

By the account which we published a few weeks ago of the late military usurpation in this city, it was by no means our intention to excite a newspaper discussion of an affair, the decision of which belongs to the courts of justice; nor had we any desire to make it the subject of altercation between the political parties into which the state is divided.

On this twenty-third day of August, 1812, personally appears before the subscriber one of the justices of the peace for Anne-Arundel county, JOHN GAITHER, and makes oath, that on or about the 29th of July last, Benjamin Gaither, esquire, sheriff of Anne-Arundel county, placed in his hands, to be executed, (the deponent being one of the deputies of the sheriff) a writ of replevin which had issued from the County Court at the suit of William Caton against John Randall, esquire, collector of the port of Annapolis.

Sworn before JAMES HUNTER.

The affidavit made by BENJAMIN GAITHER, esquire, before the Chief Justice, states that—

He proceeded to execute a writ of replevin issued from the county court of Anne-Arundel county, bearing test the 29th day of July instant, issued at the instance of a certain William Caton, against John Randall of Anne-Arundel county, requiring him, the said Benjamin, as sheriff as aforesaid, to replevy and redeliver from out of the possession of the said John Randall, certain goods and chattels in the said writ mentioned, the property of the said William Caton; that he demanded of the said John Randall to deliver unto him the said goods and chattels, which he refused to do; that he said Benjamin Gaither then demanded of the said John Randall

to open the doors of a ware-house of his, the said John Randall's, to which he, the said John, has conveyed the goods and chattels in the said writ mentioned, which is a place of great strength; and where in he keeps the said goods locked up, so that he might proceed to execute the said writ, and the command therein contained, which he the said John refused to do; that his deputy, a certain John Gaither, on the 29th instant, in attempting to execute the said writ, seized, and had in possession a box, in which certain of the goods and chattels mentioned in the writ were supposed to be contained, and which box, and the goods therein contained, were by a certain John Randall, junior, seized and taken out of the possession of his said deputy, as he is informed, and verily believes, with force and arms, and with the knowledge, privity and consent, of the said John Randall; that he has this day proceeded to summon a posse comitatus to assist him in the legal discharge of his duty as sheriff as aforesaid, and went down to the house of the said John Randall, and also to the ware-house aforesaid, and again demanded the goods and chattels aforesaid, and also entrance into the ware-house aforesaid; that the said John Randall again refused to deliver the said goods and chattels to him, and that the said John Randall, and John Randall, junior, and a certain officer of the United States army, who he is informed is named Hopkins, and a party of United States soldiers, whose names are to him unknown, are now there in military array, uniformed, armed and accoutred, surrounding the said ware-house, and when he proceeded to approach the said ware-house, charged bayonet on him the said Benjamin, and declared that they would resist him in the execution of the said writ, so that he the said Benjamin Gaither, is thus by force and arms, and by a strong military force and power, prevented from the due execution of the duties of his office aforesaid, and is in fear of his life if he proceeds to attempt to execute the said writ.

Does the conduct of the collector and soldiery now appear in a point of view less reprehensible than it had been exhibited by us? Are they acquitted of the charge of resisting the ministers of justice; and over-awing the civil authority? Is the positive assertion made by the "Subscriber" to the Intelligencer, that the goods never were in the possession of a civil officer substantiated?

By some strange fatality it has happened, that the different advocates of the collector and military are at direct variance with one another concerning every material fact on which their justification is supposed to depend. Thus the circumstance just mentioned, which is so dogmatically affirmed by the writer in the Intelligencer, is admitted to be untrue by his coadjutor in the Maryland Republican, whose statement on that subject perfectly accords with ours. On the other hand, the writer in the Intelligencer, determined to be revenged on his friend for this flat contradiction, has deprived him of the only pretext which he has been able to urge in defence of this monstrous outrage.

Having now shewn the correctness of our statement, and disproved every circumstance alleged in contradiction of it, every thing is done which it is incumbent on us to perform. Notwithstanding the childish petulance of the "Subscriber" to the Intelligencer, and the puerile, cobweb sophistry of his fellow labourer in the Maryland Republican, we will steadfastly adhere to the resolution which we formed at the commencement of this controversy. We will take no part in discussing the merits of the claims advanced by the respective parties to this suit, but will leave them to be investigated by that tribunal to which the do-

minion belongs. Justice demands that the minds of those who will be called on to determine the case, should be free from that prejudice and agitation which partial statements and previous public discussion cannot fail to awaken. We care not whether Mr. Caton's pretensions to the property be well or ill founded; our only desire is to maintain the supremacy of the law, and preserve the tranquility of society. It must be obvious to every reflecting man, that the justice of Caton's demand is wholly unconnected with the great question, whether a collector possess the tremendous power of arraying the military force of the United States in opposition to the civil authority of the State? Even with this question, however, we feel reluctant at this time to interfere; not from any doubt we entertain respecting it, but from the profound respect which we cherish for the judicial tribunals of the State. Indeed, how is it possible for a freeman to doubt on such a subject? Is not the power contended for manifestly inconsistent with the very nature and existence of a free government? Would it not elevate a petty officer above the laws of the land and exempt him from their control? Would it not enable him to seize the property of any man in the community, and prevent the courts from restoring it to the owner, by his bare saying that it was seized as smuggled and held by him for the United States? Would he not be empowered on any occasion, when his violence or obstinacy might prompt him, to impede the course of justice, and by the aid of a military cohort set the laws at defiance? Unquestionably he would; for it is obvious, that until the meeting of the court, the circumstances alleged must depend entirely on his own assertion, or on idle rumor. Until then, no judge is authorised to enquire into them. Whether therefore, the plea advanced by him were true or false, it must be equally availing. Such a power, lodged in such hands, would moreover enable men, whom we could not generally expect to be very discreet or scrupulous in its exercise, to excite perpetual and violent collisions between individual States and the United States; collisions which must speedily terminate either in the prostration of the State-sovereignities, or the destruction of the government of the Union.

If a doctrine that leads to consequences like these be sanctioned, then is our constitution of no value, the sovereignty of the States is a vain shadow, and the freedom of Americans an empty name. But we hope and believe better things. We trust that our courts, and our people, will rally round the laws of the land, and protect them from violation; that they will show that we still retain the virtue and spirit of our fathers; and that they will not suffer the civil authority, and the liberties of their country, to be trampled under foot by a collector of a port and a few subalterne officers in the army of the United States.

For the Md. Gazette. THE NEXT ELECTION.

By the constitution of Maryland, under the protection of which we have so long enjoyed all the prosperity and happiness that the most approved forms of government bestow, every citizen has a right to declare annually, by his vote whom he wishes to be trusted with the power of enacting or modifying the laws that secure his life, liberty and property. This is the most important and valuable right he possesses. It is the most important and valuable, because by the judicious exercise of it he may maintain in full vigour all his other rights. But while this is the invaluable result of a wise use of it, it must not be forgotten, nay it ought most solemnly to be brought home to the mind of every one, that an indiscreet exercise of it may produce the most fatal effects. If we give our votes to bad men, we must necessarily expect that their power will be used for bad purposes. If we give our votes even to good men, who have mistaken views of government, we do almost as much mischief. And if we give our votes to weak, incapable and ignorant men, they are generally under the control of the artful and designing, and however well disposed, unconsciously become their instruments for the worst purposes. What a tremendous responsibility is then attached to the right of suffrage! Nor must we complain. It is the general law of nature, established by the authority of all good, that all the best bless-

ings of life should be bestow'd with a liberal and unobscured exercise of prudence and care to guard against. This is the nature of the natural, the moral, and the political world, are the same in this respect. The same strength and vigour that enable you to pluck a drowning fellow from the overwhelling surge, give you the power to strike him to the earth, and plunge a dagger in his heart. So in the political world, the same privilege that enables you to elect good and wise men into office, who will maintain unimpaired every valuable right, enables you also to choose wicked or weak men, that become the tools of the wicked, who will bring into jeopardy your freedom and security, and finally rob you of the right of suffrage, which has given them their power.

Another consideration ought to impress most deeply upon our minds the importance of exercising aright our privilege of choosing our own law-givers. An abuse of it will destroy not only the liberty and happiness of the individual who abuses it, but involve, in the same ruin, the liberty and happiness of all his fellow-citizens. I have been led, my fellow-countrymen, into the foregoing train of reflections, by the near approach of our annual election. I live in the country. I, like most of you, derive my subsistence, and that of my family, from the cultivation of the soil. I feel all that ardent attachment to my country, which rural occupations, more than any other, I believe, are calculated to give under a free government. While I feel a conscious delight in the enjoyment of liberty, I look back with gratitude, and a veneration, mingled with a heart thrilling awe, upon the political fathers of our revolution, who established it, and fenced it about by our unequalled state and national forms of government. In the midst of my exultation, the solemn question recurs with irresistible force, how shall I preserve this happiness? how shall I maintain, unimpaired, the wise institutions that have produced it?

You, my fellow-citizens, if you reflect, will ask yourselves the same question—and with me will answer—By a wise exercise of the right of suffrage—by making choice of such delegates to represent you in the general assembly as have knowledge to comprehend and honesty to protect and advance your honour, your interest and your happiness.

Your next election approaches you under circumstances peculiarly favourable to dispassionate deliberation. The passions, which were lately so violent as to drown the voice of reason, and which originated in our difference of opinion as to the foreign policy of our general government, have almost entirely subsided. The course of measures now pursued at Washington, coincides in all important points with that which has been advocated and uniformly supported by the federal party, ever since our government began its operations, and the federal party now embrace the opportunity of manifesting their unvarying adherence to principle, by giving their unqualified approbation to an administration, conducted by men whom they formerly opposed, because different doctrines were professed and a different policy pursued.

Federalists & democrats then, now unite in their support of the general government, and that cordial good will and mutual confidence, which are at all times so desirable amongst those who are sincerely desirous to promote the true interest of their country, are rapidly succeeding to distrust and dislike, and would soon entirely heal the wounds inflicted by past dissensions, but for the uncessing efforts of a few selfish agitators who know not how to obtain power except in the midst of that confusion which prevents an examination into their merits.—These men assail, with an unheard of fury the venerable fabric of our state constitution, a constitution framed by the wisest heads, and defended in times "that tried men's souls," by the bravest hearts. Whether they shall succeed or not, depends, people of Maryland, upon your votes. I propose therefore, in a few addresses which I shall make to you, between this time and the first Monday of October next, to examine whether they are worthy of your confidence, and whether the measures they propose are calculated to promote or destroy the welfare, the honour, and the prosperity of the state.

For the Md. Gazette. AGRICOLA. The Federalists & democrats then, now unite in their support of the general government, and that cordial good will and mutual confidence, which are at all times so desirable amongst those who are sincerely desirous to promote the true interest of their country, are rapidly succeeding to distrust and dislike, and would soon entirely heal the wounds inflicted by past dissensions, but for the uncessing efforts of a few selfish agitators who know not how to obtain power except in the midst of that confusion which prevents an examination into their merits.—These men assail, with an unheard of fury the venerable fabric of our state constitution, a constitution framed by the wisest heads, and defended in times "that tried men's souls," by the bravest hearts. Whether they shall succeed or not, depends, people of Maryland, upon your votes. I propose therefore, in a few addresses which I shall make to you, between this time and the first Monday of October next, to examine whether they are worthy of your confidence, and whether the measures they propose are calculated to promote or destroy the welfare, the honour, and the prosperity of the state.

should not possess this revenue for the accidental redundancy of democracy in the late house of delegates, this revenue, amounting to nearly thirty thousand dollars, would now be flowing into the state treasury. And is this of no importance? If the house be again elected, we may expect that the same revenue will be given to the federalists, and the state treasury will be enriched. Is not then the worth the candle? But how happily, after all this, the democratic party does not suppose that this writer takes nothing of the state of this country; for some of those who are now in the country, were federalists, and who by their speculations and opinions, have ruined themselves as well as others. If we could be permitted to get a sight of the names of those who have heretofore been contributors to furnish their friends in the recently terminated, shows the lenience of the democratic party towards the other, and why the federalists being a few, in the next house of delegates of that state they will be strong as either of the other parties; and so far from being between the democrats, which them shall pay most court to the federalists, & how many of the shall be filled by distinguished men. Very different would be the treatment received if they had pursued such a course as is now given to the federalists.

For the Maryland Gazette. A PEACE. The Carriage. Mr. Green. The Carriage. (ed.) has given rise to a discussion in town, I thought, though really I think worthily bestowed on possible to talk to once, and as repetitive and tiresome, I shall agency, say what I once, and ever after. It seems that a last winter in procuring of the old charter of its stead. Among stowed by this corporation, is the one per cent on all ty in the city. were also appointed directs and requires property, and the cent was imposed of Very few, I believe of the very low property was value most think it was. The assessors (ver in making their the different species der different hea grand division of some because the a value to it, and convenience. Unriages did not dign lunn; were not p lund; and thus ha secution, and this sition on our pursa so respectable a bo ration would not consistently, or ref selves of the tim they have, at a tin cause if the reason really the one on v grounded, tables h used as carriages, and kettles, and to this imposition, tainly incur the in getfulness at least tax tables \$5 a p some may pay t particularly those oak tables. This to be timely curb poll taxes fall equ and on the roguess gy, why should'n feet pay the same? Any obstacles may interpose ou as no candid man sition "that a bodi citizens of Annapo better what will prosperity of A assemblage of me of the state, from comico, such as t the present act of How can they kn our affairs? Or c a moment, that t same interest in ourselves? And charter shews ha fining, that our shown in planing was the first eff & zeal, & I know quity to compare —the cleaning of Hercules bears s however, I bli say, that Hercu task. Those at persevering fell could not even en without tortlyin for one night; it also a very tol