## MARYLAND GAZETTE,

Annapolis, Thursday, Avg 26,

By the account which we publishbd'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. As faithful journalists we considerod it our duty to relate so extraordinary an occurrence, passing immediately under our own eyes; and as American citizens we held ourselves bound to record our abhorrence of the transaction, and to warn our countrymen of the dangers that must arise from military establishments, unless the soldiery were made to know & to feel the obligation they were under to respect the rights of their fellow-citizens, and reverence the const tuted authorities of their country. We find ourselves, however, reluctantly compelled again to invite the public attention to the subject, in consequence of the statement made by us having been denied by a writer in the National Intelligencer. Respect for ourselves will prevent us from retorting the coarse and vulgar ribaldry of that publication; but the same selfrespect. united with a wish to preserve the public mind from imposition, require that we promptly vindicate the narrative, heretofore given, from the foul and unwarrantable asper-ions which have been cast on it. This. we apprehend, will be effectually done by the following affidavits. Let any man read and compare them with our account, and then tell us whether they do not fully corrosorate it in every particular:-

"On this twenty-third day of August, 1819, 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 Gai ther, 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 Randell. esquire, collector of the port of Ann ipolis. Immediately on receiving the writ. deponent proceeded to the defendant's ware-house, where he understood the goods claimed by the plaintiff were deposited, and on his arrival discovered several people lowering from the upper part of the ware-house, a box, in which he had received certain information a part of them was contained. He accordingly, having shown the authoray under which he acted, took possession of the box for the purpose of removing and disposing of it agreeably to the directions of the writ: but before it could be removed. John Randall, junior, and two or three other persons, by the order of the collector, seized and endeavoured to take it from him by force. The deponent refusing to relinquish his hold, a rone was fastened round the box, by some of Mr. Randall's parbegan drawing the b gether with deponent, towards the upper story of the ware-house. Seeing it would be impossible for him unaided as he was, to accomplish the object which he had in view, and apprehending serious injury from the fall with which he was menaced he at length, after being raised some distance from the ground, relinquished his hold, and fell to the earth. The box was then drawn up and placed in the second story of the ware-house.

Sworn before

JAMES HUNTER."

The affidavit made by BENJA. MIN 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 wrimentioned, the property of the sair William Caton; that he demanded of the said John Randall to delive unto him the said goods and chattels, which he refused to do; that he the said Benjamin Guither ther

of his, the said I his Rahdall'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 bethe 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 pussession 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 torce 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 exc cution 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 overawing 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 advo-

cates of the collector and military are addirect variance with one anoth er 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. The Annapolis writer stoutly maintains, and places his main reliance on this assumed fact, that the goods were still held as smuggled property, and that the claim of the United States was now depending in the Circuit Court. We are, however, distinctly informed by the gentleman whose veracity, Mr. Gales tells us, cannot be questioned, that the claim of government has been abandoned. It really appears to us that these gentlemen had better come to an understanding to tell the same story, or else cease writing altogether; for when the public observe them contradicting one another so positively about plain matters of fact, with which both profess to be perfectly acquainted, the inevitable consequence must be that no confidence will be reposed in the asser-

tions of either. 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 pucrile, cobweb sophistry of his fellow labourer in the Maryland Republican, we will steadfastly adhere to the resulurion which we formed at the commencement of this controversy. We will take no part in discussing the nerits of the claims advanced by he respective parties to this sair but will leave them to be investigatdemanded of the said John Randal. ed by that tribunal to which the de of all good, that all the best bles-

to open the doors of a vare-bouse | cision belongs. Justice demands that the minds of those who will be sall? ed 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 when ther Mr. Caton's pretensions to the property be well or ill founded; our only desire is to maintain the supremany of the law, and preserve the tranquility of society. It must be phvious 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 array. ing the military force of the United States in apposition to the civil authority of the State? Even with this question, however, we feel reluc'ant at this time to interfere; not from any doubt we entertain respecting it, but from the profound respect which we cherish for the julicial tribunals of the State. Inleed, how is it possible for a freeman to doubt on such a subject? Is not the power contended for maniestly inconsistent with the very nature and existence of a free governnent? 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 roperty of any man in the commucity, and prevent the courts from restoring it to the owner, by his barev saying that it was seized as smugded and held by him for the United states? Would be not be empowered on any occasion, when his vioence or obstinacy might prompt ii ., to impede the course of justice. and by the aid of a military cohort set the laws at defiance? Unquesionably he would; for it is obvious, hat until the meeting of the court, he 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 pica 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 vey discreet or scrupulous in its exerise to excite perpetual and violent ollisions between individual States and the United States: collisions which must speedily terminate either in the prostration of the State sovereignties, or the destruction of he government of the Union.

> If a doctrine that leads to consequences like these be sanctioned, hen 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 vidation; that they will show that we st.ll 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 the collector of a port and a few subaltern ofueers in the army of the United

> > For the Md. Gazette.

THE NEXT ELECTION. By the constitution of Maryland, 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 wish s 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 exer cise 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 for gotten, 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. It 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 be come their instruments for the worst purposes. What a tremen dous responsibility is then attached to the right of suffrage! Nor must we complain. It is the general law.

the morals and the political hworld are the same in this respect. The same atrength and regour to great able you to pluck a drowning fellow mortal from the overwhelming surge. give you the power to strike him to the earth, and plunge a dagger in the possession of the his heart. So in the political world the government the same privilege that enables you federalism is anglish to elect good and wise men into of that the Union was hee who will maintain unimpaired more, thehedere it also to choose wicked or weak men, suppose that this that become the tools of the wicked. who will bring into jecpardy 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 choesing our own law-givers. An abuse of it will destroy not only the liberty and happiness of the individual who abuses t, but involve, in the same ruin, the liberty and happiness of all his feliow-citizens.

I have been led, my fellow-counrymen, into the foregoing train of · flections, 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 tee! 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 tenced 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 shalt I maintain, unimpaired, the wise institutions that have produced

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 pro tect 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 fately 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 encirely subsided. The course of meaures 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 govern ment 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 distike, and would soon entirely heal the wounds inflicted by past dissentions, but for the unceasing efforts of a few selfish agitators who k ow not how to attain 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 tramed by the wisast 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 cal culated to promote or destroy the perity of the state.

AGRICOLA.

nothing of the street Among those who one t e democratic payly, in found "z considerable excilparty feeling;" and ar do our history, were federaling mocrats more hostile in the than are the great division democratic party now in the States. In the powerful in New-York, the elections who recently terminated, shows the lence of the democratic panie one towards the other, and we from the federalists being a de ed few, in the next house of gates of that state they will strong as either of the other ties; and so far from being vi-influence, it is a matter of the between the democrate, vid them shall pay most court to did deralists, & how many of them shall be fired by distinguished ral men. Very different would been the treatment record them if they had pursued suchas sel as is now given to the federal

of Maryland. This writer enquires, whated can the federalists have in via call forth their energies? It is be a sufficient answer to this is that their object is faithfully in charge the duty which the one their country. If we are to be "A Farmer," no man capharen tive for concerning hymelic elections, is he be not thereby curing to himself a chance of ting an office from the general vernment. But is it of no its tance to the federal party that offices of state should be in the ba of no importance to that party in they should possess their weight influence in the general governe and be able to prevent eitherde great democratic parties from sco ing any measure injurious to a nation? Who does not know, to for some years past, the votes of fed ral members of Congress been of essential importance is feating pleasures which were wa ly advocated by a powerful de

cratic faction? In order to discourage all family struggle, the federalists are runs ed of the result of the last he election. But is "A Farmet" ignorant as not to be able our for that result? It is true me countres, which were fedent year before, returned democrated delegates—But to waste was owing? To the inactivity and security of the federalists. My dy can pretend that it is to be cribed to any actual gain by the cratic party, because the state of those counties was so great as it had been in fur years. We are then asked, by Farmer," if it be worth while continue the struggle for the fit of those now in office? And it is the fit of those now in office? really of no importance to the period of Maryland who fill the of government? If the present cupants were unfit men, theremy be found a good reason for remove them. This however is not placed.

The writer next tells os, thit republicans have nothing to me them to an arduous struggle, and extraordinary means are resorted by them. Now this is true is But it cannot be pretended that are not using all the means they? sess; they are not using all the mul-on which they calculated, being they have been disappointed in taining those means.

Let those of them who were not bers of the last legislature, as candidly, what were the reso which induced them to vote on the candidly. which induced them to vote of side of Baltimore upon every of tion in which that city was introduced? Why they refused to let us state derive a confiderable rest from sales by auction in that the Wag at not in the hope thereby Wast not in the hope therepored the stranger of the struggle? What the promises given to the by Baltimore and other delegates are caucas which decided that the in-.....

ide enriched. Is not then office worth the fandle? Has how is he properly the after all this, account the many des not posmdinary means' this writer ta ke furns ont that those wh

the their friends in the coun-They are most of them the entical people who have caused so ch misery and distress in the ite, and who by their speculations vernined themselves as well as ners. If we could be permitted get a sight of the names of those have heretofore been contribut g to furnish their friends in the unties with those "extraordinary ans," to which this writer tells they cannot now resort, we should en be able to ascertain all the reans why the democracy of the state in its present most deplorable siation, and why the engagements de with it last winter in behalf Baltimore have not been fulfill-

This writer also tells us, that the publicans by economy and well ncerted measures, enriched the deralists by extravagance, wilful ste, and obstituacy, in not co opeting with the general government the general defence during the e war, have impoverished the asury. Now if one word of this been true, this writer, and a mish the proof of it; and the sincircumstance, that when in Maland we hear any talk about decratic economy, or federal exvagance, it is made to rest upon ted assertion, unsupported by y kind of proof, is enough to safy any candid mind that it is utly untrue. On what occasion did the demo-

its, while in power, give proof of ir love of economy? The anal expenses of the government y greatly increased, and in adon thereto, they increased rown per diem. It is true while they were in power treasury was enriched. was done by an order of the sh government for transferring s stock in the bank of England; it will not be pretended that democratic party got this for us. perhaps they disposed of this so judiciously that they dewell of the state for it. Now. disposed to think, no demo in Maryland, who has any wledge of this business, would willing to have the economy or nagement of this business placed ore the people in its true light. sages of the democratic party laryland are invited to a candid ussion of this subject. Let them us in plain english, how much twas wasted by them before it into the treasury-how it was -and how much of it bestowed upon Baltimore, and oak tables. This in let them boast of their well to be timely curb certed measures for enriching poll taxes fall equ treasury.

did the federalists impoverish treasury? Surly the federalists not declare the war-they are refore not to be blamed for the enses, which in consequence of ere unavaidably incurred. The eral government would not dethe stare, and in order to deitself it was necessary to pure arms, ammunition, camp 1 age, &c. and to provide for ing and clothing the militia ed out. Now these are items of rase, which are very apt to and were unavoidable after the ocrats had declared the war, indeed "A Farmer" thinks nothing ought to have been the militia ought to have been and unpaid. Surely those declared the way, caused all & zeal, & I know expense, and as it proved a unprofitable war, ought to some little blame. But the ralists were very obstinate in to operating with the general frament for the general defence. the correspondence, between two governments has been pubed, and what sppears from it? d, and what, appears from it! without fortifyin state executive was anxious to for one night: perate with the general governe is also a very tol

ceptions, although of the war before and immediately af enemy came to our not so anxious as expected, to co-ope government in the When any democra gave to the war, the his property he gay defence of the war

For the Maryle

Mr. Green, The Carriage ed.) has given rise discussion in town

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agency, say what I last winter in proc one per cent on al ty in the city. were also appointed directs and require property, and the cent was imposed o Very few, I believ ed of the very lov property was value The assessors (ver der different hea some because the a value to it, and convenience. Un riages did not digi lumn; were not p oned; and thus ha secution, and this sition on our purs so respectable a bo ration would not consistently, or rel selves of the in they have, at a tir cause if the reaso really the one on grounded, tables h used as carriages, and kettles, and tainly incur the in getfulness at leas

and on the rogues gy. why should'n feet pay the same Any obstacles may interpose our as no candid man sition "that a bod tizens 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 quity to compare -the cleaning o -the cleaning o say, that Hercu persevering fello

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