MINERVA; *or*, ANTI-JACOBIN.

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CINCINNATUS,

To the citizens of the United States.

Virginia the 4th of February, 1804

I have lately been informed of the case of Maj. Martin, who was ordered round from St. Mary's to Detroit, and there dismissed the service of his country. To mark the tyrannical cruelty of this unnatural ingratitude of this "correcting procedure," as only diminished, if not altogether lost, in this particular case, amidst the blackest cloud of [illegible] services, but which, however, shall yet be painted in all their true and horrid colors,—it will be first necessary to give some account of the origin and life of this faithful, brave and meritorious American, revolutionary officer.

Major Martin was the son of an honest independent farmer in Albemarle, the county which had also given birth, or at least has been the only place of residence, from early life, of our present "illustrious and beloved Chief Magistrate;" and from whence, it is known, he first sprang into notice and distinction, though the legislative "door of honor" of his own State, which that respectable old farmer, who was remarkable for his vigor and exertion in elections, assisted him in "bursting open" at an early period!—The Major entered the service of his country in one of the renowned years (so much boasted of by certain patriots) of *seventy five* or *seventy six*, as an Ensign or Second Lieutenant; and was in almost every remarkable and hard-fought battle and trying siege, from the celebrated and glorious little action of King's Bridge near Norfolk, to the splendid triumph over the British arms, at York Town in Virginia. He belonged to the celebrated ninth Virginia Regiment, commanded by the intrepid Matthews, which distinguished itself in so remarkable a manner in the unfortunate affair at German Town, where it is said, eight British regiments had surrendered [illegible] who let no bounds to the rapid and daring strides of victory, in the front of battle, while dejected waited their supporters at the unlucky stand made at Chew's house and the tardiness of others (*some republicans or democrats*) in the reluctant rear of action. The consequence of which was, the whole of this regiment fell a sacrifice to the revenging arms of an infuriated foe, in their flight and transporting execution, from defeat and degradation, into victory & retaliation; or, what was worse, its little remains became the miserable tenants, for years, and many indeed for life, of the loathsome and infectious Gaols of Philadelphia! The various stratagems, surprizes, &c. entered on and actually put in practice, by the remarkably inventive, bold and active Martin, frequently for the champ and constantly for the comfort and support of himself and his brother's companions, are but too well remembered this day as the occasions they were intended to remedy were but too fatally felt at times to be in need of recapitulation, much less than the gaudy varnish or full manner excursions of the pen, to excite our admiration and interest our feelings in his favor, at this. Suffice it to observe here, that he actually bled and suffered as a prisoner, more than once in the cause of American independence; that he continued in the army until the close of the revolutionary war; that, after that, he was enrolled in the army of Wayne, for the defence of Georgia, against the savages: That, in fine, from the time he enlisted under the banners of WASHINGTON, his sword, wreaking with the blood of the enemies of American independence, or that of the after hostile savages, was never sheathed, until our present, more than savage, jacobinical ministerialists, the merest tools and minions of a popular despotism (so inimical too to an anti-revolutionary adherence to our enemies!) found him, a Major in the newly arranged Armies of the United States—a most fitful subject, for the gratification, of a most noble and dignified system of cruelty & revenge!

He was then in Georgia; or, perhaps, at Fort Adams, or some other station near the conclusion of the Mississippi; whence he was ordered to Fort Detroit, or some other military department on the lakes, or some other extreme northwestern situation: Whither, it is said, he went, with his whole family, by the city of Washington; where, it is further said, our amiable and condescending, republican president, in person, waited on, introduced and recommended him, to his most excellent and patriotic secretary at war. I saw him on his route from [illegible] to his new station. I suggested to him some doubt about his continuing long in his then situation; but, he replied with confidence, on his personal acquaintance with, and the high opinion he entertained of the impartial honor & uprightness of his old countryman, in continuing in office an honest and faithful public servant, whose only crime was, a mere difference of opinion in politics, without ever having intermeddled, or even troubled himself to think much of such subjects. Vain calculation! He was (tho' ever so moderate and uninterfering) a federalist, and that, above all other things the most odious, of the old school of the adored Washington; the want of recollection of which, and the confidence and blind credulity on the subject of the honorable and noble forbearance of others, were indeed, together, a sufficient proof that he had not before much reflection on the prevailing system of republican politics. According to those, he was soon dismissed; it is said, with "much regret, that the public service will require, that so old and faithful a public servant, should be discharged from that service."—Hence this faithful and war worn veteran, was left to ramble through woods and wildernesses, from the lakes to Georgia; from whence, it is said, it had taken upwards of two thousand dollars to transport his family; the whole, perhaps, of the little savings of a long life of hard earned wages. In this situation, with a faithful wife and seven eight helpless and encumbering children, born in the service of their country, now [illegible] in Kentucky or [illegible] ty of their friends or the hospitality of strangers; or, perhaps, at this very moment, following close with trembling nerves and aching hearts, the footsteps of their protector, through the very tribes of brothers Indians with whom he had warred in defence of Georgia! he may truly be said, to have along with him, as many livingness, of [illegible] still more dear to hand, he said to have [illegible] ty, of democratic, backsliding, revolutionary patriotism!

But it may be said, perhaps, that this cruel dismissal, among a thousands others of equal calamity, was nothing more than a necessary and [illegible] procedure, in the arrangement of the American armies; so great and [illegible] a part, in the glorious, republican [illegible] of economy and retrenchment! Yet, it cannot truly be said, that the [illegible] was, at least, premeditated, and total destructive [illegible] of an old and [illegible] veteran, who had tried [illegible] and raised his constitution, in the perilous times of our independence, can possibly redound to the credit and honor of republicanism. If such a system, [illegible] prudent discretion and mutual moderation, be really necessary to the support of that economy, so much more admired than the reverse of the [illegible] in republics; then would I prefer to be a subject under the most despotic monarchy, which would even lavish away the public money, in the [illegible] of great & various patriotic actions, [illegible] the more, boasted, free citizen, [illegible] such niggardly hands, as repay to faithfully, or rather, retribute not at all, their own injuries and iniquities, much less remunerate or deal in liberal and encouraging rewards. Though, for the honor and glory of republicanism, it is to be hoped, that such base and cruel properties, are not, in reality, necessarily and inseparably attached to, and a part of those systems, but are, only, the spurious and degenerate offsprings of an illicit & corrupt embrace, between the unlawful desire of a personal popularity, and the gratification of it,—to the national disgrace, and the ultimate, total destruction, of its public affairs!

I have singled out this particular case of Major Martin's, not because it is the most important, with respect to the public service, of all those of the same wicked and cruel description, but because it is attended with some rare circumstances, of personal, as well as national ingratitude, together with the most aggravating private injuries, that the most Satanic malignity could wish for, or even the full blacker heart of jacobinism itself, be gratified at!—The dismissal of Colonel Sergeant, while the very promise of justice and a fair hearing were sounding on his ears, and while in pursuit of domestic ease, under the flattering inducements of more cordial promises, even from the Mississippi territory to Bizen, to make room for the present Governor Claiborne, the very pattern of honor, and the poorest born heir and [illegible] upon earth!—The discharge of such a [illegible], the modest, the affable and the virtuous Colonel Steele, to provide for the sightless and noble office-seeking [illegible] of Winthrop Sargeant, Cato West; the dismissals of Miller, Sands, Hern, Parmen, and many others equally meritorious, both as military & civil officers, for the purpose of rewarding more electioneering partizans; prove, in a still more eminent degree, even the case of Major Martin itself, the vast impropriety as to the public service, of such a wretched and miserable purpose serving "procedure;" while they shew, most incontestibly, the sincerity of those extravagant professions of regard, for revolutionary services and revolutionary characters. But, above all, the displacement of Richard Harrison, who had acted with the utmost uprightness and integrity, as the United States Attorney for the district of New-York, thirteen years and upwards: and the appointment of Edward Livingston to supply his place, who had been one of the loudest and loud preachers of economy and the salvation of the people's, more than precious immortal souls—their money—and the late judgment of [illegible] THOUSAND DOLLARS, against this very pure and upright patriot, for the fashionable fee et appropriations of the very people's MONEY; construe a most splendid and undeniable certain pie of real, democratic attachment, at least to that very precious part of the people's interests, while it holds up to our view, a striking instance, among many others, of the most transparent difference in those political partizans!

What fiending Demon, or death-like evil genius and the author of ill place! prominently conducive: what bane incendiary and implacable enemy to American independence, and Republican prosperity, could have laid to deep and subtle a plot, to decide the "test and touchstone of system," on relaxed and amiable republicanism? [illegible] whole honor and [illegible] are the main pillars of all human happiness, and whose perfect mind, the only sacrificial altar of all rational rights! The wanton sacrifice of such party-discriminations and virulent persecutions, can only prevail, in the expected course of a wise and virtuous administration, the ultimate degradation of that head on whom the whole responsibility of their conduct falls; in the same proportion, that it exalts those, whose interest, bitterness of betraying insinuations, have induced it. When the services of the brave, the honest and patriotic shall be again wanting, they will then stand aloof hang themselves in the thread bare rewards of former services, and lament the fate, of some governments oppressed, and republicanly ruled, Major Martin.—Even when that golden era shall arrive, when deceptious flattery and base hypocrisy shall be no more, and we shall be, in reality, "all republicans—all federalists:" when "equal justice" shall not only be "due," but rightly administered to all parties, even then, it is to be feared, that the deathless spirit of many a Winthrop Sergeant, will hover in the imaginations of too many, not to mar the prospect of an universal confidence, in such a perfect system of "equal and exact justice," thus, not only "due," but administered to all.—And, finally, when to crown the whole, that promised, but I fear, too long looked for happy period shall arrive, when the only enquiries as to a candidate for office shall be, "Is he capable; is he HONEST; is he faithful to the constitution;" the pure, the upright and patriotically disinterested discharge of Richard Harrison, to make room for the *honest* Patriot Livingston, and the liberties taken with the constitution in a variety of ways, but particularly to get rid of a number of Judges, of an objectionable, political fact,—will, even then, perhaps, leave room for some to doubt, the solid ground of safety, in entering into the public service, on such an impartial invitation itself.

Congress.

HOUSE OF REPRESENTATIVES.

Friday, January 6.

Debate on Mr. Randolph's motion for the appointment of a committee of enquiry into the official conduct of SAMUEL CHASE.

(CONTINUED)

Mr. Elliot. When, in the course of a late debate in this House, it was observed that a member had advanced an anti-republican sentiment, the supposed imputation was repelled by the remark, that the gentleman to whom allusion had been made, had passed a political ordeal, which few had experienced, and which ought to place his character as a republican above the reach of suspicion. I have myself suffered an ordeal of that description, under circumstances of gloom and depression, which have fallen to the lot of but few young men of my country; and I am far from being confident that one ordeal only will fill up the measure of my humble fortune. A more anti-republican resolution than the one upon your table, sir, I think I never saw. Reflection has confirmed me in the opinion which I expressed yesterday, that it is unprecedented, unparliamentary, and tends to the assumption, on the part of this House, of a censorial and inquisitorial power over the judiciary, unwarranted by the constitution.—The intention and object of the mover, however, must have been extremely different; the motive is pure and the object meritorious; but that hon. gentleman, with all his talents discernment, has, in my opinion fallen into an error. I believe it a sound principle, that no official measures should be taken to censure or criminate the conduct of a public officer, until facts shall be stated which amount to a specific & definitive charge of misconduct. In the present instance we have no written allegations, and what is the amount of the verbal information which which we are furnished? A gentleman from Pennsylvania has stated in his place that *he has heard* that one of the judges whose name appears in the resolution, was guilty of improper and oppressive conduct, in the exercise of his judicial functions, on a trial for treason, some years since; And a gentleman from Virginia has stated that he has received information which induces him to believe that the enquiry he demands will lead to an impeachment. Is it our duty to act upon the vague rumours of common fame, or the opinions of individual members?

The resolution under consideration has been materially altered this morning, and I gave my vote for the alteration, because I believed that the misconduct of a court ought not to be attributed to a single judge. I feel it my duty, Mr. Speaker, to remark that the information which is possessed by the members of this House, respecting the conduct of those judges, is extremely contradictory. No gentleman has told us that he possesses personal knowledge of the misconduct imputed to those officers; and I possess information on the subject, derived from after the transaction, from a source which I considered as authentic, and which produced to deep an impression upon my mind, that I should scarcely abandon my belief of its authenticity, even from the general recollection of persons who were present at the scene. I understood that the judges did nothing more or less than decide a legal question in a legal manner. They did not interdict the counsel for the prisoner from examining a question of law, but they restricted them to what they considered

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