

4-5-1814

To Isaac Hodsdon, The [Concord] Gazette, Apr. 5, 1814

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SIR, In the Concord Gazette of the 1st of March, there appeared a "Highly interesting Communication" from Coos County, in which you were accused of violating the laws of this State, trampling on the rights of the citizens, 'imprisoning them without legal authority, and thus attempting to destroy the liberties of your country. That communication was copied into the Dartmouth Gazette, of March 9th, where you were so fortunate as to peruse it.

In the last Patriot you made a feeble attempt to vindicate yourself from the charges alleged against you. Your conduct had excited the honest indignation of every man, in whose breast glows a spark of freedom, and your defence has added to that sensation the liveliest emotions of contempt.

Your "address to the public" discovers so much vanity, so much tyranny, and so much folly that it is difficult to speak of it, or its writer, in language that will at once describe the wiliness of his sentiments and the weakness of his intellect. You "consider the animadversions of the leading men of the federal party, the general encomium they are capable of bestowing upon your conduct." An honest man, Sir, is never indifferent to the good opinion of others. It is only he who is hardened in guilt—whose character is all over loathsome—who is sunk in the deep sty of infamy—who despairs of redemption to honor—who is determined to remain forever, the wretch that he is—it is only such an one, I say, who can hear, without emotion, the execrations of mankind, and know without regret, that he is the object of universal abhorrence. Are you, Sir, the man whom I have described? The thief, who has received the lash till his back is as callous as his bone, does not directly court the infliction of stripes, though corporal punishment can but little injure his person and less his reputation. But you, Sir, expose yourself to notice, obtrude on the public, and so, by defying the animadversions, which, if possessed of modesty or feeling, you would have avoided as earnestly as the shaft of death.

With your commission in your pocket, your sword at your side, and a tin of epaulettes on your shoulder, you seem to have forgotten that there is any other law than that which is given by the sword or any other thing than the right of the strongest. The people of Coos County have submitted to your encroachments on their rights with a patience beyond a parallel—they have borne and forbore, and suffered much and long rather than fight themselves by the summary proceeding to which they have been so cruelly provoked. Had the British, Sir, who were quartered upon the inhabitants of Boston previous to the revolution, exercised the arbitrary power which you have exercised, they would not have been suffered to breathe the air for a single day, or keep a bone unbroken. The inhabitants of Coos have done themselves honor by their forbearance. They are subject to the laws and entitled to protection. The injured and oppressed may appeal to the laws, be impartially heard and promptly redressed. Whatever encroachments may have been made by any upon our civil rights, we thank heaven that in New-England, at least, the sword of the magistrate has never been surrendered to the military power; nor do we apprehend that our countrymen are yet so degraded, as to love with despotism, as tamely to surrender their freedom to any hero of the sword.—Even though he be the Captain commanding at Stewartstown.

Although you declare that the communication from Coos County is a false presentation of your conduct, you did not deny any one of the specifications which that communication makes against you. You acknowledge that you did arrest Bissel, Hanson, and Coopers, and hold them in prison. At without any legal process against them, and when they had been informed that they were engaged in running goods, and who invested you, most unbecomingly, with authority to act as Judge, Jury and Executioner, upon these men? They had committed offences against the laws, the law points out the punishment which should be inflicted on them; but it does not give to every paltry officer the power of inflicting it. Wretched indeed, would be the condition of the people of America, if every creature who has obtained a commission in the army had the right to arrest them at his pleasure.—Should would the tenure by which should hold our liberties, and lives

if they were both at the disposal of men like you.

Bissel, seems, according to your account of the matter, openly declared that he would pass by and Canada when he pleased, & you thought it your duty to warn him of the consequences. You "therefore on the 11th of January directed a sergeant and file of men to conduct him to the garrison," and "after receiving from said Bissel's father and Mr. Loomis their joint assurance, that in future; said Bissel would do nothing inconsistent with the laws of the United States, he returned to his home, not having been detained more than one hour at the garrison, and that without any restraint." Is it possible that the Captain in the army of the United States—that any man who ever had an idea of right and wrong, and knew any thing of freedom and law, should be idiot enough to suppose that you had justified or even palliated your conduct towards Bissel? If your proceedings are countenanced by the government, initiated by the officers of the army, and submitted to by the people, I would as willingly be a subject of Bonaparte, as a citizen of America; for if by my liberty is holden at the mercy of my fellow-man, and I may be imprisoned at his arbitrary command, it is of little consequence whether my tyrant be Napoleon or Hodgson—whether my prison be a Black-house or a Barrack.

Let the people reflect on your principles and conduct—let them see to what they tend. It is high time that they should think seriously, when principles so subversive of their rights, and independence are reduced to practice. You have no more power, I presume, than other officers of the army. If you have the right to arrest and imprison a citizen at your pleasure, they have the same. You wished to warn Bissel against a violation of the laws and therefore sent a sergeant with a file of men to conduct him to the garrison—then every officer my arrest and conduct to his rendezvous; or garrison, a citizen for the same purpose.—You detained Bissel one hour—you had the same right to detain him six hours or six weeks, and every officer has a similar right. The country full of recruiting officers—we meet them at every corner—their swords glitter in every street—their thrust into the social circle—and into the Temples of the Most High. If your doctrine and practice be correct, these men of war have the right to invade our dwellings, to seize our persons, and confine us in dungeons. They are clothed with power to destroy the most sacred rights which were given us by God, and guaranteed to us by the Constitution.

If you, Sir, had ever read the Constitution of the United States which you have sworn to support, you would have perceived the 4th Art. of the Amendments to declare that "The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated; and no warrants shall issue but upon probable cause, supported by oath or affirmation."—Did this clause in the Constitution avail any thing to the victims of your oppression? No! In your estimation, "it was not paper" that the sword might cut through.

For a discovery of the motives which prompted you to act in the manner which has justly been complained of, we need not travel from your own record. Your defence exhibits them. Party spirit, which over mounds like yours holds despotic sway, has led you, (if justice slumber hot) to your ruin. When you put on your sword you would have put off the badge of party; but you ride on it, on with your weapons of war. The officers of the navy have generally abstained from the conflict of contending parties. Their business is to protect our commerce and defend our country—and they perform it with fidelity; but most of the officers of our army, and especially those of recent appointment, appear to believe that the only enemies they have to contend with, are the political opponents of the administration—that they were not honored with command so much for the purpose of conquering Canada, as for the purpose of fanning the flame of discord at home, and destroying the liberties of those who will not bow down the knee to Bial. You, Sir, not contented with the exercise of your assumed powers in arresting individuals, have endeavored to fix on the federal party a stigma which, as you honestly despise, as they do their base callumniator. We are not in this part of the country, at least, so subject, so much in the power of military despot, as so insensible to indignity and dishonor, as to hear the "Peace Party," as a body, accused of an unlawful correspondence with the enemy—without resenting the insult; and if you, Sir, or any other person accuse them of this, you accuse them falsely; and add to your other crimes, the crime of falsehood and slander.

I have only to observe that you attempted the justification of your conduct on any principles consistent with the Constitution and the freedom of the citizen; had you not discovered a ran-

corous and persecuting spirit of party, and challenged federal animadversion, while advancing sentiments repugnant to every federalist and freeman,—I should never have troubled myself to address you. But you stand not alone in your principles or practice. A strong disposition has been manifested, to raise the military above the civil power, and it is necessary that this disposition should be checked, that the people should learn to assert and maintain their rights, and that those who would destroy them be made to answer for their conduct at the tribunal of their country. You, Sir, have the satisfaction of knowing that the public opinion has overtaken you—and should you escape on earth, the fate you deserve, your bitterest enemy can wish you no punishment more severe than what you must suffer, should your reason remain and your conscience awake; in your dying hour.

COMMUNICATIONS.

It has often been remarked that the morals of any people may be pretty well ascertained by the publications they patronize, and the support they give to the labors of virtuous, or vicious men. For the honor of New-Hampshire—for the reputation even of democracy—it is hoped that the labors of the young man who claims to be the editor of the N. H. Patriot will prove an exception to this generally correct observation.

I have very frequently witnessed strong expressions of astonishment at the daring presumption of this young man, and only by designating him a false assessor to facts, but in unqualified assertions that are known by him to be destitute of truth; but I never professed in my attachment to the cause of democracy, nor ever aided it so far as to patronize his paper, I have, seen but a small portion of those specimens of private slander, and public imposition with which he stands charged, and which I am happy to learn have been reprobated by many of the party to which he claims to be connected.

The cause of my troubling you with this communication is to express my extreme astonishment at an assertion in the last Patriot involving the reputation of the town of Concord, and which I could not have imagined the editor with all his wickedness, would have dared to utter, since it is attended with such circumstances of self conviction, as well as instant exposure, that none but the most abandoned and foolish would resort to an speaking of the election of an additional Representative from Concord, and the double expressed that towns having the requisite number of rateable polls, the Patriot editor questions the right of several other towns which have lately increased their number of Representatives, among others that of the town of Concord, a town which he will never honor by his resistance it—this too through its Selectmen he charges with practising the most shameful imposition on the Legislature by a false return of the rateable polls in it, publicly declaring that Concord never had the requisite number, although the Selectmen under oath produced evidence of 16 more than the number required.

The facts relating to the town of Concord are these.—At the fall Session of the Legislature in 1812, a memorial signed by Timothy Walker, Isaac Hill, Parry Spirit, which over mounds like yours holds despotic sway, has led you, (if justice slumber hot) to your ruin. When you put on your sword you would have put off the badge of party; but you ride on it, on with your weapons of war. The officers of the navy have generally abstained from the conflict of contending parties. Their business is to protect our commerce and defend our country—and they perform it with fidelity; but most of the officers of our army, and especially those of recent appointment, appear to believe that the only enemies they have to contend with, are the political opponents of the administration—that they were not honored with command so much for the purpose of conquering Canada, as for the purpose of fanning the flame of discord at home, and destroying the liberties of those who will not bow down the knee to Bial. You, Sir, not contented with the exercise of your assumed powers in arresting individuals, have endeavored to fix on the federal party a stigma which, as you honestly despise, as they do their base callumniator. We are not in this part of the country, at least, so subject, so much in the power of military despot, as so insensible to indignity and dishonor, as to hear the "Peace Party," as a body, accused of an unlawful correspondence with the enemy—without resenting the insult; and if you, Sir, or any other person accuse them of this, you accuse them falsely; and add to your other crimes, the crime of falsehood and slander.

"The committee chosen to take into consideration the memorial of Timothy Walker, and others, report, that the memorialists have satisfied your committee, that the memorial as it respects the number of polls inventoried, is substantially correct;—and furthermore; the Selectmen of Concord, inform your committee that in the year 1810, they had 440 rateable polls—in 1811 they had 440 inventoried in the Town Clerk's Book—in 1812 they had 423 inventoried, and 423 rateable polls between the age of 21 years and 70 years not inventoried, and 465 rateable polls, by which it appears, that your committee, that Concord was constitutionally entitled to two Representatives."

"DAVID L. MORRILL, for the Committee"

"Which report was accepted." The committee might have gone further in their report & stated that the Selectmen, in the presence of those of the memorialists who were summoned to attend, (this Patriot editor being one who was present) produced the names of the

43 persons, inhabitants of Concord between the age of 21 and 70 who were liable to be taxed, but whom the Selectmen from prudential motives, as it respected those persons, did not think proper to tax. This committee might also have said that a list of the names was handed to one of the memorialists, well acquainted with the names of the inhabitants to challenge if he pleased, and that it was returned with an admission of its correctness. The result of this examination was so extremely mortifying to the memorialists, that even this editor wanted an apology, pretending that he was induced to sign it, not from any knowledge of his own, but at the instance of another. One can hardly determine which excites the greatest astonishment, the wickedness, or the folly of this man, will any say that the declaration, that Concord never had the requisite number of rateable polls might not be a wilful falsehood; when this man was present at the examination and perfectly acquainted with the result? would the charity of any man suggest forgetfulness of all this? No, he can not have forgotten it, the mortifying result of it is still on his mind, so that we need not the additional evidence, that he published afterward the Journals of the Legislature containing the record of this very examination and report."

It is an unpleasant task to exhibit the depravity of man, but it is a duty we owe society to guard them against the deep rooted and habitual vices of men who from their profession or calling are placed in situations to disseminate their corrupt principles or extend their pestiferous slanders.

An Inhabitant of Concord.

The Check-list of the Town clerk prepared conformably to the Act of June last, gives the names of five hundred and fifty seven legal voters in the town of Concord—not more than forty of which number are exempted from poll-taxation, 450 rateable polls entitle a town to two representatives. This town has more than five hundred. Of this fact the Patriot-maker might easily have been convinced himself; and had he been guided by honesty or aimed at truth, he would have attended to the subject before he hazarded his bold and false assertion. But his object was to deceive the people, and abuse the town that harbors him. Ignorance, in some instances, may be a palliation of falsehood; but when that ignorance is wilful like the falsehood malicious, it rather adds to, than palliates the enormity of the crime.

More Military and Custom-House Despatches from New-Hampshire.

A loaded wagon from Plainfield, N. H. for this town was pursued 50 miles, and overtaken at Beliveau, on the 25th inst. by a worthless fellow, who violently attacked the driver by knocking off his hat, and seizing him by the hair, and attempted to search his wagon; but was resisted; he then proceeded to Concord, where he raised a party, headed by a Capt. Smith, of the U. S. army, a Lieutenant, and one B. Hazeltine calling himself a Custom-House officer, and twenty others, armed with pistols, dirks, pistols, &c. This administration phalanx, in a battle array, followed the poor teamster to Dunbury, (where he stopped to feed his horses), and there his loading was overhauled—his casks of Flour, Seid bored, and his bags of Flour opened—this was his only loading. The teamster procured from this Hazeltine the following Certificate.

This may certify, that on the 26th day of March 1814, I examined Joshua Abbot's, in Dunbury, N. H. a load of Goods, consisting of one Hogshead of Flax, two tierces of Clover Seed, and also four bags of Clover Seed and one of Flax."

BALLARD HAZELTINE, Deputy Custom-House Officer, March 26th, 1814. Boston Gazette.

"One B. Hazeltine I—and how many would you have, pray? is not one enough?—But these Boston folks, being all old Tories, excepting Adams and Rhoades and Hone and the Patriot makers, speak rather disrespectfully of our New-Hampshire republicans; but we'll let them know that Mr. Hazeltine is no trifling character among his brother politicians in this vicinity. No indeed! he is a Squire, a Langdon Justice of the peace, a writer in the N. H. Patriot, and—though we never heard of it before—a Custom House officer to boot."

This certificate must be a forgery. We know, by the orthography, that the Squire never wrote it—there is not a word mis-spelt.

The custom-house officers in this vicinity have been extremely unfortunate the past season. They have taken no prizes excepting a box of bread and cheese and an old saddle, for which they pursued the owner ten or dozen miles. Complaint we understand was made to a deputy expectant against a load of Cotton yarn but the embryo officer considered it too low business for him to meddle with. An ox team, loaded with an Anchor for one of our Ships of war building on the Lake was stopped and examined; but after much

deliberation was suffered to pass unnoted. It is hoped that the government will take the case of these their servants into consideration, and allow them some extra compensation as they have been remarkable vigilant, and were among the most active in the late electioneering campaign.

The Captain and Lieutenant (whose names they may be) are particularly recommended to the department of war. If with no more than twenty men they made a hoghead of Flax, two tierces and four bags of Clover seed prisoner of war—bless my soul! what havoc they would make, if at the head of our armies in Canada.

Sales at Auction.

Will be sold at AUCTION, on Wednesday, the 20th inst. (not previously disposed of at private sale) the whole Stock in Trade, belonging to the Subscriber;—consisting of a good assortment of

Drugs and Medicine, And SHOP FURNITURE for the same.—A General Assortment of W. INDIA GOODS

PAINTS, and PAINT BRUSHES; of all kinds used in the Country—and DYE STUFFS;

Of all Sorts.—ALSO—A good assortment of Household Furniture—

Consisting of good BEDS; or BEDDING; CHAIRS, TABLES, BOOKCASES, DESKS, IRON WARE, &c. &c.

— LIKEWISE — One Horse and Chaise, Three Double-Sleighs—

One SINGLE do. One Small one-horse WAGON, one two-horse do. and good HARNESSES for the same.

With many other articles, too numerous to mention in this Advertisement.

Apothecaries & Physicians in this vicinity, will do well to call, as they can be accommodated as well, and at a cheaper rate, as reasonable terms in Boston or elsewhere.

N. B. All persons who have demands against the Subscriber, are desired to call and receive payment.—And all those indebted are requested to make payment, by the first day of June next, or they will find their accounts lodged with an Attorney for collection.

BOWEN CREHORE, Concord, April 4th, 1814. 45

The Commissioners on the estate of Timothy Butters, late of Concord deceased, hereby give notice that two months from the third Tuesday in March last, is allowed by the Judge of Probate, to receive and adjust the claims that may be brought in against said estate, and that they will attend at the house of Mr. B. Gale, intendant in said Concord, on the third Tuesdays of April and May, from one to five P. M. JOHN THORNDIKE, } Commissioner, RICHARD AYER, } winners, Concord, April 4, 1814. 45

We the Subscribers, having been appointed by the Hon. John Mooney, Esquire, Judge of Probate, of wills &c for the County of Strafford, to receive and examine the claims of creditors of the estate of Simon Page, late of Sanbornton deceased, represented insolvent, do hereby give notice that six months from the twelfth day of March are allowed to said creditors, to bring in & prove their claims; & that we shall attend that service at the dwelling house of the late deceased, on the last Thursday of April, and first Thursday of September next, from two to six o'clock in the afternoon.

Dated at Sanbornton, 18th day of March, 1814. NATHAN TAYLOR, } Commissioner, JOSEPH SMITH, Jr. } winners.

JOSHUA ABBOT, Jr. INFORMS his Friends and Customers, that he continues to do Mercantile business at his Store, opposite the Walker Barn, where he will keep constantly on hand a handsome assortment of

English & W. I. Goods, Crockery Ware, Iron

WARE, PETERBOROUGH COTTON YARN,

CLOVER and HERDS GRASS SEED, Morocco Shoes, &c. &c.

Concord, April 4, 1814. 45

W. B. S.

The members of the Washington Benevolent Society in the town of Concord are hereby notified that their Annual Meeting, for the choice of officers, will be held at the Hall, this day (5th of April) at 9 o'clock, P. M. JOSHUA ABBOT, Jr. Secy. Concord, March 29, 1814.