

tentions, and in one instance had nearly ended in a duel, between Col. Oswald, and the great champion of the Constitutionalists. In consequence of some extraordinary provocation, a cartel was borne to the latter, by Major John Wiley, grandfather of Mr. Wiley, the bookseller; but upon explanation satisfactory to Col. O., he withdrew the challenge, and the affair was adjusted honorably to both parties."

Thus far the evidence for this incident rests only on the statement of Leake and the assertion of John C. Hamilton that there was a plot among the Anti-federalists to take his father's life by duel.⁴⁹

He continued to print outspoken articles of a distinctly libelous nature and among them was a series of three attacks on Andrew Brown, a Federalist newspaper editor and proprietor of a girl's school. Even the bitter attacks to which he had been subjected would not justify the scurrilous piece which he published against Brown. Because he refused to disclose the author, he was sued for libel. Before the case was decided he printed an address to the people in which he stated:

"... an earnest endeavour is on the carpet to involve me in difficulties to please the malicious dispositions of old and permanent enemies. . . . In fact, it was my idea, in the first progress of the business, that Mr. Brown was merely the *handmaid* of some of my enemies among the Federalists; and in this class I must rank, his great patron doctor Rush (whose brother is a judge of the Supreme Court). I think that Mr. Brown's conduct has since confirmed the idea beyond a doubt."⁵⁰

This address led to a discussion by members of the court, in which William Lewis said "... the address to the public manifestly tended to interrupt the course of justice; it was an attempt to prejudice the minds of the people in a cause then depending, and, by that means, to defeat the Plaintiff's claim to justice, and to stigmatize the Judges, whose duty was to administer the laws." It was concluded that it was a contempt of court; Oswald was summoned and ordered to answer certain interrogatories. This he refused to do and was sentenced to imprisonment for one month and to pay a £10 fine which was later remitted. When he was released from prison, he presented a memorial to the General Assembly requesting the impeachment of the judges of the Supreme Court. In it he stated:

⁴⁹ I. Q. Leake, *Memoir of the life and times of General Charles Lamb*, Albany, 1850. pp. 330-331. See also Scharf and Westcott, *History of Philadelphia*, Vol. I, p. 425. The more recent biographies of Hamilton do not mention this affair.

Oswald indirectly played an important role in the contest in Maryland over the ratification of the Constitution. He published in 1788 Luther Martin's *The Genuine Information, Delivered to the Legislature of Maryland, Relative to the Proceedings of the General Convention, Lately Held at Philadelphia*. (Evans, 21220; Sabin, 44897.)

⁵⁰ *Independent Gazetteer*, July 1, 1788. Quoted in Thomas Lloyd, *Debates of the General Assembly of Pennsylvania*, . . . Vol. IV.