

Clark and Mr. Coombs—and the imputation of falsehood he gave against me, might, if I chose, be retorted with more justice than it was given—but I forbear: I had rather ascribe it to forgetfulness.

Let me again repeat, that the justification of major Whitaker for my arrest, should, upon every proper principle be confined to my personal conduct and transactions on that day—not that I am fearful of the effect of any thing upon my case, that occurred at any other time, either relating to the 4th company collectively, or myself individually—but let every matter—let every act, stand or fall by its own and single merits. It is the only true way to consider any such transaction.

As it respects the time and circumstances of the arrest, it is not true, that I was "walking along side of the regiment." I did not state in my publication that I was arrested near the "court house." If it is referred to it will be seen I stated that I came on the east side of the creek to escape the effect of the major's anger in consequence of my disobedience of his order, and, after staying some considerable time, I again went up to the court house. When I had got there, the regiment had left the vicinity of the place in which they first paraded, and were upon the way to the field chosen for review nearly a mile and a half from Bridgeton. Major Whitaker, who had not left the town, perceiving me present, detailed a guard of two men from an uniform company in the rear of the regiment, and riding up to me with them, ordered them to arrest me and bring me to the field. At this time I was about returning to my family—the guard seized me, placed me between them—and having their bayonets fixed and intimating they had a right to shoot me if I attempted to escape, took me to the parade ground after the major.

It is true, the place where the guard seized me was near the place mentioned by the major, and there is nothing contained in my publication to the contrary. At the moment of my arrest I was standing still, but I was, as I have stated, "about returning home." I had been further towards the field of parade by some rods, and had come back. The regiment was a considerable distance on the way to the parade ground. It may be the major went behind me part of the time on my way down, and a part of the time before; this is perfectly unimportant, and as the admission can do me no possible harm, and the major no good, he is welcome to have it as he says. It has been asked by some, if my family were sick, why did I return to the muster ground? This I will freely answer: I had not as yet seen the friends whom I first went there for the purpose of seeing, but which the conduct of the major prevented—and I was doubly impelled by that curiosity which every person would have possessed under similar circumstances and in which, surely there was nothing improper. Had he not attempted to arrest me I should have returned home long before I did.

The guards were not, on their arrival at "the entrance of the field," surrounded by some of the members of the 4th company and threatened with "personal violence," &c. as stated by major Whitaker. Mr. Coombs' affidavit puts this matter in its true light. Nor do I believe the guards "reported" to the major exactly as he has stated; and as it respects their "being young and ignorant of their duty," the sequel of this business will best show which is the most ignorant of their duty—*them or their major.*

I have understood that I am blamed by many for making a publication of these things—and perhaps I may incur additional blame by publishing this article. The misstatements of the major made my first publication necessary; and their continuation and publication of them in his reply, calls imperatively for this. As it respects, Mr. Whitaker and myself, laying aside his conduct towards me in this transaction (which I cannot but feel) I have not, nor ever had the slightest animosity against him. The duty which I owe to my family, to my fellow citizens (who are liable to the same aggression, and to myself calls likewise in a voice too loud for me to say I do not hear—that I ought not, and must not submit to so flagrant a violation of my rights peacefully and without a murmur. Fellow citizens—some of the greatest causes of the resistance of this country to Great Britain which eventuated in the establishment of our Freedom, and which is registered in the catalogue of oppressions and tyrannies contained in the declaration of independence, was that their prince "had affected to render the military independent of, and superior to the civil power." Our happy constitution has guaranteed 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 it prescribes a certain course to be pursued before a citizen can be arrested—and it also says, "No person shall be held to answer for a capital or otherwise infamous crime unless on a presentment or indictment of a grand jury except in cases arising on the land or naval force, or in the militia, when in actual service, in time of war, or public danger;"—"nor be deprived of his life, liberty, or property, without the process of law."

If these principles, the establishment of which has cost us so much blood and treasure, are to be forsaken and abandoned—if the constitution and laws are mere waste paper—and ought to be suffered peaceably to be trampled under foot with impunity by every man who wields a sword and epaulets, then am I to blame—but not without. If these principles are of any value to the public, they should be made acquainted with every violation of them—that the violator may meet with such punishment as will serve as an example to others who might be disposed to follow him. If the extension of military laws (as stated in the declaration of independence) by a prince—was such an arbitrary and despotic stretch of power as to justify three millions of people to rise in arms against him, their acknowledged sovereign, and to throw off their allegiance—surely a similar act committed by a militia major is a sufficient excuse for my appealing, as I have, to the public, in defence of myself the victim of his misguided vengeance and oppression.

With this publication and a prosecution for the injuries I have received I shall let major Whitaker rest, unless an answer of his calls beyond evasion for a reply. He may believe himself to be supported by the influence of the whole phalanx of militia officers & may affect to laugh at my prosecution—but when his conduct is put in its true light—they too will forsake him—and he will not only feel the effects of his own folly and imprudence—but he will become (if they can make him so) the scape goat of all the sin of the militia system and its supporters.

Major Whitaker has boasted that he "is responsible to no civil tribunal for his conduct on that day—that if any man has a right to review his conduct it is a military one—a court martial,—alone." He has said that "under the circumstances the company were in when he ordered me to take command he had a right to go into the store or shop of any merchant or mechanic in this town and compel them to come out, take charge of the company, and train." These may not be true exact words, but it is the substance of declarations that can be proved. If this is the Law of New Jersey I am wrong and the Major is correct—but it is not he should be taught his error—lest some other citizen feels its injurious consequences.

I have not in this article nor do I intend to draw any argument to show this arrest illegal from the particular words of any section of the militia law—or from the supposed unconstitutionality of any part of the law itself. I am willing to rest any case upon the facts which can be proved and the law as an impartial jury of my country may construe it without resorting to any quibbles—or other devices of this matter.

GEORGE BUSH.
Bridgeton July, 1—1824

Statement of Charles Clark.

I was present on the 19th of April last, at the training of the 4th company of the 2d battalion, 2d regiment, Cumberland militia. Major Whitaker, the commandant of the battalion, had previously, as I understood, advertised for an election of a captain for said company on that day, Mr. George Bush, the former captain, having resigned. The company assembled at Ebenezer Seeley's inn about 12 o'clock, and were ordered out by the major about one o'clock. Attempts were made by the major to get the company to choose a captain, but no person could be found that would accept the commission—at which major Whitaker appeared to be considerably vexed and angry. After these attempts failed, major Whitaker appointed me sergeant and ordered me to take command of the company, which I did, & after having taken them to a suitable place and gone through some little exercise, by which perhaps as much instruction was derived as if they had drilled all the afternoon under my command—they were marched back again and dismissed. I heard the major, before we went out, ask Mr. Bush if he knew any thing about the muster roll of the company, and Mr. Bush answered him in the affirmative, and said he had it. The major did not, as I heard, ask him for it. After I had marched the company out for exercise, Mr. Bush told me he had the muster roll if I wished it; and said if I requested he would call the names for me, but would not prick the names of the absentees. He appeared willing to give up the muster roll as well before, as at that time—and I have understood he did give it to the major the same afternoon or evening.

CHARLES CLARK.
Cumberland, ss. Charles Clark being duly sworn, saith, that the above statement is true, as he verily believes.
Sworn and subscribed July 6, 1824.
ENOS SEELEY, Justice of the Peace.

Statement by Lemuel Coombs.

I belong to the Cumberland Horse Guards. I did not train on the regimental training day, but was at the review as a spectator; I was present under a tree in the same field used as a parade ground when the guard who had George Bush in custody by order of major Whitaker, discharged him. I had been under the tree some minutes before. A considerable number of people from different parts of the country were assembling near the guard and enquiring the cause of Mr. Bush's detention. In this company there were I suppose, probably, three or four that belonged to the 4th company of militia. I stood so near the guards, that if any threats of personal violence or other harsh language had been used towards them, I think I must have heard it—and I heard none. Mr. Bush repeatedly said he would prosecute all concerned, and the only thing I saw which appeared to apply to the guards as particularly personal towards them, was Mr. Bush asking them their names, which he noted down, as he informed them, in order to bring a prosecution. So far from threats of any kind being used towards the guards, except this declaration of Mr. Bush, it was as I understood at the time, the general opinion, and it was expressed by several to them personally, that they were not individually to blame, but that the fault rested altogether upon the major. They were however told, in the conversation between them and those present, that if the arrest was illegal, they were liable to an action, if Mr. Bush chose to include them. Two or more persons who were passing by the tree were called by the guards and Mr. Bush, and were asked if his detention was

legal, and if not, if it would subject them to a prosecution or any other difficulty; and being told it probably would, they said they would detain him no longer, and left him and went towards the regiment. Mr. Bush immediately came home. The tree of which I have spoken, is not at the entrance of the field, but I suppose more than 100 yards from it towards that part in which the regiment paraded. I am certain there was not the slightest intimation of personal violence being used towards the guards or I should have heard it. I supposed the guards were induced to leave Mr. Bush, from the consideration that the arrest was illegal, and that his further detention by their would make them liable to a prosecution—and which they understood from those present, as I have above related. In conversation with one of the guards in the afternoon of the same day, I was informed it was intended to arrest Mr. Bush again if he could be found, and also one or two of those who had given their opinions respecting the illegality of the arrest of Bush and the liability of the guards, and that other guards were out for that purpose.

I recollect perfectly well, that I saw major Whitaker using the muster roll of the 4th company on the evening of the 19th of April, (the company training day) and also when done using it that he put it in his pocket.

LEMUEL COOMBS.
Cumberland, ss. Lemuel Coombs being duly sworn on his oath, saith, that the above statement is true, as he verily believes.
Sworn and subscribed before me July 5 1824.
ENOS SEELEY, Justice of the Peace

Statement of Messrs. Salkeld and Dunlap.

We were on the muster ground, near Richard Jarman's tavern, on the morning of regimental training day, and at the time major Whitaker attempted to form the 4th company of militia, and immediately before he commanded Mr. George Bush to take command of it. We also saw George Bush at that time. If Mr. Bush had attempted to excite a mutiny or disorder, or prevent the company from parading or forming, we think we must have seen it—and we freely certify that we did not see the slightest attempt of any thing of the kind from him; neither did we see any act on the part of George Bush which we considered as indicative of an intention to train on that day—but from his conduct and declaration: we supposed the contrary.

JOHN SALKELD.
THOMAS DUNLAP.
July 5, 1824.

Cumberland, ss. The above named John Salkeld and Thomas Dunlap being duly sworn on their oaths, severally say, that the above statement is true, as they believe.
ENOS SEELEY, Justice of the Peace.

Statement of Wm. R. Fithian, esq.

I was standing in the east end of the porch of Mr. Richard Jarman's tavern in, the forenoon of the regimental training day, at Bridgeton. A number of persons were with Mr. George Whitaker, I think within one or two rods of said porch. I heard Mr. Whitaker ask for the muster roll, which I believe was handed to him by William Conklin. Soon after I heard him order George Bush to take command of the company; Mr. Bush replied "he did not come to train," or "did not intend to rain," or words to that effect, and immediately went away. Mr. Whitaker did not, as I saw, give Mr. Bush any warrant on other paper after he commanded him to take charge of the company: he took out a paper and began to write upon it, I think with a pencil, but Mr. Bush had gone away before he finished writing. I heard Mr. Bush say, before the company was formed, that he did not intend to train that day.

Wm. R. FITHIAN.
Subscribed and sworn before me, July 15, 1824.

JAMES D. WESTCOTT,
Justice of the Peace.

COMMUNICATION.

The anniversary of Independence was celebrated in Milville, on Monday the 5th inst. with the usual demonstrations of joy; the proceedings of the day were all orderly and harmonious, and the festivities closed early and happily. The procession to the school house was escorted by capt. Salmon's com-

pany of infantry and capt. Mulford's company of artillery.

The exercises in the school house commenced by singing the 48th Psalm, 1st part, S. M. to the tune America, and prayer by the Rev. J. P. Thompson.

The Declaration of Independence was then read by Mr. James Wriggins. An appropriate Oration was then delivered by Ezekiel B. Foster. A short and appropriate address and prayer by Mr. Thompson, ended the exercises in the school house. The procession was again formed

accompanied with a good band of music, and marched to the bower near Mr. Reed's hotel, that was previously erected and handsomely decorated, where about 130 persons, (male and female) took their seats and partook of an excellent dinner, provided by Messrs Reed and Madden. After which were drank a number of toasts suited to the occasion, each succeeded by a gun by capt. Mulford's artillery, and a discharge of musketry by capt. Salmon's infantry performed with great correctness.

VOLUNTEERS.

By judge Westcott. The memory of col. Buck, of judge Foster and of major Smith, the enterprising founders of Milville, and the firm friends of the civil liberties of the people.

By James D. Westcott, jun. esq. The manufactures of Milville.—Iron for our enemies, Glasses for our friends.

By John E. Jeffers, esq. The Milville Independent Blues, as ready to turn out in defence of their county, as to celebrate its independence.

By capt. Salmon. The Milville Independent Blues—May they ever be actuated by the principles of our revolutionary fathers—and their energy display the spirit of the soldier when at home, and in the field the bravery of Jackson.—6 cheers.

Music, Jersey Blue.

By D. Reed, esq. The state of New Jersey.—In the war of the revolution it done its duty; if the encroachments of tyrants should make it necessary, it will do it again.

By capt. Mulford. The sons of Columbia—

"May they never be slaves
While the earth bears a plant,
Or the sea rolls a wave.

By licut. Willets. Our next president—may he be the choice of the people, not of a party. 6 cheers.

By Ezekiel B. Foster. John Q. Adams—may he be our next president. Equity, justice, superior merit justify his claims: may America prize the privilege.

By P. Statton. May our councils be guided by wisdom; and may our next president be John Quincy Adams.

By Jas. Wriggins. John Quincy Adams; the able statesman, and accomplished scholar—worthy the highest gift of a free people.

By Henry Sockwell, esq. Knowing the terrors of gen. Jackson, we persuade men to be republicans.

By ensign Wiltsey. Gen. A. Jackson: a soldier who will not permit his sword to rest in its scabbard while his country is in danger.

By George Bright. Andrew Jackson: the valiant soldier, conscientious citizen—worthy to become our chief magistrate; may he be superceded by none. Jackson's march.

By John Button—Gen. Jackson—the man who was so well and so deservedly beloved by the officers and soldiers of the late war, under his command.

By Joseph R. Stanger. Andrew Jackson: a Cato in integrity, a Sidney in intrepidity, a Sampson in mind, and a legion in battle.

By John Curran. The Hero of New Orleans; he who so nobly defended our rights in war, will also protect them in peace. 6 cheers.

Jackson's march.

By Jas. Anderson. Andrew Jackson: distinguished for learning, integrity, talents, virtue, and independence.

By Jonathan Barber. Gen. A. Jackson: When Pakenham called at New Orleans, he found him at his post. Jackson's victory.

By Christian L. Stanger. The hero of Orleans: hated and feared by his enemies, revered and beloved by his countrymen.

Hail to the chief.

By Lewis Neeping. Hickory, the popular tree.

By Matthew Smith. Here is to the Star Spangled Banner: may it ever wave o'er the land of the free, and the home of the brave.

FOREIGN INTELLIGENCE.

From the N. Y. Evening Post, July 9.
LATEST FROM FRANCE.

By the ship Bayard, Capt. Robinson, arrived below from Havre, whence he sailed the 1st of June, we learn that Gen. La Fayette was to have embarked on board that vessel for this port; but as he could not get ready in time, he was to take his passage for New York (or Boston, if a suitable vessel could be obtained, with his son George, Washington La Fayette, about the 1st of July.

We have also received a Prospectus issued at Paris by our countryman Washington Irving, esq. in which he announces his intention of editing a collection of English Literature, now publishing by Galigani, from Geoffrey Chaucer down to the present day.

A misunderstanding appears to have arisen between the Turkish government and the Consuls of foreign powers at Constantinople. The former wished to charter European vessels to convey their troops to the Morea, which the latter refused on the ground of neutrality.

The Greek government had addressed a communication to the European consuls at Smyrna, complaining of secret assistance having been furnished to the Turks, and intimating that all vessels found engaged in this practice, would be seized and condemned as lawful prizes. Advices had been received by the Porte from Egypt, which it was endeavouring to conceal. Enough however; had transpired, to show that it was of an unfavorable nature, and that all their projects in that quarter had proved abortive. The Bremen Gazette contains an extract from a Memoir of the Russian government, relative to the pacification of Greece, in which it is proposed to allow the Greeks to enjoy liberty, to have their own flag and free commerce, under certain modifications.

SPAIN.

An order has been issued by Ferdinand for the re-organization of the Spanish militia, and directing that none were to be enrolled but such as were devoted to his royal person; and as to those who had countenanced the constitutionalists, they were to be thoroughly "purified" from that atrocious crime, before their services could be accepted. Another decree denounces as an abuse of the royal prerogative, a convention entered into, by Pereid at Paraguay with the government of Buenos Ayres, in the name and behalf of the king of Spain, by which a friendly understanding was intended to be established, and the latter province was said to be free and independent of the mother country.

The Cadiz papers contain an article from Odessa of the 11th April, which states that in one day all the foreigners found in the coffee houses and taverns at Constantinople, were compelled to enter on board the Turkish fleet, there to serve as common sailors against the Greeks. The affairs of the sultan must have reached a very low ebb when he resorted to a measure so impolitic as this. It cannot fail to embroil him with all nations.

After mentioning the dangers which threaten Greece from the hypothetical appointment of the Bey of Egypt, the editor of the Oriental Spectator, in his closing article adds—"On the other side it cannot be foreseen; to what degree foreign causes may affect the condition of the Greeks, and serve as a counterbalance to the more formidable attack which may be made on them. The Greek Varvaces has sent a donation of 40,000 dollars to Calamata. Iconomos of Hydras was to repair to the Ionian Islands, to negotiate a loan of 100,000 dollars, to be advanced by the friends of Greece collected in those Islands. What is still more serious, we just learn that the friends of Greece in England, have furnished the Greeks a loan of 30,000,000 piastres.—

Thirty pieces of cannon have been sent, and a proposal has been made to the Greek government to build a steam ship for throwing bombs. Committees have been formed in Greece to correspond with the friends of the cause in other countries: Who knows what may be the result of this?

A journal is forthwith to appear at Hydra, called the Friend of the Law. Another is commenced at Missolonghi, under the name of the Annals of Greece.

Mr. Thomas Moore has lately published the life of his illustrious countryman captain Rock.

