trates for several years, he had been guilty of several murders and robberies, and they had long been in search of the villain; proofs enough there were to convict him without the testimony of the English family, indeed he had been tried three years ago, *par consumace*, and sentenced to death. The husband and wife were, therefore, allowed to proceed on their journey, determined never to visit Italy, and to avoid, henceforth, in becoming acquainted with adventurers who call themselves Count or Marquisses.

Centreville Times,

&(E.S.)PUBLICK ADVERTISER

MEN AND MEASURES.

CENTREVILLE(E.S.)MD.

SATURDAY EVENING JUNE 28.

JACKSON EDITORIAL MAGNANIMITY !—The well-meaning advocates of Gen. Jackson are continually charging those Editors friendly to the Administration, with a system of persecution and slander towards their general, and his friends. Believing many of them to be honest in their opinions, we extract, for their especial edification, a paragraph or two from papers of their own side—namely, the Washington (D.C.) Tell-lie-graph, the Bridgeton(N. J.) Observer, the Easton Argus, and the Delaware Patriot, in the hope that they may see the 'moat,'&c

[From the said papers.]

"*War---Pestilence—and Famine.*"

"Mr. Clay, in his electioneering speech at Baltimore, prays for "war, pestilence and famine" in preference to the election of General Jackson. It was shrewdly supposed, that he had private reasons for believing that the election of General Jackson would injure his future prospects We have a clue to his motives in the following extract from the Kentucky Gazette.

"I give you a list of mortgages on the property of H. Clay now on record in the Clerk's office of Fayette county with date and page. These debts amount to forty-nine thousand one hundred and ninety-three dollars besides the interest. There are two debts which are not secured by any mortgage on record here, in addition to those below, to wit; fifteen thousand dollars to Trannsylvania University, and ten or twelve thousand to J. J. Astor of N. York. These are exclusive of other debts he may owe at home or abroad, of which the public know nothing.

List of Mortgages made by Mr. Clay

Book T. page 541—Mr. Clay to Bank of the United States, to secure 22,000, dated July, 1825, covers the hotel property in Lexington.

Book V. page 173—Mr. Clay to Bank of Kentucky, to secure the sum $10,000, dated 26th December, 1821, covers 200 acres of land in Fayette county.

Book W. page 132—Mr. Clay to James Harper, to secure $1,666,66, dated 24th December, 1822, covers the house opposite John Bradford's in Lexington.

Book Z. page 284—Mr. Clay to Samuel J. Donaldson, trustee of the creditors of Samuel and Robert Purviance, Baltimore, to secure $15,527 due. It covers the Hotel in Lexington and the lot fronting on Market street, and extending from Short street to Church alley."

Now, as regards the 1st allegation, namely, mr. Clay's invoking "*War, Pestilence, and Famine, rather than the election of Gen. Jackson,*" its all a lie and these veritable editors know it. And every honest Jackson man who has read his Baltimore speech knows it to be one, also ; mr. Clay said,

'If indeed we have incurred the divine displeasure, and it be necessary to chastise this people with the rod of His vengeance, I would humbly prostrate myself before Him and implore His mercy to visit our favored land with War, with Pestilence, with Famine; with any scourge other than military rule, or a blind and heedless enthuisasm for mere military renown."

We believe, every honest lover of his country whether he be for Jackson or Adams, will respond to this sentiment—It is one which ought to animate the bosom of every Republican throughout the Nation, and one, which we will acknowledge, there have been a few of the *Jackson Editors*, who have had magnanimity enough to lay aside the violence of partizans, to say Amen to. As to ourself, we do not believe that the liberties of our Country would be sacrificed even if Gen. Jackson were elected; there are too many Roman spirits in the Republick—too many Brutus's who would rise at the command of weeping liberty, and avenge her wrongs —we, don't believe mr. Clay *fears* the election of Gen. Jackson, further than as a precedent—an event calculated to inspire the people with a love for military glory, &c. which may eventuate in the downfall of our beloved America.

But, we ask what ought to be thought of the magnanimity of these Editors, who can so meanly prostitute the plain meaning of still plainer language in order to deceive the illiterate and unsuspecting among their readers—one of them too, professes to be of the Church of Dr. Ely ! Public retribution ought to visit them, and they in future ought not to be believed, tho' they speak in reality the truth.

The 3d allegation, about Mr. Clay's mortgages and debts, is as insignificant as the first. A respectable gentleman, in Philadelphia, has been authorised to state, that the sum of $23,666,66, due the U. S. Branch Bank at Lexington, has been for several years in a course of reduction, and at present amounts to about $4000, for the payment of which, good paper payable to Mr. Clay, has been given. So much for the first part of this huge charge. And, further, Mr. J. J. Astor, of New York, has in the most prompt manner authorized a gentleman in that city to state, 'that mr. Clay does not owe him a cent in the world!' Here, then, are 44,000 dollars docked off from this portentous amount, already. The other items no doubt can all be disposed of in the same way.

In fact, we believe it to be generally known, that the difficulties here spoken of, were brought about by mr. Clay's excessive kindness to his friends, in endorsing heavily for them—and the mortgages mentioned on his property, were given, *not* on account of debts of his own contracting, but, as collateral security, where he was endorsor ! And thus, by the Jackson Editorial process are his deeds of friendship magnified into pecuniary embarrassments, brought about by useless extravagance—*oh, tempora !—oh, mores!*

We shall close this article with an extract from the Chambersburg Republican, a warm Jackson paper, and recommend its perusal to the worthy Eds. we have spoken of, in the hope that it will recall to their bosoms the sleeping virtues that nature and example are supposed to have inspired them with.

"We publish to-day Mr. Clay's speech at Baltimore. It is without question, a most eloquent and finished production, and one or two passages in it equal to any thing we have ever read. But if a man can be eloquent upon any occasion, it is when he is pleading, *as he thinks*, for his country and as we all know, for himself—for what he says himself is dearer to him than life, his public reputation.

"Mr. Walsh continues to denounce these efforts of the Secretary to repel the ferocious attacks which have been made upon him,—but we think, without making sufficient allowance for a high and gallant spirit, galled by the most ferocious attacks from every quarter. Mr. Clay should not persuade himself that he is reprobated by his fellow citizens in the bitterness with which he is assailed by the fiery and maniacal little printers throughout the country. He should reflect that the party-presses are the very craters of the popular mountain mouths, from which issue all the smoke and flame of turbulence whilst softness and verdue and quiet smile beneath. Does he imagine, that all who oppose Mr. Adams are volcanic—are of caliginous smoke and glowing lava!—that all who are the advocates of Jackson are his malignant and persecuting enemies—and have forgotten all his lofty, eloquent and patriotic exertions, for his country!— We hope not."

[For the Evening Times.]

An appeal to the Freemen of Queen Ann's and Kent.—Continued.

FELLOW CITIZENS:

In the same course of the present canvass, the friends of Gen. Jackson have contended, with no little zeal, that the exposition of the earlier events of his life, is an unfair mode of electioneering. This doctrine is founded on none of the known and acknowledged maxims of political wisdom. Such exposition, is the only means by which a people can become acquainted with the merits of publick aspirants ; as past acts, and professed principles are the best, indeed, the only criteria, by which their lives and characters can be illustrated. Trusting, therefore, to the good sense and discretion of those to whom I appeal, I refer to the history of his publick life, for evidences of the profusion with which he has poured forth the blood of his fellow citizens, even his associates in arms. And if I should succeed in demonstrating the fact of an unnecessary sacrifice of human life, you must be convinced of the impolicy of aiding in his election to the Presidency, and thereby, of reposing, in reckless hands, the destinies of a brave and patriotick nation. I alluded to the execution of the six militiamen, a deed of wanton cruelty, the memory of which, should sink deep in the heart of every American.

As a ground of accusation, it has been warmly disputed ; and I must confess, it was not until very recently, since the official documents have been published, that I was convinced, myself. These documents, I will present to you in detail, as they were reported to the House of Representatives, by the Military Committee, and have since been published in the National Intelligencer. From the evidence which they furnish, I mean to argue it as a question of law.

Before I proceed, allow me to state, that these documents are accompanied by a certificate of the chief Clerk of the War Department, that they are true copies of the original ones in that office, and all that are to be found in relation to the subject.* A report from the Adjutant General to the Secretary of War is of the same import.†

It appears that these six militia men, informed and convinced that there was no order from the President, requiring them to be enlisted into the publick service, for a longer term than three months, at the expiration of that time, left the post at which they were stationed, and returned home to their wives and children. For this act, they were condemned and executed. To prove the illegality of their execution, is my present purpose ; and if I fail, it will not be attributable to any weakness of the cause, but to my own inefficiency as its advocate.

The act of Congress passed in the year 1795, positively prohibited the enlistment of militia into the service of the U. States, for a greater term than three months. That act continued in full and unconditional force, until the 10th of April 1812, when to provide for the exigencies of the war, a special law was passed, to raise one hundred thousand men, who were to serve "*not exceeding six months.*" The proper construction of this act, is, that it required them to serve any term between three and six months, as might be thought best ; & that the time of service might be extended even to six months, if in the opinion of the President the publick service demanded it: but not beyond it. This law expired by its own limitation, two years after, on the 10th of April 1814 ; and, although the six militia men were not enlisted until the 20th of June following, and of course did not come under the operation of this law, yet as the order from the President, under which they were afterwards enlisted, was issued before it expired, to inquire what was the previous practice of the Government, in regard to militia, under that law, will throw much light on the operation of the law of the 18th of April 1814, under which they were enlisted. Gov. Blount in his letter to the Secretary of War, dated the 10th of Dec. 1813, in reference to the militia who were engaged in the war with the Creek Indians, and who were enlisted under the act of 1812, says "Under these circumstances and from a desire felt here, to promote the good of the service, it would be acceptable to the men in service to be informed how long they are expected to serve, and if they are to be discharged, by whose order, and how their places are to be supplied." The Secretary of War, in his reply of the 3d of January 1814, informs him that the militia may be considered as having been called out under the law of 1795 which limits the service to *three months*. The President is the more disposed to make this decision, as the State law provides that a period of three months shall be deemed a tour of duty, and as the spirit and patriotism of Tennessee leave no doubt but that a succession of corps, competent to the objects of Government, will be regularly provided." Thus you perceive that the President had resolved not to exercise the discretionary power, vested in him by the act of 1812, of suspending the act of 1795, by calling out the militia for a greater term than three months. Gov. Blount in his letter of the 5th Jan. 1814, to the Secretary of War, and written many days before the Secretary's reply to his letter of the 10th of Dec. could possibly have reached him, expressed the opinion, that the term of three months would be better for the publick service, and less disgusting to the militia, than a longer term. It is as follows. "The troops heretofore ordered out from this State on that expedition (against the Creeks) having performed a three months' tour, and thereby having, in their opinion, done their duty, (and there being here no instructions to the contrary,) having mostly returned to their homes, is a reason why my order was given, and from a sense of duty arising from my belief of the actual necessity of keeping up an imposing force in this quarter for the safety of this frontier, and to meet the just expectations of Government in relation to an effective force being in the field to effect of the campaign ordered against the Creeks. *The tour of duty mentioned is most congenial to the feelings and expectations of militia;* hence the better to promote the good of the service, that term was mentioned, together with the hope that in time, the campaign would be over. The idea of a longer term to militia, who, I believe are all alive to a sense of duty, and anxious for a vigorous and effectual prosecution of the campaign to the final accomplishment of the objects of Government, is disgusting ; & if required of them to perform a longer tour, their disappointment might lead to greater evils, which it is very desirable to avoid." In his letter of the 24th Dec. 1813, to the Secretary of War, he states, "*Gen. Jackson* also informs me that the militia & volunteers whowere ordered out under his and Gen. Cocke's command, upon the present campaign, are impressed with a belief that they should not be required or expected to serve longer than three months from their entrance into service." In another letter, of the same month, to *Gen. Jackson*, he says, "The unfortunate construction given by the troops, so generally, respecting their term of service, (three months,) at this very interesting crisis in publick, in this section of the Union, is to be lamented ; *but since it is the most general*, and likely to become almost *the universal construction in the camp; and since there is no authority vested here*, that can be interposed, to give a counter current of opinion," &c. In his letter to Gen. Cocke of the 3d January 1814, he concludes thus, "the tour of the militia called out from the 2d division will be for three months' actual service, if, in the opinion of the President, publick good should require such term of service." The Governor's letter, of the same date, addressed to the "eldest Brigadier General of the Tennessee militia," begins as follows, "Sir : You will, without delay, cause two thousand five hundred of the militia of the 2nd division, officer included, next for duty, to be detached, organized, armed and equipped, as the act of Congress respecting detached militia, passed the 10th day of April 1812, requires, for a tour of *three months'* actual service of the U. States, against the hostile Creek Indians." Thus it is evident that there was a perfect and uniform understanding, between the Secretary of War, the Governor of Tennessee and Gen. Jackson, that, during the operation of the law of 1812, the President had decided, that the public service did not require the enlistment of the militia, for a longer term than three months.

I will now present to your consideration the order of the Secretary of War, by authority of which, more than four months after, on the 20th of May 1814, Gov. Blount called out the regiment to which the six militia men belonged. It is dated the 11th of Jan. 1814, and I respectfully request you to observe its import attentively. Sir : You are authorised to supply by Militia drafts, or by volunteers, *any deficiency* which may arise in the militia division under the command of Maj. Gen. Jackson, and without referring, *on this head*, to this department. It may be well that your Excellency should consult Gen Pinckney on such occasion, as he can best judge of the whole number necessary to the attainment of the publick objects. I have the honor," &c. J. Armstrong. What is the construction, which the friends of Gen. Jackson have put on this order, especially, the Military Committee in Congress, three fourths of whom are advocates of the General ? That it vested the requisite power in Gov. Blount, to call them into service for Six Months. This is a most unaccountable construction, and by what rules of interpretation it is sanctioned, I know not. Agreeably to the simplest rules of grammatical construction, known to every school boy, and of which he would be ashamed to be found ignorant, the words "without referring *on this head* to this Department," which are supposed to convey the power of extending the term of service to six months, refer to the words *any deficiency* which may arise in Gen. Jackson's division." The word 'deficiency,' no man I presume will deny, means a want of force or number, and has no relation to the *term of service*. With what propriety then, can it be maintained, that this order gave Gov. Blount authority to enlist them for six months? The conclusion of the order, and his subsequent letter on the same subject, in which no allusion is made to any term of service, will sustain me in this construction. "It may be well that your Excellency should consult Gen. Pinckney on such occasion, as he can best judge of the whole number necessary to the attainment of the publick objects." Again, "My letter of the 11th Jan. will have anticipated your inquiries relative to *further detachments* of militia." If it be required, I will tell you why the Secretary made no mention of the term of service. It was because he had written to Gov. Blount only eight days before, in his letter of the 3d of Jan. instructing him, "that the militia may be considered as having been called out under the law of 1795 which limits the service to three months." The opinion for which I contend, that it was not the intention of the President, to give the Governor power to enlist this regiment for a greater term than three months, is strengthened, in a still greater degree, by the fact that the Secretary, in his letter of the 15th April, more than three months after he issued the order for its enlistment, and only thirty five days before it was actually called into service, authorized him at the instance of the President, to discharge from the service of the U. States, a detachment of militia that had served only three months. Your Excellency's letter, of March 23d has been received. The President is pleased to authorize your Excellency to discharge from the service of the U. States, the militia alluded to, if they have not been already discharged by Gen. Pinckney ; my letter of the 3d Jan last was intended to operate as an instruction on this subject ; it contained the decision of the President in the case, and was addressed to your Excellency as the functionary having the best means of making it known to the parties concerned."

It is proper also, to show that Gov. Blount did not order out these men, under any law of Tennessee, for the term of six months ; and that if he did, it was illegal, because the law of that State, expressly limited the term of service to three months. The Governor of a State has no power to order the militia into the service of the U. States, under its laws, unless instructed to do so by the President. If, though, it be true, that such instructions were given, (which has never been attempted to be provod,) their enlistment for a tour of six months, was contrary to the existing laws of Tennessee; and I deduce this conclusion from the Governor's own letter of the 10th of Dec. He says, "the militia, I understand, are of opinion that their term of service will expire at the end of three months from their entrance into the service ; that time being considered by the militia law of this State, passed prior to the act of Congress under which the detachment was made, as a tour of duty." The Secretary of War in his instructions of the 3d, of Jan. says, The President is the more disposed to make this decision (restriction to three months' service,) as the State law provides, that a period of three months shall be deemed a tour of duty."

I have now traced the documents, throughout the period for which the law of April 1812 was enacted, and down to within a few days of the passage of the law of the 18th of April 1814, by which the former was revived, still making it discretionary with the President, to confine the term of militia duty to three months or not. It may possibly be urged, that the order of the 11th of Jan. by authority of which these men were enlisted, had ceased to be of force, as the law of 1812 under which it had been issued, had expired. This was a subject for the consideration of the President only, and not of Gov. Blount or Gen. Jackson ; inasmuch as he was the most competent to judge of the law, and as Commander in Chief, was the responsible person: and his subordinate officers, of whom Gen. Jackson was one were bound to carry his orders into execution, unless countermanded. The law of 1812, thus revived in that of 1814, was as though it had never expired. Nor did the latter law change or annul the former decision of the President, by which the term of military service was restricted to three months. Under these circumstances *omnibus paribus*, it was not necessary that further instructions should be given ; and if the Governor found himself at a loss, he had only to recur to the custom established by the decision under the law of 1812, with which, as to its provisions, the subsequent one, of 1814, was substantially identified. But if the apologists of Gen Jackson still persist in the opinion, that Gov. Blount was not bound, in making his levies, by the previous decisions of the President, I will urge another reply.—The act of 1814 did not absolutely, but conditionally, suspend the act of 1795. It vested in the President the discretionary power of suspending that law, by calling the militia into service for a term "*not exceeding six months, if, in his opinion the publick interest required it.*" The power thus vested in him, was not extended to the Gov. of Tennessee ; & could be delegated to him only by authority of the former. If, then, Gov. Blount, in the overflow of his zeal, ordered out these men for a tour of six months, without authority from the proper source, he was guilty of the usurpation of a power, that had been cautiously confided to the Chief Magistrate of the Union ; and all the subsequent acts, in the detention, trial and execution of those men, were grossly illegal and oppressive. They have failed to prove that any such authority was ever given, & the exhibition of it has been repeatedly challenged by the friends of the Administration. Mr. Chas. J. Nourse, the Chief Clerk of the War Department in a certificate accompanying the documents, certifies, that it does not appear, from the records of the Department, that any application was made by the Governor of Tennessee, to the War Department, on the subject of *the length of service* of the detachment of the Tennessee militia detailed under the orders of of the Governor of that State, issued on the 20th day of May, 1814, and afterwards placed under the command of Lieut. Col. Phil. Pipkin; or that any orders, general or special, were made or issued by the President of the United States or by the Secretary of War, concerning or relating to *the length of service* of that detachment." If this certificate were untrue, the falsehood had long since been exposed, as the publick have daily and unlimited access to the Records of the Department.

I will offer another argument to sustain my positions. The many detachments of militia that had been called into the field, for the prosecution of the war with the Creek Indians, were required to serve terms of only three months, at a time when the enemy were strong, and in the open field; when the war had arrived at a crisis. What reason, then was there, that these men should be required to serve six months in garrisons, (for which purpose they were enlisted,) when the Indians had been beaten, and the war was at an end, as appears from a letter of Gen. Jackson addressed, about that time, to the Department of War. It cannot be urged that the British, having just then obtained peace in Europe, had sent a formidable force into the Gulph of Mexico to carry on the war with renewed vigour ; or that these men were originally destined to repress invasion in that quarter. For the first official communication of the Secretary of War to Gov. Blount, giving him instructions on this subject, was dated the 4th of July 1814 ; fourteen days after they had commenced actual service ; nearly two months after the Governor had issued his order for their enlistment ; and consequently, long after their tour of duty had been fixed by the operation of law.

I think I have satisfactorily proved that the order of Gov. Blount was illegal—that nothing less than an express order from the President, could have made it otherwise—that, instead of giving such order, the President had uniformly instructed him to discharge the militia at the end of three months. These men, thus supported by law and facts, having performed service three months, left fort Jackson on the 20th Sept. the day on which that term expired, to return to the bosom of their families. Let it not be forgotten, that, at this time, the Creek war had long since been ended; and that New Orleans was not attacked by the British, until nearly four months after. By order of Gen. Jackson, they were pursued, arrested and carried to Mobile for trial, where they were imprisoned for months, in contravention of their rights as citizens, in violation of the most palpable principles of the Constitution.

They urged, in their defence, that they had been informed by their officers that there was no law to compel them to serve more than three months ; and that they were thus misled by them. To shew that this allegation was true, I will quote the charges against 2 of the officers, Capt. Struther, & Lieut. McCanley, of which they were found guilty. The former was arraigned on the following charges:—"Charge 1st, Exciting Mutiny—Specification : In this that, on the March between Fort Deposit and Fort Jackson, between the 4th of July and the 31st of the same month, he stated in the presence of some of the troops, there was no law to compel them to serve more than *three months* ; and unless he was shown a better law than he had seen he would march his company home at the end of that time.' The other charge—was Conniving at Mutiny. "The Court, after due delibertion on the evidence adduced, find the accused guilty as charged, with the exception of failing to report his men to the commanding officer, and sentence that he be dismissed the service, as unworthy of holding a commission in the army of the U. nited States." Lieut. McCanley was arraigned on the following charges:—"Charge 1st. Exciting to Mutiny.—Specification. In this—that, between the 10th and 20th Sept. 1814, speaking words tending to lead men to the act of mutiny, by saying that the opinion of the United States Attorney for the State of Virginia, was nothing but newspaper law. Ch. 2nd—Conniving at Mutiny. Specification. In this: That, on the 19th of Sept. 1814, he gave direction to some of the mutinous party, to put in his knapsack his proportionable part of the provisions which had been forcibly taken from the issuing house by them ; & further said that he would be with them in a few days, as he had some business to settle, which would detain him that length of time." "The Court, after mature deliberation on the evidence adduced, find the accused guilty, as charged, & sentence, that he be dismissed the service, have his sword broken over his head, with a total disqualification of ever holding a commission in the army of the United States." These officers were found guilty of exciting and conniving at mutiny ; and they, the very authors of the mutiny, were merely sentenced, the one, to be dismissed, the service ; the other, besides dismission, to have his sword broken over his head ; while the miserable men who it is acknowledged, were misled by them, were sentenced to be shot—yes, to be shot to death, against the laws of the land ! The judgement of the court was transmitted to Gen. Jackson who was then at New Orleans, where, on the 22d of January, in the midst of the prayers and thanksgiving, that were offered up for the signal victory with which Heaven had been pleased to bless us, he gave his sanction to their execution. If I be asked, was Gen. Jackson accountable for the sentence of the Court Martial? I reply, no. But as he had the controling power ; and could, with a single stroke of his pen, have set them at liberty, he is responsible for their execution. It cannot be urged in his behalf, that, although the court were wrong in their sentence, he was bound to respect it ; for no, officer in our service, but himself, ever dared to set aside the judgement of a court martial, and order—a fellow being to be put to death, who had been sentenced to a milder punishment ; It was known to him, as well as to the whole army, that these men had left the service, because they were induced to believe there was no law, or order from the President, requiring them to serve a longer term. This information was communicated by the record of proceedings, which was

* See the certificate of Chas. J. Nourse.

† See the Report of R. Jones, Adj. Gen'l.