Eastern Shore REPUBLICAN STAR OR General Advertiser.

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[VOL. 9....12.] TUESDAY MORNING, OCTOBER 9, 1810. [NO. 6....568.]

TERMS OF THE STAR—Are *Two Dollars* and *Fifty Cents* per annum, payable half yearly in advance: No paper can be discontinued until the same is paid for.

ADVERTISEMENTS—Are inserted three weeks for *One Dollar*, and continued weekly, for *Twenty-five Cents* per square.

PUBLIC SALE.

ON *Wednesday*, the 10th day of October next, (by order of the orphan's court of Talbot county,) will be offered at public sale, the personal estate of *John Nabb*, deceased, at his late dwelling, Head of Wye, consisting of some full bred horses and colts; also, mules and work horses; cattle, sheep, hogs, farming utensils and household furniture, on a credit of nine months on all sums over six dollars.

JOHN R. DOWNES, adm'r of John Nabb, deceased.

September 25, 1810. 3

FARMERS BANK OF MARYLAND
BRANCH BANK AT EASTON.

THE President and Directors having declared a dividend of 4 per cent for the last six months, ending the 3d of October, the same will be payable to the Stockholders, or their legal Representatives, on or after the 8th of October, inst.

JOHN KENNARD, Cashier.

October 2, 1810 4

UNION MANUFACTURING
COMPANY OF MARYLAND.

THE Stockholders in this Institution are informed, that a further instalment of FIVE DOLLARS on each share of the stock of the said Company is called in, and required to be paid at the Bank of Maryland, on or before Thursday, the 29th day of November next.

ROBERT M'KIM.

October 2, 1810 9

UNIVERSITY OF PENNSYLVANIA

THE *Medical Lectures* will commence on the *First Monday* in November.

Philadelphia, Sept. 18, (Oct. 2,) 1810.

NOTICE.

THE subscriber, the agent of Mrs. Elizabeth Nicols, begs leave respectfully to represent to all persons indebted to her, that a discharge of the several claims existing against them is earnestly requested on or before the 20th of the present month.—A further indulgence consistent with her engagements cannot possibly be given —And unless they are discharged agreeable to the above mentioned time—legal steps will be taken to enforce payment.

WILLIAM HAYWARD, junr.
Agent for Elizabeth Nicols.

October 2, 1810. 3

THIS IS TO GIVE NOTICE,

THAT the subscribers have obtained from the orphan's court of Talbot county, in Maryland, letters testamentary on the personal estate of *Sarah Morsell*, late of Talbot county, deceased; all persons having claims against the said deceased, are hereby warned to exhibit the same, with the vouchers thereof to the subscribers, at or before the first day of April next; they may otherwise by law be excluded from all benefit of the said estate.

All persons indebted to the said estate, are requested to make immediate payment to the subscribers, otherwise legal measures will be taken after the 25th day of next month to compel payment. Given under our hands this 27th September, 1810.

JOSEPH HOPKINS, WM. LAMBDIN, } Ex'ors.—3

NOTICE.

THE subscriber respectfully informs the public generally that he intends to act as an AUCTIONEER, and will be ready at all times to accommodate every person who may favour him with a call. He flatters himself that from his knowledge of the above business, that he will give general satisfaction.

HENRY PARROTT.

Talbot county, October 2, 1810 3

GREAT BARGAINS.

THE subscriber intends to decline the *Mercantile Business*, and is determined to sell his GOODS by the retail at very reduced prices for cash; by wholesale on very accommodating terms.

JOHN KENNARD.

Easton, July 3, 1810. m

AN OVERSEER

IS wanted by the subscriber, for the remainder of the present year, and for the next succeeding year.

JOHN L. BOZMAN.

September 25, 1810. 3

NOTICE.

AS the subscriber wishes to retire from public business, he offers for rent for a term of years, that convenient and well known stand (better distinguished by the name of the *Eagle Tavern*, or *White House*,) situated on High Street, and fronting the Public Square in Chestertown, (Md.) This valuable property has been occupied as a TAVERN for a number of years, and is supposed to be the most *eligible situation* on the Eastern Shore of Maryland—it has every necessary convenience annexed to it. The house will be rented with or without furniture or servants, as may be most convenient.

ISAAC CANNELL.

Chestertown, Md. August 7, 1810. m

FOR THE STAR.

TO THE DEMOCRATIC CITIZENS OF CAROLINE COUNTY.

(CONCLUDED.)

Fellow-Citizens,

This most learned Member of the Troop proceeds next to defend most logically, our most patriotic and virtuous federal legislature, in their evading the "imperious injunction" of their oaths, and thereby depriving us of a U. States' Senator last year. As this gentleman is in the habit of accommodating his conscience and his splendid talents to the circumstances of the times, by undertaking and advocating causes of every description that may offer, we shall be under the imperious necessity of excusing him in this his extremely impertinent effrontery —But we are not, therefore, obliged to swallow his loathsome dose of falsehood and corruption. Does not the Constitution of the State enjoin the election of a Senator for the United States in a specified given time? Are not the representatives of the State sworn to support that Constitution, and obey its injunctions?—And if the Constitution contains any sentence or clause that may be brought, by a forced construction, to imply an apparent ambiguity of meaning; I would ask—how is this sentence or clause to be interpreted or understood? I hope I shall not be considered here, as wandering for an answer, when I have recourse to the very learned gentleman's Goddess, *the common law*. What answer will I find there?—The *common law* had, by its *precedent*, proscribed the mode of election to be by *joint-ballot*, and *not* by a *concurrent vote*, which last mode might prevent an election taking effect forever; and, of course, election by *joint-ballot* is the true interpretation or construction of that clause of the Constitution, that directs and enjoins that the Legislature shall elect a Senator for the United States' government.——But these immaculate, patriotic, zealous and "watchful centinels" of our rights and liberties, who are the most inveterate and mortal haters of innovation, renovation, alteration, or reformation, did, contrary to positive precept, sincere profession, and boasting declaration, in this very necessary and extraordinary case, consult the *reforming* LUTHER, of *brandy memory* —and the most virtuous and patriotic GOODLOE, of *tub origin*, who gave it as their most candid and honest opinions, notwithstanding *their* most fervent love for, and adherence to the *great goddess common law*, that it was not only expedient and absolutely necessary, but most just and right, in this one instance, to depart from the rule of the goddess *common law*—and by most wilful and deliberate sale of federal consciences, and the most corrupt ——, turn rebels against the *living God*; become unfaithful to public trust; deprive the State of a representation in the U. States, and the general government of a counsellor in the most perilous times. Yes, the federal representation did, to a man, notwithstanding the "*imperious injunction* of their oaths," depart from the usual mode of electing a Senator by *joint-ballot*, which was the true interpretation of that clause of the Constitution established by the *sacred rule of common law*—and did positively refuse to elect a Senator, unless the State Senate would go into the election by a *concurrent vote*, by which mode they might possibly have never come to an agreement. And now they with the most unblushing audacity, will dare to stigmatize the Senate with disregarding the injunction of their oaths, because that body would not accede to, and join in their most corrupt and nefarious practices—The "Member of the Troop," *that fountain of wisdom*, in this case, attempts to evade the just charge against the federal representation of the state, of unfaithfulness to their constituents, and more than trifling with their oaths, by calling forth the name of John E. Howard. The private character of that gentleman stands fair, as far as I know: But as to his political character, whatever credit he may have obtained for patriotism and bravery during the revolutionary war, he, in the years '97–8, by his advocating and voting for the gag-law, the alien and sedition laws—these unconstitutional and oppressive measures, to use a common expression, "like the cow that gives a large pail of milk, and kicks it over," has eternally destroyed the public confidence in his patriotism for the future. And there is no man of political virtue, of good sense, or sound principles, who would dare to say that the principles of the revolution accorded with those most odious and abominable measures. That conduct was perfectly sufficient to prevent the State from sending that gentleman to congress again.

Mr. Member, *you Chesterfield of the day*, as you are so free in giving the lie, how dare you *lie?* How dare you say that there are not some of the members of that troop who have been engaged in breaking the embargo laws, and who are even now in suit for it if the suit has not been very lately issued? And can you have the effrontery to deny that one of the men, who is now soliciting our suffrages, said that the embargo law ought to be broken, and that by force too? And further, can you deny that this very man was an advocate for those laws which have sunk the political character of John E. Howard—and who in the Legislature of this State in '98 voted against a remonstrance against those unconstitutional and oppressive measures, as will appear by the votes and proceedings?——Sir, with all your unblushing modesty, you cannot by your false assertions make the citizens of Caroline discredit what they have seen with their eyes, or heard with their ears. O yes, indeed, such patriotic troopers would have, in '98, in the most "manly and eloquent" manner, remonstrated against and hunted down Adams, Pickering, and Hamilton, with all their oppressive and despotic measures. But, above all, it is laughable to hear '75–6 mentioned—Ha! ha! ha!!!******—Oh! had these most brave, patriotic, and "*hospitable*" sons of freedom and "defenders of our rights" existed at that ever memorable period, how gloriosly would they have exposed their breasts to the *glittering British spears*, and their necks to the "*hempen lace*," in defence of the *divine principles of freedom!!!* I'll pledge my existence for it, that they would never have run one yard from a "*British light horse*," nor been frightened by the "*peep at a British tent*." No, from the one or the other they would have never fled, while there was a button on their coats. Or had they come in contact with *Chaney Clow*, they would have followed him like a "tale to a skin," or stuck to him like the skin on a little boy's face;—and of that the goods and chattels of the whigs would have given ample demonstration.

But again, this son of science, with whom wisdom is to die, has got to his strong fort, the defence of the sacred shrine of the Silver Goddess. Here his inveterate hatred to innovation, renovation, and reformation, with his most fervent love for *corrupt legislation*, most illustriously and astonishingly appears!—Citizens of Maryland—ye swinish herd—ye ignoramusses—ye clod-poles—how dare you pretend to think for yourselves? Ye are stupid—ye are "your own worst enemies"—why then will ye dare to manage your estates?—Ye have not yet got to full age—ye still require the wisdom and faithful protection of *legal guardians* —ye are ignorant of the benign blessings ye enjoy from a most just and judicious judicial system. There is such a plenitude of virtue and wisdom in every department, that it was the most impertinent, rascally, and dangerous innovation in the legislature, last winter, to pass that law compelling the clerks of the respective counties to make out a particular account annually, of the attendance of the Judges. The bar is filled with so much wisdom and virtue, that it is not at all uncommon to find dockets that cost the owners more than the amount of their practice. And these gentlemen are so immaculate, that it would be utterly impossible to find one of them who would undertake an unjust cause for any fee.—Ye are therefore, fellow citizens, the greatest fools on earth, to think of any other mode of adjusting your differences, or obtaining your debts, but the present long-tried, happy, expedient, convenient, speedy, and economical one. You have in it the wisdom and experience of ages, and of the most *free, enlightened*, and *happy nation* on the whole globe—GREAT BRITAIN. Besides, ye are ignorant of reformation and legislation: Therefore, if you made any attempts, it would be the most dangerous innovation. It is true you know that the "trial by jury," that great bulwark of life and liberty, is of such ancient date, that history is silent as to its commencement. But, you do not know that the word jury itself is derived from the Latin juro, to swear; and is applicable to any number of men, sworn, appointed to determine a cause in litigation It has a magical charm in it, and must mean 12 men; which number cannot be altered without breaking the enchantment. A grand jury should not consist of 23—or 4, neither do you know what was the manner of conducting legal process when history gives us the first account of jury trial. Ye have yet to learn that at that period there were no *hireling lawyers*; who would barter their principles, consciences, and talents for *a fee*. Neither were there at that period any *learned judges* who were *creatures superior* to their *creators*. But one of the most important points you have also to learn.—At that period, of which, I speak, there were then none of the *rules* of *common law*, neither regarding *decisions, pleadings, nor evidences*, of all these things ye are grossly ignorant. This is wisdom that is only to be found in the "*occiputs*" the "knowledge boxes" of the far real lawyers.

This enlightened member of the craft, and another gentleman who has got the itch, but wishes to conceal his splendid talents for a while behind the cloud, over the signature G. —and would wish to make us believe that the moon is made of green cheese. They have displayed their logic on the constitutions of the U. States, and state, to illustrate and vindicate the "trial by jury," just as if there was some fearful combination about to swallow up the sun and all the stars. My dear fellow citizens, it is not the destruction of the "trial by jury" that alarms these *pretty boys*; it is the destruction of the corrupt, unjust, and oppressive trappings with which the "trial by jury" is at present burdened, as you shall perhaps yet find out. Who framed these constitutions? was it not the *people?* Are these constitutions perfect, more than their framers? If they are, why are they subject to, and undergo changes, alterations & amendments? Are these constitutions like the laws of the Medes and Persians, unalterable, though defective? or has man ceased to be a progressive being, that he can make no farther advances in improvement? Oh! my fellow citizens, the cure for corruption in all ages and nations has ever been denounced and cryed down as dangerous and destructive innovation. Christianity itself was denounced as such by the Jewish doctors. Demetrius raised an uproar against the Apostle Paul, on account of the silver shrine, just as these fellows are doing now. In the beginning of the 16th century, the glorious throng of reformers were denounced by the pretending vicegerent of God—And Washington, Adams, Hancock, Jefferson, and the first Congress were all denounced as the most dangerous and destructive innovators, by the vile, corrupt, abandoned, unprincipled and oppressive government of *Great Britain*. And how is it to be expected but that these mercenary, merciless fellows, who worship at that shrine, and whose talents are in the market for *sale* or *hire*, will always denounce and cry down every thing, as dangerous and destructive innovation, that would have the most distant appearance of rescuing you from their *pitiless maw*. This gentleman 'member' in his first sentence *unveils the secret*. He asks, "if I was not opposed to a fair and equitable trial by jury, where *counsel* could be procured for the *weak*; or if I did not wish to deprive the people of the privilege of a trial by jury, why did I find fault with the toast drank by the troop?" This question and deduction, after what I have written in a former essay, is either the effect of the most consummate folly, or the most insolent impertinence. But again, I have mentioned that the term jury is derived from the latin jaro, to swear; and is applicable to any number of men sworn, appointed to determine a cause in dispute. And when was it known, in the memory of any man now alive, that a "*weak man could procure counsel*," if there was a *rich man* concerned? For such characters there is *no counsel*. But, how many are there of those gentlemen, who assume the name of counsellors, who have any rational pretentions to the appellation? It is an insult to common sense. It is truly farsical to talk of counsel for *a weak man* under existing circumstances. The inequality at the bar is, at least, as great as among the clients—and the sale there is the strong talents for the heavy purse; and the *weak talents* for the *light purse*. Thus the poor man more frequently loses through the ignorance of his counsellor, than the badness of his cause; although the poor man knows it not. But suppose I admit, "the counsel," as you would call it, to be equally good on both sides; they cannot be both right. How then is the jury to determine after hearing the able and learned defence on both sides? Hear these two learned and immaculate counsellors expounding, or, I ought rather to say, *pounding the law*, and believe them in what they say, they are both right; and a jury would never determine a cause untill doomsday. For it is like putting equal weights in a pair of scales. But if one of the gentleman's advocates is strong, and the other weak, in the name of common sense, what chance has the weak one? Or what will it mend the matter to say, that one of the advocates has a bad cause, which is always the case; what confidence has an honest jury to put in the arguments of a man who will sell his talents and his conscience in the defence of an unjust cause, for a bribe of a few dollars? May not the jury rest assured, that such a man will deceive them, if in his power; and by that means, if possible, induce them to commit perjury? *Oh! dreadful consideration!!* But that, bad as it is, is not all; nor is it the worst of all; for the jury may be in a certain degree, directed by their own understanding. There are the *rules* of *evidences, of pleadings, and of decisions*: this *common law* business, which render our courts of *declared justice*, a *mere game of hazard*; to paint out all the evils and errors therein, would, instead of a newspaper, fill volumes. The jury who are the sole judges of, and are to determine the point of justice between man and man, according to the evidence, are not allowed, *according to the rule*, to hear but such evidence as this just and pure bench and bar are most graciously pleased to admit. How then can the jury determine equitably, unless they are allowed to hear the whole evidence, or how can even this wise and judicious court and bar do it? To this they answer, that they admit all legal evidence; what is called the best evidence. But who authorised them to make a *rule* to determine what is legal, what is best? How can they determine what kind of evidence it is, until they hear it? It is their sworn duty to hear all the evidence that can be had, that has any reference to the point; and that is their particular business to hear all the evidence; and when they have heard it, give it what credit it deserves. It is the grossest insult that can be offered to the wisdom, penetration and purity of the very learned bar, to suppose that a false witness could pass them undetected. For what purpose is cross-examination, but to detect false witness? There is also the *rule* of pleadings; this is another farce. The suit, the plea, the replication, the rejoinder, the sur rejoinder, the rebutter, the sur rebutter and the issue.—and there is also the significant word "done," after which nothing more can be admitted; however important, if forgotten, or any how neglected; whereas justice and truth would determine that no mistake or neglect through forgetfulness should deprive a man of his right The various ceremonies, punctilios, peculiarities and magical whims, that are innumerable, ridiculous and unjust, can be fully known only by those who make it their entire study; and are known only by a chosen few even of them. There is the rule, for the learned judges themselves in determining their decisions. This is *precedent*. It is an *established principle or rule* with every judge & lawyer, to adhere as strictly to the *precedent* of those who have gone before them, as it is for the needle to direct to the pole—and whenever a lawyer can find in any accredited reporter, a case similar to the one in hand, he is most certain of a judgment in his favor; however absurd, unreasonable, or unjust the former decision may have been Thus these pure and just judges and lawyers, who are denouncing and crying out against the dangers of innovation are obviously, themselves, the most dangerous of all innovators They have most arbitrarily assumed the right of legislating, by laying down the *rules* of *common law*, however absurd, unreasonable, and unjust, for their own government, in administering justice, instead of the pure rules of wisdom and truth.

Surely no man who has got sense and virtue would dare to say that we can have a fair and equitable trial by jury, in such a system as the foregoing: Nor would any honest man risk the credit of his veracity, by saying that our present system has the least resemblance of the original trial by jury. If we are to have this sacred order—be it so——but let them be confined punctually to what is their duty, viz. simply, faithfully, and judiciously to expound the laws made by our appointed legislators; and see that these laws are strictly obeyed. The law to regulate the rights of man in society, is not such a great mystery. It is according to plainest and simplest principles of common sense, the great mistery lies in the *corrupt practices* and *unjust rules* of *common law*; to find out the whole of that secret perfectly, requires no ordinary talents; and that is one great reason why we have so many lawyers who scarce deserve the name. National and political laws require reading and study before they can be known and understood. But the law, that should regulate the affairs of men in private society, is laid down by the plainest and simplest principles of right reason. Is it not that every man should possess peaceably his own property, and receive a just compensation for damages sustained or services rendered? And is there any man of sound intellects who is capable of discriminating between right and wrong, but can easily determine that point. Yes, the eternal law of justice is so deeply rooted in the human breast that every man however ignorant can determine that point without the aid of either judge or lawyer if his judgment is not warped by interest or heated passions: from which influence or bias the judges and lawyers are not more free than other men. We are told that "the trial by jury has been justly considered, as the most perfect mode of administering justice and deciding on facts, that ever was practised from the commencement of the world to the present day." I grant it. But not the mode by which we have the trial by jury administered to us loaded as it is by unending delays, oppressive taxation and the unjust and unconstitutional *rules* of *common law*. What came of the affairs of men settled by jury trial before hireling advocates came into use. History gives us no account of counsellors being employed until the latter end of the 13th century. And to their eternal disgrace in the 14th century it became necessary to enact laws to restrain their licentiousness. It is not the point of strict justice, that is so very difficult to be ascertained. But it is the cunning, artful, crafty, designing windings and unconstitutional *rules* of the bench and the bar, that contains the mysterious secret. To know these all perfectly would require the exertions of the best talents for an age. But it will be said, that all men are not competent judges of what is justice in every branch of business, without the aid of counsel. I admit it in part. But every man is a judge of that business in which he is engaged. Farmers, merchants, mechanics, &c. each in his respective department in life. And these are the proper persons to settle the differences that may arise in these respective departments.—And it is nothing at all uncommon to find the very learned counsellors themselves state to the court that the cause is too difficult for the jury, and