4 Combite Mart 4-4, 6-4 Figured and Maini Los Jaconet Muslins, 3-6 Huma the B-4 Table Diapers, Superior Callicoes, Ginghama and Seeplicoes, Ribbans assorted, Halland Matchcoardo, Carpelin & Rugs, Ticklenburgs, Brans Base, Call

Groceries.

Best Cognised Brauly, spr.
Gill, Madeira, Landon, Pot.
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Sugar, Brown de Universit
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ANNAPOLIS, THURSDAY, FEBRUARY 26, 1918

TONAS GREEN.

Boeeth of Mer, Mercer of Virginia, Our purpose in re-publishing, at this time, the speech of this new member on the doctrine of contemptis, after the occasion has gone by, le in afford our readers an op. portunity of judging of his very handsone parliamentary talents, and at the same time to preserve

nish for contempts.

Mr. Mercer rose immediately af-

ribe a member of congress. If he power of punishing such an act scomprehended among the privieges of this house, the wisdom of my such law may well be questioned. Were the contemplated law estricted to a description of that articular species of contempt to hich our consideration is now urned, it would not lead to the in-reference that this house recognis-

Shore Intelligeneer will be into the interest of the interest nd dignity of this house, the prosee of the largest volume on your ble. It may also be doubted wheher a right which this house does of derive from the constitution in be created or protected by an t of ordinary legislation. Those w to define the privileges of this taining to its office and its title. use and to provide for punishing econtempt of them, admit their istence, as well as the power of s house to punish their violation, the mode of reasoning which

ey have adopted. Before I inquire into the origin this power, allow me to disavow ety feeling which militates atial exercise of my judgment. 1 mot but deplore the unhappy siation of the prisoner, whose head

deathed by the snows of many ofers, and who if really guilty of strocious act imputed to him, is object of still greater commiseion, as his turpitude is without extenuation of youth or inex, lench:

bit, said Mr. M. I never beheld riminal arraigned at the bar of tice without this feeling, nor e I found it difficult to obey the sdom, which has been repesreferred to in this distussion; is committed to our care

ly a line of that Matrument can be arrectly understood, or especially enforced, without a recurrence to

If you desire to know the import of an English word, you turn to the lexicographer of England: for a phrise of statutory law, you con-sult the statute which contains it, and the precedents by which it has been expaunded: The terms of the common law must be, also, defined by a recurrence to the law itself, comprised in the treaties, and illustrated by the history of the nation from whom we derived it.

The constitution not only uses the terms and phrases of this law, but expressly recognizes its exis tence. The seventh article of the amendment provides, that "in suits at common law, when the value of the controversy shall exceed 20 dollars, the right of trial by jury shall be preserved:" and the fact tried by a jury shall not be otherwise re examined in any court of the United States than according to the rules of the common law; of that law which gentlemen have asserted to have no existence under this government, and against which the honorable member from New-York would inspire us with apprehension and alarm. That honorable mem ber, in his late impressive address, admitted that the two houses of the British-parliament possess the power of punishing contempts, that the lex parliamentaria, or usage of parliament, is a part of the common law, although he denies a similar authority to the house of representatives and senate, the two branches of the congress of the U. States.

Universal consent has applied the maxims of this law to the protect ion of all our state and federal courts, and why should it be denied to this house? What are we, said Mr, M. and how acting at this moment? As a court, of which you, fir, are the presiding, and we the associate judges. The original of the British parliament, the ancient Wittenagemotte, was a court, and one of its branches is the highest judicial tribunal in England. Both houses of congress have powers strictly judicial in their nature and application. If a federal or state court, consisting of a single judge, is vested, by common law construction, with authority to punish contempts of its authority and dignity, this assembly of judges may constitutionally exercise the same authority. That constitution which confers on the representatives of this nation the power of legislation, and denominates this body a house of representatives, clothes it with the common law attributes apper-

Sir, said Mr. M. why this indignation against the common law? Our forefathers defended it, in the old world, against Norman invasi on, ecclesiastical fraud, and royal encroachment—They brought it hither; they planted it; and we have flourished beneath its shelter. .

The common law! Had I the tongue of Henry, I would pourtray to you its excellence. He who implored the convention of Virginia to reject this constitution because it did not expressly adopt this law in all its maxims; the most eloquent champion that American liberty ever drew to her support, regarded this constitution, which he had not tried, with suspicion, and the law under which he had lived, with con-

fidence and affection. The doctrine which I advance in relation to this constitutional question, is congenial with the purest al injunction to believe the in American feeling. The common time of the accused until he has a heard in his defence and judime birth. It is the law of every tonvicted. This maxim of state of this widely extended union. than charity is comprehended On its broad and solid basis rest the har admirable system of practi- free constitutions, of these states, as well as that noble structure which

In a mature by the experience Sit, this law was that of my reKei adopted by the universal mote progenitors. Erings, green
on of the people of the United turn and the brown heath of Cale
its, and adnominated the come doing, atthough my eye never be-

punish a edit super, so define the acts bear an insinuation against his far from all that could start our lears there this house has proceeded legal mode of proceeding against he acts blood mount to his cheek Sir, this lieve, in judicial declaims, through the horizontale, mention out the British States. By the unline did not be land which animous judgment of the general with the warrant of an earlier the bornain with that stronger of Virginia the principle and the arest of an earlier and foundain with that stronger of Virginia the principle has been a general warrant. The country of the arest of an earlier and foundain with that stronger of Virginia the principle has been a general warrant. The first the principle has been a general warrant. The results of Virginia the principle has been a general warrant. The results are the principle has been a general warrant. The results are the stronger of Virginia the principle has been a general warrant. The results are the stronger of Virginia the principle has been a general warrant. The results are the stronger of Virginia the principle has been a general warrant. The results are the stronger of Virginia the principle has been a general warrant. The results are the stronger of Virginia the principle has been a general warrant. The results are the stronger of the stronger of Virginia the principle has been a general warrant. The results are the stronger of the stronger of Virginia gave them birth: it flows from the kourt, the highest criminal tribunal from the And Edid to, as not an entire same foundain with their stronger of Virginia, the principle has been a general waterant. It describes riche, not a solitary section, scarce sentimene, which binds us to our extended so far, as to authorise at the prisonet by name. article, not a solitary rection, scarce : sentiment which binds us to our own natzt soil. It is not at war defendant, indicted for a libel at with the impulse of general benevo. lence, or sallous to the merits of other nations. I can turh my eye across that channel along which my fancy has just conducted me, and exclaim, in the language of the sweetest bard of Ireland

Gay, sprightly land of social mirth and case, Pleased with thyself, whom all the world can please!

How altered is thir scene! Sir, the tear of pity must start from every eye at the suffering of a misguided, much oppressed, bat gallant nation.

. Do we look for the monuments of our own history no farther back we ashamed of the achievements of begun to contemn their laws? Who can speak or think of freedom without recollecting the names of Locke. of Hampden, and of Sydney?

Sir, I beg pardon for this digression, it was forced from me by the cloud I thought I saw gathering on the brow of the house, when I refer ed to the common law as the expositor of the American constitution.

The colonists of Great-Britain brought their law with them to America. Their new lot, was beset with difficulties and dangers. The forest was to be opened to cultivasessed the leisure, they had not the inclination, to innovate upon the established customs and usages of who united with them from other countries took the laws as they found them: and, if so inclined, they

had not the power to change them. These laws, and the habits of thinking, from which they sprung, and on which the laws themselves reacted, were incorporated with every political institution which they founded. The parliament of England, and the courts of Westminster, were the models of their legislative assemblies, and of their judicial tribunals. Their constitution, their powers, their forms of proceeding, and their rules of decision, were sometimes prescribed by their laws, but generally left to implication from the great fountain of of England.

I appeal to my colleagues, if this constitution had been formed cotemporaneously with that of Virgiof the U. States, as unquestionably mon and dearest rights of the citibelongs to the corresponding branches of the general assembly, the nutation, the privilege for which is our public councils. H house of delegates and the senate of Virginia? From the form of the speaker's chair to the power of expelling a member, the character and authority of the house of delegates is derived, without any express constitutional provision, from the house, of commons, the archetype of the popular branch of every state legis-

lature, as it is called, of this house. The force of the argument, which this analogy furnishes, is not impaired by the consideration, that the federal constitution is of more recent structure. It is the act of itself proclaims; and, referring expressly to the common law, in one of its articles, is unintelligible throughout, except by the aid of that law we have a right to resort to its maxims in the present enquiry. If this power is essential to be presumed that the people of these states regarded it to be, and so must we consider it in relation to the two houses of this legislature.

. It has been urged, that many extravagants doctrines would arise from this source of constructive authority. Where, it is asked, shall this house stop in its use? The rethis debate, and the gentlemen who timate discomitaire.

This debate, and the gentlemen who timate discomitaire.

I have not called the attention of pletely occupied this ground, nor the House to this topic in order to the stopic in order to has it beautentied by shy of our revive unpleasant recollections but volution of 1776 answers this ques-

common law, to give the truth in

evidence. The house derives, therefore, from the common faw, no privileges which it ought not to pos-One of my colleagues has contended, that all the privileges of the house are expressly enumerated by the 6th section of the 1st article of the constitution, and restricted to exemption from arrest, in certain specified cases: and from responsi bility elsewhere for any speech or debate in the house And hence, with great apparent plausibility, he infers that the house possesses no other privilege, and has authority than the glorious era of '76? Are to punish no other contempts, except such as are committed in vioour British ancestors, that we have lation of these. In answer to this argument, it has already been contended by the honourable member who last addressed the house, that this clause of the constitution may be justly regarded as the result of the extreme caution which induced the convention to insert in it what might otherwise have been inferred; a caution which is discernable in other parts of this instrument. To the illustration which he has fur nished,, many others may be added; as for example, the very first article of the amendments. The greatsavage lurked in his covert. The er part of these are designed to serve the purpose of bill of rights, tion. It was not a time, sir, to sit for which so many opponents of the down in order to deliberate and to constitution had most zealously change their laws. Had they pos- contended. It cannot be presumed, that, if this amendment had not been made a part of the constitution, congress would have prohibittheir foresathers. Those emigrants ed the free exercise of religion; have abridged the freedom of speech; or obstructed the right of the people peaceably to assemble and to petition for a redress of grievances. I am, however, led involuntarily to another explanation of the expediency of expressly incorporating in the constitution the two privileges to which my colleague has referred: an explanation, which is in strict harmony with all the views that I have taken of the general power of this house to punish contempts of its privileges. Every other privilege of this house, except those which are enumerated, will be found to be consistent with the obvious and equal right of the people. The enumerated privileges are limitapractical wisdom-the common law tions of those lights, and but for the express grant of them by the people, it might have been doubted whether the character of our republican institutions did not forbid nia, would not the same power to their exercise. In fine, these enupunish contempts attach to the merated privileges protect the mem-

house of representatives and senate | bers of this house, against the computation, the privileges for which I contend, would protect the house from their injuries, from fraud, violence and injustice. The cannot be justly inferred, there-

fore, that the enumeration of these privileges excludes the constitutional exercise of all others. The constitution which had sought to enumerate these, must have been satisfied with general terms of vague signification, or proceed to an enumeration of particulars, which no tempt to impeach Alexander Hamilembrace. If it is admitted, and it seems to be generally conceded, the people of the United States, as , that the house has power to punish contempts committed against its peace and dignity within this hall; then the object of the supposed enumeration totally fails, and, with it, this pretended limitation to the authority of the house, to punish contempts wherever they may be committed.

> I will not unnecessarily consume the time of the house, in endeavouring to prove that all attempt to corrupt one of its members; while engaged in the discharge of his duties, is a contempt; of its authority and dignity. The honorable member to their opponents a prominent from Georgia, in an early stage of cause, I have no doubt, of their al-

adimons judgment of the general tron, perceive, that the warrant for kourt, the highest criminal tribunal the arrest, is not, as lie contended.

the prisoner by nante. But, it has been urged, with more upparent force, that it is unsustained by an oath or affirmation; and therefore, is in violation of the stre att, of the amendments to the constitution, which provides that mo warrant shall issue but upon probadence. The constitution certainly supposes the judge who issues the warrant, not to be, himself, personally recognizant of the fact, on which it is grounded. He may issue a warrant on "probable/cause supported by oath." It is servain, conviction of the truth of the fact must supersede the necessity of an oath; to say nothing of the absurdity, to which such a doctrine must lead. A judge is assaulted and beat as he enters the court, in which he is about to sit alone. Will it be contended that he shall first make oath of the fact and then issue his warrant for the apprehension of the offender? In this case the witness is a member of the house by whom the warrant is issued-A judg , in whose presence the alredged fact. occurred. The warrant itself is issued on the signature of the Speaker, but by the order of the house, whose act it is, and therefore the act also of the member, on whose information the warrant was issued.

Before Lelose my remarks Learn for forbear noticing an observation of the honorable mover of the resolution on your table, upon the precedents which have been so aprly and forcibly adduced, to sustain the authority of the house to punish the particular contempt which has given rise to this debate.

It has been contended, sir, that precedents are dangerous to liberty, that they favour the inroads of power upon the rights of the people.

Such I must confess, sir, is not my doctrine. It has been correctly said, by a profound judge and an able civilian that the multiplicity of laws, continues the security of the citizen .- So, sir, does the multitude of precedents which, sanctioned by

usage, operate with the force of law. Precedents established in good times, stay, in disastrous days, the rage of faction, and the hand of tyranny-a Pharos erected on the margin of a stormy sea, by the light of which the mariner may anchor or steer his bark in safety.

The case of Randall, in 1796, to which the honourable member from Georgia, called the attention of the house, torcibly as he had used it, was entitled to yet higher respect, from a consideration watch had not occurred to him. The honorable member stated that it had arisen, before the formation of parties in tainly mistaken the history of the day: I was then but a boy, and am perhaps older than the honorable nember. I may be allowed to remind him of facts which had an important bearing in support of this precedent. Does the honourable member recollect nothing of the controversy of the assumpsit of the state debts, the first Bank of the Un ted States, the ratification of ton; nothing of those angry passions which in those days shook the administration of Washington to its foundation?-[Mr. Forsyth explained.] He referred he said, to the division of the parties by their present

names. Mr. Mercer proceeded; a member whispers to me, that they were called federalists and anti tederalists. This denomination, sir, was applied at an earlier day than that of which I now speak. The title of demoralist, and republican to this again. Yes, said Mr. Mercer, the federalists, allowed themselves to be outwitted in yielding the popular title

held them are I acknowledge, dear of this law. This limitation of the opponents that such would not be for a more legitimate and held them are I acknowledge, dear of this law. This limitation of the opponents that such would not be for a more legitimate and held the action by of this bonse to incomplished. This feeling is not common law telleves the rale of a contampt of the house of commons, purpose. Even in the times of particular the action of the house of commons, but the particular the contampt of the house of commons, but the particular the contampt of the house of commons, but the particular the contampt of the contampt of