

Maryland Gazette.

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ANNAPOLIS, Thursday, June 21, 1827.

No. 25

The Steam-Boat



MARYLAND.

This commodious vessel will commence the season and pursue her routes in the following manner: Leave Easton on the WEDNESDAY and SATURDAY of every week at the hour of 7 o'clock in the morning, and proceed to Annapolis, leave Annapolis at 3 o'clock, and proceed to Baltimore, where she will arrive at 6 o'clock in the evening. Leave Baltimore on the TUESDAY and FRIDAY of every week at 1 o'clock in the morning, and proceed to Annapolis, and leave Annapolis at 11 o'clock, and proceed to Easton, arriving there at 6 o'clock in the evening. But in proceeding on her routes on the days above mentioned she shall always on due notice or signals touch at Banning's Mill, Oxford, and Castle Haven, both on returning, and take up or leave passengers. On the SUNDAY of every week she shall leave Baltimore at 10 o'clock in the morning and proceed to Annapolis, and remaining there till 1 o'clock, return to Baltimore at 1 o'clock the same evening. On the MONDAY of every week she shall leave Baltimore at half past 5 o'clock in the morning and proceed to Chestertown, where she will arrive at 12 o'clock, touching at Quantico or at such place on Corlica Creek as may be hereafter appointed: Returning she will leave Chestertown at 1 o'clock, and touching at the said intermediate place will arrive at Baltimore at half past 7 o'clock the same evening. At each and every of the said places, passengers, and, where practicable, horses, carriages, and other articles, alive or inanimate, which can be conveniently accommodated aboard will be received. The rates of passage money to be paid by passengers, as follows: For every passenger from Easton, the Landings on Third Haven, from Castle Haven to Baltimore, the reverse \$2. For ditto from Easton, the said Landings, or from Castle Haven to Annapolis, or the reverse. For ditto from Annapolis to Baltimore, or the reverse. For ditto from Baltimore to Chestertown or the intermediate place, or the reverse. For every horse or other beast of equal size, from place to place respectively, the same fare as for a passenger. For every four wheel carriage from any of the said places on the Eastern Shore to any of the said places on the Western Shore, or the reverse. For every two wheel carriage from place to place as mentioned in the last rule. For every four wheel carriage from Annapolis to Baltimore, or the reverse. For every two wheel carriage from Annapolis to Baltimore, or the reverse. For every passenger, horse or pig, from Easton to Castle Haven, or the reverse. And for every four wheel carriage from or to Easton and Castle Haven. For every passenger of colour from Easton or other place on the Eastern Shore to Baltimore, or the reverse. For Ditto from the Eastern Shore to Annapolis, or from Annapolis to Baltimore, or the reverse. Articles of merchandise or other things which may conveniently be received and laden on board are subject to the same charges as for freight for the like articles on board the packets. For every sheep or hog, or animal of the like size, carried from any one of the said places to the other. If more than six of each kind, the charge will be reduced in the discretion of the commander. In the passages between Baltimore and Annapolis, and between Baltimore and Chestertown, if any passenger, goods, or other articles, are damaged or lost, the same shall be repaired or replaced, at the expense of the owner, and the fare shall be charged, but not for going or returning, and not for both. Under no inducement shall steam be employed than is necessary for her ordinary voyages. All baggage to be at the disposal of the owners. The fare for any meat not to exceed 50 cents; nor liquors to be sold beyond tavern rates. Lemuel G. Taylor, Captain, Annapolis, March 3.

PRINTED AND PUBLISHED BY **Jonas Green,** CHURCH-STREET, ANNAPOLIS. Price—Three Dollars per annum.

Candidates for the Legislature. ANNE-ARMELDEE COUNTY. Aber Linthicum, Charles R. Stewart, Robert W. Kent, William J. W. Compton, Christopher L. Gantt, Charles S. Matthews, John S. Williams, John S. Sellman, Robert Welch, of Ben. Edward E. Anderson, Stevens Cambrell, Joseph Nicholson.

WINE. Old Madeira, Sicily Madeira, Port and Rousillon Wines, in Bottles, and by the Gallon, or smaller quantity, for sale by **Shaw & Claude.**

Notice is hereby given, That the Corporation of the City of Annapolis will meet on Wednesday the 25th day of June, in session for three successive days, from 10 until 12 o'clock, A. M. for the purpose of hearing appeals and transferring on the assessment books, or to the collection of the tax for the year 1827. By order, Richard I. Cowman, Clerk Corporation, Annapolis.

The State of Maryland,

To all whom it may concern: **STEPHEN LAWSON,** Having produced to me an Exequat signed by the President of the said State, and sealed with the seal of the said State, recognising me as Vice Consul of His Majesty King of Sweden and of Norway, of the port of Baltimore, in this State of Maryland, do hereby order and direct, that the said act of recognition be published for the information and government of the people of this State.

Given under my hand, and the Great Seal of the said State, this 26th day of June, in the year of our Lord one thousand eight hundred and twenty seven, and of the Independence of the United States the fifty first.

JOS. KENT, the Governor. Th. CULBERTH, Clerk of the Council.

Following is a copy of the Exequatur, viz.

JOHN QUINCY ADAMS, President of the United States of America.

To all whom it may concern: Satisfactory evidence having been submitted to me, that Stephen Lawson is appointed Vice Consul of His Majesty the King of Sweden and of Norway, of the port of Baltimore, in the State of Maryland, I do hereby recognize him as such; and declare him free to exercise and enjoy such powers and privileges as are allowed to the Vice-Consuls of the said favoured nations, in the United States of America.

Given under my hand, at the city of Washington, the 17th day of May, 1827, and of the Independence of the United States of America the fifty first.

J. Q. ADAMS, the President. H. CLAY, Secretary of State. To be published once a week for two weeks in the Maryland Republican, Gazette, and Carrolltonian, at Annapolis; the Patriot, American and Statesman, at Baltimore; Political Exchange, at Frederick town; Maryland Herald at Hager's Town; Star, at Annapolis; and National Intelligencer.

Notice. Commissioners of the Tax for Annapolis county will meet at the court house in the city of Annapolis, on Tuesday the 19th day of July next, for the purpose of hearing and settling the claims, etc. of the said county. By order, R. I. Cowman, Clerk.

TRIUMPHANT VINDICATION From the National Intelligencer: GENERAL JACKSON.

The causes which led to, and the circumstances attendant upon, the execution of six men of the Tennessee Line, at Mobile, in eighteen hundred and fifteen, having excited considerable public discussion, and the character and motives of Gen. JACKSON being seriously implicated therein, it becomes a subject of interest to the public, that the matter should be fairly and plainly stated, to the end, that a correct and unprejudiced decision should be had thereon, and that blame may not rest upon an innocent and abused fellow-citizen. In this spirit, the following observations are very respectfully submitted to the freemen of this country, and they are called upon to say whether or not the measure of justice, which should be meted to all, has been extended to Andrew Jackson?

The organization, itself, of civil society, is a forced state, wherein each individual member of the compact resigns certain privileges, and binds himself to support the laws and be amenable to them. In war, a license, in many instances, is given for the furtherance of military operations, which, in a time of peace, would be thought unjustifiable and even unconstitutional. Such, for example, is the right of an officer, under peculiar circumstances, to seize, for the use of his command, upon provisions and provender—to impress horses for the expedition of despatches, &c. &c. all and every of which acts amount to a violation of the rights and property of individuals, but justified by the particular state of things, as conducive and essential to the general welfare. In a war of invasion, as "good men and true," we must submit to privations, and expect to be subject to the heaviest penalties whenever we infringe the laws which have been adopted by the competent authorities for the preservation of the republic. Without this responsibility and liability, no government upon earth could be permanent, but would inevitably dissolve into its original elements, and become the easy conquest of the first hostile band which should plant a standard upon its territory. This is the true and only sound doctrine of government: whoever holds a different one, and pleads for the irresponsibility of the criminal to the law, is a disorganizer. The contract of the citizen thus to submit, is binding, and when the penalty of crime is incurred, very strong and evident reasons should exist, why pardon should be extended. Mutiny is considered and described in our Military Code, as a crime of the deepest character, not only as regards the effect of a single act, but as respects the influence which example may produce; and hence we find it, in all services, visited with immediate and condign punishment. To tolerate mutiny, or to treat its promoters with lenity, against the express declarations of the law, would be a mistake and fatal policy, and in itself nearly equal in the same degree to the violation of all rule; and to refrain from imposing the punishment of death against the commission of crime, where the law had already declared that penalty, would be a perversion, as well of that law and the object of exemplary justice, as the argument of a timid mind, too weak to enforce punishment, and too supine to exact discipline.

The 7th article of our military code is couched in these plain and emphatic terms: "Any officer or soldier, who shall begin, excite, cause or join, in any mutiny or sedition in any troop or company in the service of the United States, or in any party, post, detachment, or guard, shall suffer death, or such other punishment as by a court-martial shall be inflicted."

Why is this heavy and uncompromising sentence denounced against those guilty of mutiny? For the plain and sensible reason that rebellion unnerves the strong arm of the government, renders useless the wisest schemes, involves the fate of thousands, while it places in the power of those who may stir up anarchy and revolt, the fate of a whole people, as well as even the political honour or existence of a government. Comparisons have been invidiously

drawn between General Washington and General Jackson: whatever the defamers of the latter may say, in the ebullitions of their spleen, the parallel is good thus far—they were both for their country; both achieved much for the American name, and both, to answer the views of certain parties, have been most outrageously defamed. The father of his country now rests in peace, and the vile tongue of slander is hushed. In after times, when the present generation shall have numbered their days, the brilliant and important services of Andrew Jackson, will, (if gratitude shall exist in the bosoms of those who succeed us) be universally admitted, and his name, his patriotism, and the splendid deeds of his days, for his country's good, be associated with the fame of that first Great Father, whenever they shall rejoice in and celebrate those glorious achievements which led to the establishment of our independence. Let us now turn for a moment, to the History of our Revolution and see what was the conduct of Washington, in regard to those guilty of mutiny—if his conduct bear not out General Jackson, then the history of past times has been erroneously detailed to the world, and the example of a great man ignobly perverted. The campaign of 1780, in the Northern States, furnishes us with the history of a mutiny, at Fort Mifflin, of a very particular character, and I pray the particular attention of the readers of this communication to the circumstances connected with it. "The distress," says Mr. Ramsay, in his History of the American Revolution, which the Americans suffered, from the diminished value of their currency, though felt in the year 1778, did not arrive at its highest pitch till the year 1780. Some states, from their internal ability and local advantages, furnished their troops not only with clothing, but with many conveniences; others supplied them with some necessities, but on a more contracted scale. As few, from their particular situation, could do nothing, the officers and men, in the routine of duty, mixed daily and compared circumstances: those who fared worse than others, were dissatisfied with the service which made such injurious distinctions. From causes of this kind, superadded to a complication of wants and sufferings, a disposition to mutiny began to shew itself in the American army. This broke forth in full action, among the soldiers stationed at Fort Schuyler; thirty-one of the men of that garrison went off in a body. Being pursued, sixteen of them were overtaken, and thirteen of the sixteen were instantly killed."

Here, then, fellow-citizens, is a case of mutiny, presented to your view by an impartial and able historian of your own country, which, if ever mutiny could be justified, would have been entitled to the lenient consideration of the Commander in Chief, and yet an instant pursuit is made in quest of the mutineers, and thirteen out of sixteen instantly shot, and even without a trial they were hurried into eternity. Their fate was merited; for though they suffered for the necessities of life, their example was destructive to the great cause of their country; they had violated the law, and the penalty was death; they had broken their contract, and their lives were forfeit. General Washington sanctioned their execution: it was a sacrifice upon the altar of our country, and spread upon the broad page of history as a beacon to warn others of the consequences of mutiny.

Again—in 1781, about 160 of the Jersey troops followed the example of some others, but they did not conduct with equal spirit nor equal prudence. They committed sundry acts of outrage against particular officers, while they affected to be submissive to others. Major-General Howe, with a considerable force, was ordered to take methods for reducing them to obedience. Convinced that there was no medium between dignity and servility, but coercion, and that no other remedy could be applied without the deepest wound to the service, he determined to proceed against them with decision. Gen. Howe marched from Kingwood about midnight, and by dawn of the next day, had his men in four different positions, to prevent

the revolters from making their escape. Every avenue being secured, Col. Barber, of the Jersey line, was sent to them, with orders immediately to parade, without arms, and to march to a particular spot of ground. Some hesitation appearing among them, Col. Sprout was directed to advance, and only five minutes were given the mutineers to comply with the orders which had been sent them. This had its effect, and they, to a man, marched without arms to the appointed ground.

The Jersey officers gave a list of the leaders of the revolt, upon which Gen. Howe desired them to select three of the greatest offenders. A field court-martial was presently held upon these three, and they were unanimously sentenced to death. Two of them were executed on the spot, and the executioners were selected from among the most active in the mutiny. The men were divided into platoons, and made public concessions to their officers, and promised by future good conduct, to atone for past offences. But why multiply precedent upon precedent? The revolutionary war is full of them, and hundreds of similar proceedings were no doubt witnessed, with which it has not been the proper to load the history of that day. In the mutiny of the Jersey troops, however, it will be observed, that the leaders of the revolt were shot by their companions. Had Jackson thus ordered the execution at Mobile to have been conducted, the well-known would have been unled with the epithet of blood-thirsty tyrant—he would in all human probability have been now hailed as a Nero, and the alleged cruelty would have been the theme of many a Tyro in politics.

Fellow-citizens, were the executions of 1780 and 1781, necessary to prostrate the alarming disposition exhibited by the soldiery to mutiny? Were they necessary for the salvation of the glorious cause in which your fathers were bleeding? With your acclamation you must answer yes! What were the circumstances of the mutiny at Fort Jackson? A duty upon what ground stands the Hero of Orleans? How is he justified for his approval of the sentences of the court-martial at Mobile? By precedent; by immemorial usage; by the cause of his country; by the necessity he was under to approve the just sentence of a court, whose decision he could not have impugned without a disregard of the plainest evidence, and a contempt of that judicial tribunal which the law had established as proper for the adjudication of such cases. In fine, had he pursued any other than the course he did, it would at once have been an abrogation of the rights of his government and his countrymen, and have been placing himself paramount to the laws, and in hostility to the decision of that forum which was recognized as the only one competent to make a fair and impartial examination. To the proofs for they will convince the veriest fool he has upon earth, whose ear is open to conviction, that upon this charge he is invulnerable, and that he must stand acquitted before his countrymen, as he does before his God, and in his own conscience.

The letter of Col. Pipkin, who was the commanding officer at Fort Jackson, established the fact of the mutiny unequivocally. His testimony is given upon oath, and his standing and character entitle him to implicit credit. It is given entire, as the most authentic statement, and as the representations made by him to Gen. Jackson were the grounds upon which the General's orders issued for the apprehension and trial of the revolters.

Certificate of Col. Pipkin.

April 16, 1827. Dear Sir—I have been informed that Messrs. Bickner and Frank Johnson, late members of Congress, have erroneously charged Gen. Jackson with having six militia men tried and executed, without necessity, and for crimes committed after their time of service had expired.

Believing that the six men alluded to were of my regiment, I deem it a duty I owe to General Jackson, as well as the community at large, to make a full statement of the facts & circumstances connected with their arrest and execution. The regiment which I commanded was mustered

into service under an act of Congress, for a term of six months' duty, on the 20th June, 1814, and ordered to garrison the different posts in the Creek Nation. In the latter end of August of the first of September, I discovered a mutinous disposition in my regiment, as well as at Fort Jackson, where I had established my head quarters, as at other posts; but I had no proof that would justify my preferring charges, until a soldier by the name of Hunt, made a public declaration that he would go home at the expiration of three months, or die in the attempt. I then wrote to Gen. Jackson, at Mobile, and requested him to order a court martial, for the trial of said Hunt, which he did, but the order did not come to hand, until after the mutinous part of my regiment had released him from under guard, who, with him, deserted on the 20th September 1814. A short time previous to this, the same party demolished the bake-house, destroyed the oven, and did many other disorderly and mutinous acts. The day previous to their desertion, a large number paraded, armed, and marched towards the commissary stores. I ordered them to disperse, but my order was disregarded, and they forced the guard stationed for the protection of the stores. The commissary, anticipating their design, closed and locked the door; but that did not restrain them; for one of the men (who was afterwards shot by sentence of the court-martial) immediately snatched up a pick-axe, and cut the door off the hinges. They then entered the house, and took out eleven barrels of flour, and made public proclamation to all who intended going home, to come forward and draw rations, which they did. They afterwards proceeded to the bullock-pen, and shot down two heaves, and the balance taking fright, broke the pen, and ran some distance, where they killed a third. They then returned to the fort, and completed their arrangements to start home, as before stated, to the number of about 200. I immediately reported to Gen. Jackson the situation of my command, and the manner of my proceeding. Shortly after, I received orders from the General, directing me, that if I had not already arrested them, to use every exertion in my power to do so, and have them brought back for trial. A part of them were arrested, and a court-martial ordered to be convened for their trial, by Lieut. Col. Arbuckle, acting under the orders of General Jackson, at Mobile, and to consist of five members, and two supernumeraries. Lt. Col. Perkins, of the Mississippi militia, was appointed president of the court, and Lieut. Robson, Judge Advocate. I was ordered to detail the balance of the court from the militia troops of the state of Tennessee, and to order on the witnesses, for the trial of the prisoners of my regiment, to Mobile; also, to make out charges and specifications against them, which I did. On the 4th of December, I received notice from Col. Perkins, that the court-martial was organized. It commenced with the trial of Captain Strother, and continued from day to day until all the prisoners were tried.

In all this business, Mr. Chairman, Gen. Jackson had but little more to do than you had. It is true that, at my request, he ordered a court-martial, and appointed the president and judge advocate, who were both very respectable and intelligent men; but the balance of the court were detailed by me. Nor was General Jackson present, or even in Mobile, at the time when the prisoners were tried and executed: for I have always understood and believe, that he had reached the city of New-Orleans before the court was organized, where he remained until the restoration of peace.

On the 20th December, the term of service of my regiment expired, and on the 21st or 22d day, we took up the line of march for Tennessee, and, as soon as we arrived were discharged. **Philip Pipkin.** Here, then, is the testimony of an eye witness, who warned the refractory men who were thus outrageously violating their engagements and abandoning their duty; but advised them to no purpose. They rescue a prisoner, force a guard, and clamorously invite their comrades to the same revolt; comprising, in the ca-

logue of their acts, crimes, which, singly, under the strict application of the Articles of War, were punishable by the ultimate supplicium—death. The court martial at Mobile, upon a deliberate charge and examination, find, from the amplest testimony, the facts detailed in the certificate of Colonel Pipkin to be true, and, as bound by their oaths, condemn the ringleaders to death. Can there be a doubt of the justice of the sentence? Could any other court do less? And if the law has prohibited crimes and imposed punishments, were it wiser to rebel against the authority which made, than the court which enforced those laws?

What say the Articles of War in regard to militia in the employ of the General Government? They speak a language not to be misunderstood. Are the militia to be bound by them? They must be, or the statute which placed the citizen soldier upon the footing of the regular, was a violation of personal rights; and the law, which, on the score of patriotism and services, equalized all our countrymen, was unfair, and gave a value to the name of militia which belonged only to the true soldier. But the cause of their country's honour, and the support of her freedom, was alike in the bosom of the patriot, whether enrolled in the ranks of the army as a regular, or as a temporary aid to answer and serve the period which the National Legislature required: tumult and insubordination were the acts of those, exclusively, against whose conduct the first provisions of the martial code had been expressly framed, and the language of these acts is this:

Article LV. "Whosoever belongeth to the armies of the United States, employed in foreign parts, shall force a safe-guard, shall suffer death."

Article XXVII. "The officers and soldiers of any troops, whether militia or others, being mustered and in pay of the United States, shall at all times, and in all places, when joined in conjunction with the regular forces of the United States, be governed by these Rules and Articles of War, and shall be subject to be tried by courts-martial, in like manner with the officers and soldiers of the regular forces: save only that such courts shall be composed entirely of militia officers."

As to the question, therefore, of amenability of militia to the Rules and Articles of War, there can be no doubt; it is settled in language which it is impossible to misapprehend. The *quo animo* with which these acts were committed, has been satisfactory to the court, as their finding shews; and the prisoners were tried by their peers, and by a court "composed entirely of militia officers." But, say those who insidiously attempt to produce effect, the intention of mutiny was wanting. Who, superadded to the baseness of wilful perversion and ignominious prejudice, will assume the ignorance, and declare that an overt act, supported by the fullest testimony of deliberation, does not constitute, in every sense, the crime? If the vague declarations of such writers as these, who cringing under the blow which Job has already given, can be taken to underwrite a fact so clearly proven, and for years acknowledged as justly punished; then decisions of courts are useless; the jurors who convict, the judges who pronounce, and the officers who execute the sentence, are all amenable to the prejudices of aftertimes, the evidences of their just acts and the acclamations and approval of their fellow-citizens, should have justified their proceedings at the time, with confirmations strong as proof of Holy Writ. The mutineers pleaded not guilty; so does every culprit; and so delicate is the law in preserving all those rights which weakness or fear may sometimes induce the prisoner to give up, that all judicial tribunals, upon the arraignment of individuals who improvidently incaluate themselves in pleading, assume the mild province of entering the plea of "not guilty" for the unsatisfied prisoner; so that the plea is sometimes more the act of the court than the individual and the moral demerit of guilt is no greater evidence of innocence, than a denial of the facts is the evidence that the testimony is not true. General Winchester was