SUPPLEMENT
TO THE AMERICAN.

BALTIMORE—MONDAY, Jan. 10.

AN ADDRESS
OF WILLIAM PECHIN,
A MEMBER OF THE LATE GRAND JURY, TO LUTHER MARTIN, Esq.

On the subject of the Rejoinder, to the reply of that body to the Charge, delivered at the opening of the Court.

No Northern blast shall rudely roar against *thee*—but a gentle Zephyr shall *play* upon *thy* passions, to *mildly* try *thy* temper and the strength of *thy* Philosophy!

AS one of the members of the late Grand Jury, I take the liberty of availing myself of the *indulgence* you manifested, in submitting to them your Rejoinder to their Reply, as you declared, "*collectively* or *individually*." But, could the infuriated ravings of *that* communication be viewed, as the mere act of LUTHER MARTIN, *distinct* from the *official* consequence which enrobes the individual; it would have attached to itself *such* insignificance, as to have been deemed *below* contempt: but proceeding, as it did, from the *seat* of Justice, the recollection of the *stamp* of the organ by whom it was conveyed, is permitted, for the moment, in some measure, to be obliterated from the mind; and I am induced to *condescend* to a notice thereof—from a profound respect for the *office* of a Judge; which, when *properly* filled, should, for its possessor, ever command distinguished honor and the most inviolable and implicit respect.

Under *such* impressions, it will necessarily be admitted, that the observations to be made, may not be rendered so pointed and poignant, as the object against whom they are directed so richly merits. But though the *office*, or the *consequence* it imparts, may impose a portion of respect, I will not admit that your second communication, could fairly be considered as an *official* document, as, I believe, will be plainly proved. For it may be said of that communication, as it was of the Proclamation of Governor Chittenden, your fellow-labourer in *political iniquity*, that it was "*out of the line of duty*." And as you seem to possess such kindred souls, it may not be unfair to attribute the official aberrations of both to the same cause; and I hope, it will not be deemed a want of charity to add, that the motives in both instances, appear to have been *equally* laudable and honorable!

Not feeling myself obliged to view you in your *official* capacity; you must not be surprized if I should indulge in *nearly* as much freedom as I manifested in our contest of 1799.

That all the bile sent forth in such torrents should be encountered in its filthy course; that the meanderings of *frenzy* and *folly* should be pursued and descanted upon; that *enraged* virulence and what *bears* the appearance of black malignity, should be scanned and scrutinized; either as to their *censurable* bearings, *politically* or *otherwise;* would be imposing a task, co-extensive with that to which you subjected yourself, to furnish a more abandoned exhibit of your political character, than the world before possessed; and which, for its display, in mercy to you, I need erect no other gibbet than that furnished by yourself. And though it may not, in some instances, be conceived proper to inflict the *whip of scorpions* on the back of the offender; still, the application of a *tickling rod* may be deemed a salutary punishment! A recollection of your *extreme* susceptibility of nature, points out the necessity of admonishing you against permitting any *undue* alarm to arise, from the mere naming of *such* instruments of chastisement, as have just been presented to view: be assured they are not intended to have any *corporeal bearing;* but are only introduced as a *flourish* for figurative beauty!

After premising thus much, you may perceive it is not my intention to encounter the whole of your *long-winded* and *labored* budget of forty pages!—To honor, with a notice or reply, some of its *low wit* and *affected smartness*, would sink me too much in my own estimation; and *unnecessarily* blacken the traits in a *portrait*, whose coloring, by the pencil of its original, may, perhaps, conspicuously enough exhibit it,

"A fixed figure for the time of Scorn,
"To point his slow, unmoving finger at,"

As a member of the late Grand Jury, I do not conceive that their reply to the first charge, requires a second to explain it. I am well satisfied it entitled itself to the public approbation; and I will not *descend* to the necessity of noticing *all* your *crude* criticisms upon it. To *imitate*, if I could, the *dexterity* in *quibble*, for which *you* are so renowned—beyond the usual professional expertness; would be resorting to low in little artifice, to comport with that dignity of conduct I would ever support. I am not emulous to enjoy a triumph the result of *such* distinction; my efforts would only serve as a foil to set off the lustre of your superiority:—on this score, the *plume* of *victory* may wave *unenvied* over your *majestic* brow—and is surrendered without a struggle!

As before hinted, beside touching lightly a few other points, it is only deemed necessary to quote a *small* portion of your sentiments, to establish a *political turpitude*, at which, I believe, every virtuous and genuine American will feel indignant; and for which, perhaps, some may be disposed to consign their author to infamy and disgrace!

I would first proceed with noticing the *manner* of receiving your rejoinder to the reply, which produced somewhat of a dilemma, by reason of your *dismissing* the jury, BEFORE you delivered it into the hands of their foreman: for though addressed to the "Grand Jury," you took *due* care and caution, to *dissolve* their body and its power, as a board, before an opportunity was given them of knowing its contents. Perhaps you intended thereby to consult the interest of the County! It is admitted, that the time required for perusal, was pretty much like *lost time*; and to thus provide, that the public should not suffer, in this instance, was giving a laudable display of zeal in its service! Or, if you please, if incorrect in the surmise already ventured on—Was you disposed to believe, that the rejoinder would have furnished a *further* subject of investigation, on their oaths, for the Grand Inquest of Baltimore County? Did you deem it *inexpedient*, to present them with an occasion to *test* the extent of their power on a PARTICULAR subject, you dilated on with such latitude in your charge?

If it was proper for you to furnish *two* Charges to the Grand Jury, during the Session—was it not equally as proper that the *last* should have been *pronounced* to them, as the *first?* Did you *apprehend*, that your reading it, in open court, would have obliged them to insist on returning to their room, for a due consideration of its contents, before they would have permitted their dismission by the Court? Or, was it a want of *hardihood of visage* and *nerve of tongue*, requisite for such a *Herculian* effort? Or, again, did your *legal foresight* point out to you that you had rendered yourself *liable* to the *penalties* imposed by the following sections of a Law of this State, entitled, "*An ACT to prevent the growth of* TORYISM!" and did the existence of this Act, so ample in the extent with which it *seems* to embrace *your case*, point out to you the *hazard* of permitting the Grand Jury to peruse what was *directed to them as a body*—and did you thence deem it *justifiable* to dissolve them?

All that can now be done, is to furnish the sections of this law, and it will be the *bounden duty* of the next Grand Jury to punish any infractions of them.

Here follows the Sections.

"Sec. IV. *And be it enacted*, That if any subject or inhabitant of this state shall, by any words, open deed, writing printing, or other act, advisedly and willingly declare, affirm, maintain or defend that the king or parliament of Great Britain hath any authority, power or jurisdiction, in or over the United States, or any of them, or that any allegiance is due from any of the subjects or inhabitants of the United States, or any of them, to the King, of Great Britain, his heirs or successors, or shall wickedly, corruptly or seditiously persuade or entice any of the subjects or inhabitants of this state, to return to or acknowledge any dependence on the crown and parliament of Great Britain, or to own any allegiance or obedience to the King of Great Britain, his heirs, or successors, and shall be thereof convicted in the general court, such person shall be fined not exceeding ten thousand pounds current money, and be imprisoned not more than five years, in the discretion of the court, or be banished this state forever.

"Sec. VII. *And be it enacted*, That if any subject or inhabitant of this state, shall advisedly and maliciously, with an intention to obstruct the service, dissuade, discourage or obstruct, any person from enlisting or engaging in the army or navy of the United States, or any of them, such person, on conviction thereof in the general court, shall be fined not exceeding one thousand pounds current money, in the discretion of the court.

"Sec. VIII. *And be it enacted*, That if any subject or inhabitant of this state shall by any word, open deed, writing, printing, or other act, wickedly, corruptly or seditiously, dissuade, discouage or terrify, any of the people of this state from supporting the independency of the United States, or any of them, or skall directly or indirectly endeavour to sepport or justify the measures taken by the king and parliament of Great Britain against the United States, or any of them, and shall be thereof convicted in the general court, such person shall be fined not exceeding one thousand pounds current money, in the discretion of the court."

The *amount* of transgression, on your part, and how far you have acted in *contravention* to the *honorable* and *patriotic* spirit of the sections quoted, in *both* your communications, is quite unnecessary for me to declare. *Toryism* is a subject *easily* defined—and the interest of the country would be much promoted, could it be as *easily* punished! I would only ask you—Could your efforts, to prove *naturalized citizens*, under certain circumstances, traitors, have any other *tendency* than "*aiding the enemy?*" And were not those efforts calculated "*to obstruct the service, dissuade, discourage, and thereby obstruct persons from enlisting or engaging in the Army or Navy of the United States?*"—Honest men can have but one opinion on this point.

Your rejoinder to the Jury's reply, commences with what *bears* the *image* of *effrontery*, and approaches *very near* the *appearance* of *impertinent* and *insolent* invective. You observe, that the Charge was before them upwards of five weeks, before you received the answer thereto; and you would thence seem to infer, *that the County incurred an expence, by reason of the time consumed in forming a reply.* On this point, you are informed, that if any time was *sacrificed*, which occasioned unnecessary expence to the County, it was in reading the *extraneous rant* in your charge, which did not apply to the duty before them. On the receipt of which, many of the Jury were for permitting it to slide into oblivion, with silent contempt; but its publication, by yourself, in pamphlet form, rendered it their duty to prepare an *antidote* for the *poison;* which was not done, and agreed to, untill the day before it was presented; when they first discovered the noxious charge was before the public. And, sir, if brought to a *candid* and *temperate* sense of reflection, you may hereafter have occasion to deplore, that the recollection of, at least your political *obliquities*, had not been confined within the bounds of the Court! That they were not thus confined, is, perhaps, to be attributed to a *strange* and *inordinete* disposition, on *your* part, to *caricature* yourself in print, which on this occasion, forced your charge before the public.

In penning this address, I have been influenced by similar considerations, with those just expressed which regulated the conduct of the late Grand Jury, in the answer to your first charge. For, had *salutary compunction* restrained you from publishing, in print, your last communication; after giving it, as it is said, you declared, as "*a Bone to gnaw;*" and had you been satisfied with confining its *bitterness* of *gall* and *aloes* with the Jury, you would not have been thus greeted with a notice thereof. In pity, towards you, I would have been willing to shelter you from that weight of public *odium*, which the publicity *you* have given to the *enormity* of your *political* sentiments, and *Anti-American* feelings, cannot fail to produce!

The *admirers* of all *Foreign* systems of government, and *enemies* to *our* own, must be much gratified with the *solidity* of *argument* and *brillancy* of *wit* you have called to your aid, in your *meritorious* effort, to prove that the Jury were *incorrect*, in declaring "that of all governments, the most legitimate was that of the republican form." I am willing to believe, that it comports with your feelings and wishes to bring such government into contempt; judging from your disrespect for the organs of its power; at least, your *acute discernment*, on a point so *necessary* and so *important* to establish, I would not dare to question:—indeed, it is admitted you *merit* distinction for your *devotedness* on *this* subject, and for *other* services!—And it is asked whether you can expand that "spirit of prophecy, which foresees the time is fast approaching, when unless this war is previously terminated, this country will have to contend single and alone against the united forces Great Britain and Spain, and with those gallant veterans who have so gloriously triumphed over a more formidable foe?"—And if you can *thus* stretch your *mighty* mind *still* further, and grasp the hidden events in the womb of time; is there *any result, you* can *compass*, which holds forth a *reward* to you, *commensurate* with *your* zealous efforts to produce it? That the "gallant veterans" you so *rapturously* eulogize, should have gloriously triumphed over a MORE formidable foe, enables you, no doubt, *unaided* by your *powers* of *divination*, to *foretell*, that disgrace and mean submission will attend our arms; and that the ground taken by the government, and sanctioned by the people, as you declare, "*must and will be abandoned by the administration.*"

In the reply of the Grand Jury to the charge, it was stated, that "the virtuous stand our country had made in the existing contest, and the spirit and enthusiasm of a great majority of the people in support of its righteous cause, were *alone* sufficient to have quieted any apprehensions for the safety of the Republic." But *you* cannot "readily conceive that the spirit and enthusiasm expressed by a majority of the people, admit the fact to be so;"—"for shedding the blood of their innocent brethren, and spreading destruction throughout an unoffending people can (*cannot*, was, no doubt, intended) evince etheir national purity or integrity." That you should defame the *majority* of the people, was to be expected, in connection with your hatred to the administration; and, it is quite in coincidence with your disposition to prove, that a *republican government* was not entitled to the *pre-eminence* accorded to it in the reply. Your *slander*, against a *majority* of your countrymen, who support the administration, in declaring they are "shedding the blood of their *innocent* brethren," deserves at least, a punishment, as severe as any the act to prevent the growth of Toryism imposes!

That an *abhorrence* to the War should shock the *exquisite* sensibility of your nature, is not to be wondered at: and it may well be conceived, that your *humane, mild* and *pacific* disposition, must be *severely agonized*, at the prospect which your *prophetic* spirit holds forth to view, in that conflict you predict between the English and Spanish "gallant veterans" and this country—which you seem to think, must submit! If the shedding of blood, at a distance, agitates your *delicate* system with such horror; you may calculate on its shivering into ruin, when that ocean of blood encompasses you, which would be shed, before the freemen of America would submit to subjugation, to any foreign power. Sad and gloomy would be the condition of our country if SUCH *dastardly despondency* should seize the hearts of her sons. Sunk, indeed, in her character; and the government itself, but the shadowy form of independence, if the arm of foreign rule, as you represent, could prostrate them in the dust. That *defection* exists you have given us reason to believe; and it is to be deplored—not to be dreaded. It has, like the *treason* of *Burr*, its *advocates;* but happily, as in that instance, its power is too limited to embrace its designs; and though calculated to aid the enemy; the national cause must triumph. We have every thing to expect from the valor of Americans; and the justice of our cause will secure the favor of Heaven. Reliance is placed on such manly effort, as bore this country so gloriously through her revolutionary struggle. Without fleets or armies we entered into that tremendous contest, and without a regular or efficient government around which to rally, or which could unite the force of the people.—England was then, perhaps, in the plenitude of her greatness; yet, in our infancy, as a nation, we reduced her haughty spirit, and brought her to a sense of Jusitce. And is it posssible, at this period, when the radiance of American glory has emblazoned the world by the splendid atchievements of a long list of our country's heroes that there can be an American, so infatuated and lost to a sense of patriotic dignity, as to believe it within the scope of probability, that the people of the United States *must succumb, and bow the knee in vile subjection*, to the "gallant veterans of England and Spain?" It is fondly hoped, for the honor of the country, there are but few Americans so *base* and *grovelling*, as to harbor, for an instast, so *abject* and *humiliating* an idea!

It is painful to see, that the *ordinary* bounds of *morality, truth* and *decency* does not restrain you; either as to your *political* allusions, or as to those of a *personal* nature, directed against the late Grand Jury. With your *usual* modesty, you say, "*their object was any thing rather than promote the cause of truth or fair enquiry.*" Conscious rectitude of conduct enables them to soar above the reach of your *Lilliputian* lance—and, I am at liberty to say, they feel satisfied, that censure from *such* a quarter, will be viewed as extorted praise!

That your *discernment* and *vast sagacity* should declare Man "*sunk on the grade of the scale of creation* BELOW *the Brute—and reduced to the Dignity of being the Slave of* the *Devil*," evinces much disinterested *humility*, and constitutes an authority *too* high for any to dispute. But you are asked, did you make *yourself* the *model*, by which you *shaped* SUCH opinion of the *dignity of man?* If so, I will not say, that the *delineations* are not *characteristic*; or that the *portrait* is not like the *original!*

The late grand jury, *as a body*, deemed the "*Bone to Gnaw*," you presented them too *contemptible* to merit notice: But, what they thus rejected *collectively*, with *my* accustomed *good nature*, for the *friendly* purpose of TICKLING *your* feelings, I have condescended to *gently* touch. And although it may not afford a *feast* to the *body;* it may serve as a *treat* to the *mind*, in furnishing a *subject* for *amusement* and *sport!*

You will perceive, I have *more* than *reciprocated* your *kindness;* for in *return* for the *Bone*, I have in the last page given you the *whole* BRUTE, *quadrtaed* by your *own* scale of *perfection!* and, what may render it still more *pleasant* and *desirable*, it rests with yourself to designate the species to which it belongs! Were I to classify the animal, I might, perhaps, assign it to the *long ear'd tribe!*

Mercy is a darling and resplendant attribute; and as it will be *humane* to *mollify* your feelings—it shall be extended to you: for this purpose, you are assured, that *your* system of "*depreciation,*" on the subject of the "Dignity of Human Nature," shall call forth no further animadversion: the *gravitation* of your *own* data, has borne you *low* enough, without the necessity of bringing to bear against you, any thing like *cutting sarcasm* or *irresistible ridicule!*

It is said to be a principle in morals, as well as a maxim in municipal law, that a *suppression of truth, is often equal to a suggestion of falsehood.* At least, both offences ought to be considered *below* the dignity of Man! How far have you kept TRUTH *out of view* in your *loyal* and zealous discussion on the subject of *expatriation*, the public can determine; but I will, with every respect for politeness, delicately point out, *something like a suggestion of falsehood!* In their reply to the charge, the Grand Jury stated, they deemed it *inexpedient* to resort to writers on the Laws of Nations, to prove the fallacy of the doctrine advanced by the Court." In reply you *dare* to say, "They might have assigned a much better reason, for not resorting to writers on the Laws of Nations, upon this subject; because, had they done so, *they could not have found one single authority*, of any respectability, giving countenance to the *monstrous*, the *absurd*, the *pernicious* doctrine." After quoting the following, from among the number of authors which might be consulted, to prove how far *you* respect the *truth*, I might fairly exclaim, Oh Shame—where is thy blush!

II. Potter's Gr. Antv. I. ch. 26.

"It is permitted to every Athenian, after having become acquainted with the laws and customs of the Republic, if he dislike them, to retire with his family and goods."

III. Law of Rome—Cicero.

"The glorious and divine right which we have received from our ancestors, and which is coeval with the Roman name, that no one of us can be a citizen of *more* than one commonwealth; (since different states must of necessity have different laws) that none should be compelled to change his country against his will;—and none against his will to remain in it; this is the firmest foundation of our liberty, that every one is free to retain or divest himself of the rights of citizenship."

IV. Justinian Code. Dig. lib. 40.

"Every one is free to decide for himself, to what country he will belong"

V. Puffendorf, b. 3. ch. 9. sec. 3.

"It is impossible that the same subject should be capable of two obligations of the same nature. It has been justly concluded therefore, that naturalization necessarily *annuls his first allegiance.*"

VI. Vattel, b. 1. ch. 19.

"A nation, or sovereign who represents it, may grant to a stranger the quality of a citizen, by admitting him into the body of the political society; this is naturalization.

"Every man is born free; the son of a citizen arrived at years of discretion, may examine whether it be convenient for him to join in the society for which he was destined by his birth. If he finds that it will be of no advantage to him to remain in it, he is at liberty to leave it, making a return for what is done in his favor, and preserving as much as his engagements will allow him, the sentiments of love and gratitude he owes it.

"If the sovereign attempts to stop those who have the right of emigration, he does them an injury, and they may lawfully implore the protection of the power who would receive them."

"It appears from several historical facts, particularly in the history of Switzerland, and the neighboring countries, that the law of nations established there for some years past, does not permit a state to receive the subjects of another into the number of its citizens. This vicious custom had no other foundation than the slavery to which the people were then reduced. A prince—a Lord, considered his subjects in the rank of his property and riches—he calculated their numbers as he did his flocks; and to the disgrace of human nature, this strange abuse is not yet every where destroyed."

Grotius, lib. ch. sec. 41.

"It is no violation of amity, to receive subjects individually, who are desirous of emigrating from one country to another; this, as we have formerly shewn, is not only a NATURAL, but salutary liberty."

VIII. Bynkershook.

"In every country, that is not a prison, the right of expatriation is recognised and allowed."

The opinions of some of those wise, learned and virtuous sages, have ever been held as axioms in politics—their sentiments have been strictly adhered to by law givers and *honest* law expounders; and in every instance, where the eternal basis of Truth and Justice has been the ground-work of negotiation, they have decided disputes between contending Powers. *Puffendorff* and *Vattel* have defined the laws and rights of nations; and the conduct of all civilized governments, towards each other, is or *should* be, bounded by the limits those sages have established. But authorities so *omnipotent* are, it would seem, *disregarded* and *contemned* by *you*, and what is *more* unpardonably flagitious, you have braved *reprobation*, by having *dared* to deny *their* existence!

I would ask, what has been your object in *committing* yourself on a point so *plain?* In this instance, have you *meanly* fled the *fair* field of *principle*—and are you willing to roam at *such* expence of a *shattered* literary and political character, in the wilderness of *deception, ignorance or phrenzy?* Could not the trump of Fame be sounded so British glory without this stride in error? Did you suppose that the *opinions* of LUTHER MARTIN—a *man of might*—the ver *Atlas* of *all* Law, and *all* knowledge of government, would make *those* of the sages quoted, dwindle into insignificance aud unimportance? Had you the *vanity* to believe, that the promulgation of *such* opinions, from a source so *respectable*, would *relax* the national spirit, and bend the measures of the government to accommodate British views? And is not the advocacy of opposition to the right of expatriation, calculated to weaken the *energies* of *this* country, and strengthen *those* of the *enemy?*—Aud if to produce *such* consequence could be the *object* of an American, I hesitate not to say, it must be a being, fallen low in depravity—"fallen like Lucifer, never more to rise!"