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Anti-slavery tracts  
American Anti-Slavery Society







**NEGRO PERIODICALS  
IN THE UNITED STATES**

## NEGRO PERIODICALS IN THE UNITED STATES

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# ANTI-SLAVERY TRACTS

Series 2: Nos. 15-25

1861

CENTRAL MISSOURI  
STATE COLLEGE  
Warrensburg



NEGRO UNIVERSITIES PRESS  
WESTPORT, CONNECTICUT  
1970

This reprint edition reproduces  
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This work has been printed on long-life paper  
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Printed in the United States of America

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THE

# FUGITIVE SLAVE LAW

AND

# ITS VICTIMS.

REVISED AND ENLARGED EDITION.

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“Thou shalt not deliver unto his master the servant which is escaped from his master unto thee: He shall dwell with thee, even among you, in that place which he shall choose in one of thy gates, where it liketh him best: THOU SHALT NOT OPPRESS HIM.”—DEUT. 23 : 15, 16.

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NEW YORK:

PUBLISHED BY THE AMERICAN ANTI-SLAVERY SOCIETY.

1861.

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## THE FUGITIVE SLAVE LAW AND ITS VICTIMS.

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THE Fugitive Slave Law was enacted by Congress in September, 1850, received the signature of HOWELL COBB, [of Georgia,] as Speaker of the House of Representatives, of WILLIAM R. KING, [of Alabama,] as President of the Senate, and was "approved," September 18th, of that year, by MILLARD FILLMORE, [of New York,] Acting President of the United States.

The authorship of the Bill is generally ascribed to JAMES M. MASON, Senator from Virginia. Before proceeding to the principal object of this tract, it is proper to give a synopsis of the Act itself, which was well called, by the New York *Evening Post*, "An Act for the Encouragement of Kidnapping." It is in ten sections.

### SYNOPSIS OF THE LAW.

SECTION 1. United States Commissioners "authorized and required to exercise and discharge all the powers and duties conferred by this act."

SECT. 2. Commissioners for the Territories to be appointed by the Superior Court of the same.

SECT. 3. United States Circuit Courts, and Superior Courts of Territories, required to enlarge the number of Commissioners, "with a view to afford reasonable facilities to reclaim fugitives from labor," &c.

SECT. 4. Commissioners put on the same footing with Judge of the United States Courts, with regard to enforcing the Law and its penalties.

SECT. 5. United States Marshals and Deputy Marshals, who may refuse to act under the Law, to be fined one thousand dollars, to the use of the claimant. If a fugitive escape from the custody of a Marshal, the Marshal to be liable for his full value. Commissioners authorized to appoint special officers, and to call out the *posse comitatus*, &c.

SECT. 6. The claimant of any fugitive slave, or his attorney, "may

pursue and reclaim such fugitive person," either by procuring a warrant from some Judge or Commissioner, "or by seizing and arresting such fugitive, where the same can be done without process ;" to take such fugitive before such Judge or Commissioner, "whose duty it shall be to hear and determine the case of such claimant in a summary manner," and, if satisfied of the identity of the prisoner, to grant a certificate to said claimant to "remove such fugitive person back to the State or Territory from whence he or she may have escaped,"—using "such reasonable force or restraint as may be necessary under the circumstances of the case." "In no trial or hearing under this act shall the testimony of such alleged fugitive be admitted in evidence." All molestation of the claimant, in the removal of his slave, "by any process issued by any court, judge, magistrate, or other person whomsoever," prohibited.

SECT. 7. Any person obstructing the arrest of a fugitive, or attempting his or her rescue, or aiding him or her to escape, or harboring and concealing a fugitive, knowing him to be such, shall be subject to a fine of not exceeding one thousand dollars, and to be imprisoned not exceeding six months, and shall also "forfeit and pay the sum of one thousand dollars for each fugitive so lost."

SECT. 8. Marshals, deputies, clerks and special officers to receive usual fees ; Commissioners to receive ten dollars, if fugitive is given up to claimant ; otherwise, five dollars ; to be paid by claimant.

SECT. 9. If claimant make affidavit that he fears a rescue of such fugitive from his possession, the officer making the arrest to retain him in custody, and "to remove him to the State whence he fled." Said officer "to employ so many persons as he may deem necessary." All, while so employed, to be paid out of the Treasury of the United States."

SECT. 10. [This section provides an additional and wholly distinct method for the capture of a fugitive ; and, it may be added, one of the loosest and most extraordinary that ever appeared on the pages of a statute book.] Any person, from whom one held to service or labor has escaped, upon making "satisfactory proof" of such escape before any court of record, or judge thereof in vacation,—a record of matters so proved shall be made by such court, or judge, and also a description of the person escaping, "with such convenient certainty as may be ;"—a copy of which record, duly attested, "being produced in any other State, Territory or District," and "being exhibited to any Judge, Commissioner, or other officer authorized,"—shall be held and taken to be full and conclusive evidence of the fact of escape, and that the service or labor of the person escaping is due to the party in such record mentioned ;" when, on satisfactory proof of identity, "he or she shall be delivered up to the claimant." "*Provided*, That nothing herein contained shall be construed as requiring the production of a transcript of such record as evidence as aforesaid ; but in its absence, the claim shall be heard and determined upon other satisfactory proofs competent in law."

The names of the NORTHERN men who voted for this infamous kidnapping law should not be forgotten. Until they repent, and do works meet for repentance, their names will stand high and conspicuous on the roll of infamy. Let the "slow-moving finger of scorn" point them out, when



they walk among men, and the stings of shame, disappointment and remorse continually visit them in secret, till they are forced to cry, "my punishment is greater than I can bear." As to the *Southern* men who voted for the Law, they only appeared in their legitimate character of oppressors of the poor—whom God will repay, in his own time. The thousand-tongued voices of their brother's blood cry against them from the ground.

The following is the vote, in the SENATE, on the engrossment of the bill:—

YEAS.—Aitchison, Badger, Barnwell, Bell, Berrien, Butler, Davis (of Mississippi), Dawson, A. C. DODGE (of Iowa), Downs, Foote, Houston, Hunter, JONES (of Iowa), King, Mangum, Mason, Pearce, Rusk, Sebastian, Soulé, Spruance, STURGEON (of Pennsylvania), Turney, Underwood, Wales, Yulee—27.

NAYS.—Baldwin, Bradbury, Chase, Cooper, Davis (of Massachusetts), Dayton, Henry Dodge (of Wisconsin), Greene, Smith, Upham, Walker, Winthrop—12.

ABSENT, OR NOT VOTING.—Benton, Borland, *Bright* of Indiana, *Clarke* of Rhode Island, Clay, *Cass* of Michigan, Clemens, *Dickinson* of New York, *Douglas* of Illinois, *Ewing* of Ohio, *Felch* of Michigan, *Hale* of New Hampshire, *Hamlin* of Maine, *Miller* of New Jersey, Morton, *Norris* of New Hampshire, *Phelps* of Vermont, Pratt, *Seward* of New York, *Shields* of Illinois, *Whitcomb* of Indiana. [Fifteen Northern Senators absent from the vote.]

On the final passage of the bill in the Senate, the yeas and nays were not taken. *D. S. Dickinson*, of New York, who had been absent when the vote was taken on the engrossment, spoke in favor of the bill. Mr. Seward was said to be absent from the city, detained by ill health.

When the Bill came up in the HOUSE OF REPRESENTATIVES, (September 12th,) JAMES THOMPSON, of Pennsylvania, got the floor,—probably by a previous understanding with the Speaker,—and addressed the House in support of the Bill. He closed his remarks by *moving the previous question!* It was ordered, and thus all opportunity for reply, and for discussion of the Bill, was cut off. The Bill was then passed to its third reading—equivalent to

enactment — by a vote of 109 YEAS to 75 NAYS; as follows: —

## YEAS.

*Maine.* — THOMAS J. D. FULLER, of Calais; ELBRIDGE GERRY, of Waterford; NATHANIEL S. LITTLEFIELD, of Bridgton.

*New Hampshire.* — HARRY HIBBARD, of Bath; CHARLES H. PEASLEE, of Concord.

*Massachusetts.* — SAMUEL A. ELIOT, of Boston.

*New York.* — HIRAM WALDEN, of Waldensville.

*New Jersey.* — ISAAC WILDRICK, of Blairstown.

*Pennsylvania.* — MILO M. DIMMICK, of Stroudsburg; JOB MANN, of Bedford; J. X. MCLANAHAN, of Chambersburg; JOHN ROBBINS, Jr., of Philadelphia; THOMAS ROSS, of Doylestown; JAMES THOMPSON, of Erie.

*Ohio.* — MOSES HOAGLAND, of Millersburg; JOHN K. MILLER, of Mt. Vernon; JOHN L. TAYLOR, of Chillicothe.

*Michigan.* — ALEXANDER W. BUELL, of Detroit.

*Indiana.* — NATHANIEL ALBERTSON, of Greenville; WILLIAM J. BROWN, of Amity; CYRUS L. DUNHAM, of Salem; WILLIS A. GORMAN, of Bloomington; JOSEPH E. McDONALD, of Crawfordsville; EDWARD W. MCGAUGHEY, of Rockville.

*Illinois.* — WILLIAM H. BISSELL, of Belleville; THOMAS L. HARRIS, of Petersburg; JOHN A. MCCLERNAND; WILLIAM A. RICHARDSON, of Quincy; TIMOTHY R. YOUNG, of Marshall.

*Iowa.* — SHEPHERD LEFFLER, of Burlington.

*California.* — EDWARD GILBERT.

[All these Northern tools of Slavery call themselves *Democrats!* save three — *Eliot*, of Massachusetts, *Taylor*, of Ohio, and *McGaughey*, of Indiana, who were Whigs.]

Every Representative of a slaveholding State, who voted at all, voted YEA. Their names are needless, and are omitted.

## NAYS.

*Maine.* — Otis, Sawtell, Stetson.

*New Hampshire.* — Amos Tuck.

*Vermont.* — Hebard, Henry, Meacham.

*Massachusetts.* — Allen, Duncan, Fowler, Mann.

*Rhode Island.* — Dixon, King.

*Connecticut.* — Butler, Booth, Waldo.

*New York.* — Alexander, Bennett, Briggs, Burrows, Gott, Gould, Hal-  
loway, Jackson, John A. King, Preston King, Matteson, McKissock, Nelson, Putnam, Rumsey, Sackett, Schermerhorn, Schoolcraft, Thurman, Underhill, Silvester.

*New Jersey.* — Hay, King.

*Pennsylvania.* — Calvin, Chandler, Dickey, Freedley, Hampton, Howe, Moore, Pitman, Reed, Stevens.

*Ohio.* — Cable, Carter, Campbell, M. B. Corwin, Crowell, Disney, Evans, Giddings, Hunter, Morris, Root, Vinton, Whittlesey, Wood.

*Michigan.* — Bingham, Sprague.

*Indiana.* — Fitch, Harlan, Julian, Robinson.

*Illinois.* — Baker, Wentworth.

*Wisconsin.* — Cole, Doty, Durkee.

*California.* — Wright.

ABSENT, OR NOT VOTING.

Andrews, Ashmun (Mass.), Bokee, Brooks, Butler, Casey, Cleveland (Conn.), Clarke, Conger, Duer, Gilmore, Goodenow, Grinnell (Mass.), Levin, Nes, Newell, Ogle, Olds, Peck, Phoenix, Potter, Reynolds, Risley, Rockwell (Mass.), Rose, Schenck, Spaulding, Strong, Sweetser, Thompson (Iowa), Van Dyke, White, Wilmot (Penn.) [33—all Northern men.]

[Fifteen Southern Representatives did not vote.]

DANIEL WEBSTER was not a member of the Senate when the vote on the Fugitive Slave Bill was taken. He had been made Secretary of State a short time previous. All, however, will remember the powerful aid which he gave to the new compromise measures, and among them to the Fugitive Slave Bill, in his notorious Seventh of March speech, [1850.] A few extracts from that Speech will show how heavily the responsibility for the existence of this Law rests upon DANIEL WEBSTER:—

“I suppose there is to be found no injunction against that relation [slavery] between man and man, in the teachings of the Gospel of Jesus Christ, or of any of his Apostles.”—*Webster's 7th March Speech, (authorized edition,)* p. 9.

“One complaint of the South has, in my opinion, just foundation; and that is, that there has been found at the North, among individuals and among legislators, a disinclination to perform, fully, their Constitutional duties in regard to the return of persons bound to service, who have escaped into the free States. In that respect, it is my judgment that the South is right, and the North is wrong.” \* \* \* \* \*  
“My friend at the head of the Judiciary Committee [Mr. MASON, of Virginia] has a bill on the subject now before the Senate, with some amendments to it, WHICH I PROPOSE TO SUPPORT, WITH ALL ITS PROVISIONS, to the fullest extent.”—*Idem, p. 29.*

Mr. Webster proceeded to assure the Senate that the North would, on due consideration, fulfil “their constitutional obligations” “with alacrity.” “Therefore, I repeat, sir, that here is a ground of complaint against the North well

founded, which ought to be removed, which it is now in the power of the different departments of this Government to remove; which calls for the enactment of proper laws authorizing the judicature of this Government, in the several States, to do all that is necessary for the recapture of fugitive slaves, and for the restoration of them to those who claim them. Wherever I go, and whenever I speak on the subject, and when I speak here, I desire to speak to the whole North, I say that the South has been injured in this respect, and has a right to complain; and the North has been too careless of what, I think, the Constitution peremptorily and emphatically enjoins upon her as a duty.”—*Idem*, p. 30.

In a speech in the United States Senate, July 17, 1850, made with an evident view to calm that Northern feeling which had been aroused and excited by his 7th of March speech beyond the power of priest or politician wholly to subdue, Mr. WEBSTER said there were various misapprehensions respecting the working of the proposed Fugitive Slave Bill:—

“The first of these misapprehensions,” he said, “is an exaggerated sense of the actual evil of the reclamation of fugitive slaves, felt by Massachusetts and the other New England States. What produced that? The cases do not exist. There has not been a case within the knowledge of this generation, in which a man has been taken back from Massachusetts into slavery by process of law—not one.” \* \* \* \*  
 “Not only has there been no case, so far as I can learn, of the reclamation of a slave by his master, which ended in taking him back to slavery, in this generation, but I will add, that, as far as I have been able to go back in my researches, as far as I have been able to hear and learn, in all that region, there has been no one case of false claim. \* \* \* *There is no danger of any such violation being perpetrated.*” \*—*Webster’s Speech on the Compromise Bill, in the U. S. Senate, 17th of July, 1850, edition of Gideon & Co., Washington, pp. 23–25.*

\* See also Mr. Webster’s Letter to the Citizens of Newburyport, dated May 15, 1850, wherein he urges the same point, with great pains of argument.



With such words did Mr. Webster endeavor to allay Northern alarm, and to create the impression (which was created, and which prevailed extensively with his friends) that the Fugitive Law was only a concession to Southern feeling, and that few or no attempts to enforce it were likely to be made.

But when a few months had proved him a false prophet, and the Southern chase after fugitive men, women and children had become hot and fierce, and in one or two instances the hunter had been foiled in his attempts, and had lost his prey, Mr. WEBSTER (having become, meantime, Secretary of State, and an aspirant for higher office) changed his tone. In May, 1851, at Syracuse, N. Y., he said:—

“Depend upon it, the Law [the Fugitive Slave Law] will be executed in its spirit and to its letter. It will be executed in all the great cities—here in Syracuse, in the midst of the next Anti-Slavery Convention, if the occasion shall arise.”

Certainly, so far as in Mr. Webster lay, so far as was in the power of Mr. Fillmore, and the officers of the United States Government generally, and of the still larger crowd of *expectants* of office, nothing was left undone to introduce the tactics, discipline and customs of the Southern plantation into our Northern cities and towns, in order to enforce the Fugitive Law.

And what the administration of Millard Fillmore, of New York, began, the administrations of Franklin Pierce, of New Hampshire, and of James Buchanan, of Pennsylvania, emulated, and, if possible, surpassed; Whig and Democrat vying with each other in showing loyalty to the Union, by aiding to sustain this cruel and iniquitous Law. That fearful test question of eighteen centuries ago was asked again of this people and of its government, “Whom will ye that I release unto you? Barabbas, or Jesus which is called Christ?”—CHRIST,

in the person of his little ones, a hungered and athirst, strangers and houseless, or BARABBAS, the robber and the murderer of these? And the answer came again, as of old, "Not this man, but BARABBAS!" "Give us our union, our *glorious union*, with the slaveholder, and as for the slave—crucify him, crucify him!" Yet, thanks to God for what of justice and tender compassion were developed in the consciences and hearts of the people, making them strong to despise the Law and its penalties, and prompt to succor and save the faint and flying fugitives! It is our sustaining faith, that, let men enact and decree what iniquity they please, God will never leave Himself without a witness in the land, and in the hearts of the people, against whose monitions and impulses and availing power the wrath of man will rage in vain.

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The remainder of this tract will be devoted to a record, as complete as circumstances enable us to make, of the VICTIMS OF THE FUGITIVE SLAVE LAW. It is a terrible record, which the people of this country should never allow to sleep in oblivion, until the disgraceful and bloody system of Slavery is swept from our land, and with it, all Compromise Bills, all Constitutional Guarantees to Slavery, all Fugitive Slave Laws. The established and accredited newspapers of the day, without reference to party distinctions, are the authorities relied upon in making up this record, and the *dates* being given with each case, the reader is enabled to verify the same, and the few particulars which the compass of the tract allows to be given with each. With all the effort which has been made to secure a good degree of completeness and ex-

actness, the present record must of necessity be an imperfect one, and fall short of exhibiting all the enormities of the Act in question.

JAMES HAMLET, of *New York*, *September*, 1850, was the first victim. He was surrendered by United States Commissioner Gardiner to the agent of one Mary Brown, of Baltimore, who claimed him as her slave. He was taken to Baltimore. An effort was immediately made to purchase his freedom, and in the existing state of the public feeling, the sum demanded by his mistress, \$800, was quickly raised. Hamlet was brought back to New York with great rejoicings.

*Near Bedford, Penn., October 1.* Ten fugitives, from Virginia, were attacked in Pennsylvania — one mortally wounded, another dangerously. Next morning, both were captured. Five others entered a mountain' hut, and begged relief. The woman supplied their wants; her husband went out, procured assistance, captured the slaves, and received a reward of \$255.

*Harrisburg, Penn., October.* Some slaves, number not stated, were brought before Commissioner M'Allister, when "the property was proven, and they were delivered to their masters, who took them back to Virginia, by railroad, without molestation."

*Detroit, 8th October.* A negro was arrested under the new law, and sent to jail for a week, to await evidence. Great numbers of colored people armed themselves to rescue him. Result not known.

HENRY GARNETT, *Philadelphia*, arrested as the slave of Thomas P. Jones, of Cecil County, Maryland, and taken before Judge Grier, of the United States Supreme Court, October 18, 1850, who declared his determination to execute the law as he found it. The Judge said that the claimant had not taken the course prescribed by the Fugitive Act, and proceeded to explain, in a detailed manner, what the course should be in such cases. As the claimant thus failed to make out his case, the prisoner was ordered to be discharged.

*Boston, about 25th October.* Attempt to seize WILLIAM and ELLEN CRAFT. William Craft armed himself, and kept within his shop; Ellen was concealed in the house of a friend. Their claimants, named Hughes and Knight, were indicted for defamation of character, in calling W. C. a slave, and brought before a magistrate. The feeling excited against them was so great, that they at length fled from the city. Shortly after, it being considered hazardous for Mr. and Mrs. Craft to remain in the country, they were enabled to escape to England.

[In a letter, dated Macon, Georgia, Nov. 11, John Knight gives a particular account of the proceedings and experiences of himself and his friend Hughes, on their then recent visit to Boston for the purpose, to quote his own language, "of re-capturing William and Ellen Craft, the negroes belonging to Dr. Collins and Ira Taylor." Willis H. Hughes also published his statement.]

*New Albany, Indiana.* A woman and boy given up, and taken to Louisville. They were so white that, even in Kentucky, a strong feeling arose in their favor on that ground. They were finally bought for \$600, and set free.

ADAM GIBSON, *Philadelphia, December 21, 1850.* Surrendered by Edward D. Ingraham, United States Commissioner. The case was hurried through in indecent haste, testimony being admitted against him of the most groundless character. One witness swore that Gibson's name was Emery Rice. He was taken to Elkton, Maryland. There, Mr. William S. Knight, his supposed owner, refused to receive Gibson, saying he was not the man, and he was taken back to Philadelphia.

What compensation has the United States Government ever made to Adam Gibson for the injurious act of its agent, Ingraham? Had not the slaveholder been more honorable than the Commissioner or the makers of the Fugitive Law, Gibson would have been in slavery for life.

HENRY LONG, *New York, December, 1850.* Brought before Commissioner Charles M. Hall, claimed as the fugitive slave of John T. Smith, of Russell County, Virginia. After



five or six days' proceedings, there being some doubt of the Commissioner's legal right to act, the alleged fugitive, Long, was taken before Andrew T. Judson,\* District Judge of the United States. The Castle Garden Union Safety Committee volunteered their *disinterested* aid, and retained Mr. George Wood in this case, as counsel for the slave claimant! Long was surrendered by Judge Judson, and taken to Richmond, Virginia. Judge J. was complimented by the *Washington Union* as a "clear-headed, competent, and independent officer, who has borne himself with equal discretion, liberality and firmness. Such judges as he," continues the *Union*, "are invaluable in these times of turmoil and agitation." At Richmond, Long was advertised to be sold at public auction. On Saturday, January 18th, he was sold, amid the jeers and scoffs of the spectators, for \$750, to David Clapton, of Georgia. The auctioneers, (Pullam & Slade,) in commencing, said there was one condition of the sale: bonds must be given by the purchaser that this man shall be carried South, and that he shall be kept South, and sold, if sold again, to go South; and they declared their intention to see the terms fully complied with. Long was subsequently advertised for sale at Atlanta, Georgia.

*Near Coatsville, Chester County, Penn.* On a writ issued by Commissioner Ingraham, Deputy Marshal Halzel and other officers, with the claimant of an alleged fugitive, at night, knocked at the door of a colored family, and asked for a light to enable them to mend their broken harness. The door being opened for this purpose, the marshal's party rushed in, and said they came to arrest a fugitive slave. Resistance was made by the occupant of the house and others, and the marshal's party finally driven off—the slave owner advising that course, and saying, "Well, if this is a specimen of the pluck of Pennsylvania negroes, I don't want my slaves back." The master of the house was severely wounded in the arm by a pistol shot; still he maintained his ground, declaring the marshal's party should not pass except by first taking his life.

\* Notorious for being the leader of the mob which broke up Miss Crandall's school for colored girls in Canterbury, Ct.

*Marion, Williamson County, Illinois, about December 10, 1850.* Mr. O'Havre, of the city police, Memphis, Tennessee, arrested and took back to Memphis a fugitive slave, belonging to Dr. Young. He did so, as the Memphis paper states, only "after much difficulty and heavy expense," being strongly opposed by the Free Soilers and Abolitionists, but "was assisted by Mr. W. Allen, Member of Congress, and other gentlemen."

*Philadelphia, about January 10, 1851.* G. F. Alberti and others seized, under the Fugitive Slave Law, a free colored boy, named JOEL THOMPSON, alleging that he was a slave. The boy was saved.

STEPHEN BENNETT, *Columbia, Penn.*, arrested as the slave of Edward B. Gallup, of Baltimore. Taken before Commissioner Ingraham; thence, by *habeas corpus*, before Judge Kane. He was saved only by his freedom being purchased by his friends.

*The Huntsville (Ala.) Advocate* of January 1, 1851, said that Messrs. Markwood & Chester had brought back "seven of their slaves" from Michigan.

*The Memphis (Tenn.) Eagle*, of a later date, says that within a few weeks, "at least five fugitive slaves have been brought back to this city, from free States, with as little trouble as would be had in recovering stray cows." The same paper adds, "We occasionally receive letters notifying us that a slave, said to be the property of some one in this vicinity, has been lodged in jail in Illinois or Indiana, for his owner, who will please call, pay charges, and take him away."

Mrs. TAMOR, or EUPHEMIA WILLIAMS, *Philadelphia, February, 1851*, mother of six children, arrested and brought before Commissioner Ingraham, as the slave Mahala, belonging to William T. J. Purnell, of Worcester County, Maryland, admitted to have been absent since 1829—twenty-two years. Children all born in Pennsylvania; oldest about seventeen—a girl. Her husband also in custody, and alleged to be the slave of another man. Under writ of *habeas corpus*, Mrs. Williams was taken before Judge Kane, of the United States Circuit Court. After a full hearing, she was discharged, as not being the woman alleged.

SHADRACH, *in Boston, February 15, 1851.* Arrested in Taft's Cornhill Coffee House, by deputies of United States Marshal Devens, on a warrant issued by George T. Curtis, United States Commissioner, on the complaint of John Caphart, attorney of John De Bree, of Norfolk, Va. Seth J. Thomas appeared as counsel for Caphart. After a brief hearing before G. T. Curtis, Commissioner, the case was adjourned to the following Tuesday. Shortly after the adjournment, the court-room was entered by a body of men, who bore away the prisoner, Shadrach; after which, he was heard of in Montreal, Canada, having successfully, with the aid of many friends, escaped the snares of all kidnappers, in and out of Boston. The acting President, MILLARD FILLMORE, issued his proclamation, countersigned by DANIEL WEBSTER, Secretary of State, requiring prosecutions to be commenced against all who participated in the rescue. A series of annoying and irritating "rescue trials" followed.

*Shawneetown, Ill.* A woman was claimed by Mr. Haley, of Georgia, as his slave; and was delivered up to him by two Justices of the Peace, (early in 1851.)

*Madison, Indiana.* George W. Mason, of Davies County, Ky., arrested a colored man, named MITCHUM, who, with his wife and children, lived near Vernon. The case was tried before a Justice of the Peace, named Basnett, who was satisfied that Mitchum was Davis's slave, and had left his service *nineteen years before.* The slave was accordingly delivered up, and was taken to Kentucky, (Feb. 1851.)

*Clearfield County, Penn., about 20th January, 1851.* A boy was kidnapped and taken into slavery. — *Mercer (Penn.) Presbyterian.*

*Near Ripley, Ohio.* A fugitive slave, about January 20, killed his pursuer. He was afterwards taken and carried back to slavery.

*Burlington, Lawrence County, Ohio, near the end of February, 1851,* four liberated slaves were kidnapped, re-enslaved, and sold. Efforts were made to bring the perpetrators of this nefarious act to punishment, and restore the victims to freedom.

*At Philadelphia, early in March, 1851,* occurred the case of the colored woman HELEN or HANNAH, and her son, a child of tender years. She was taken before a Commissioner, and thence, by writ of *habeas corpus*, before Judge Kane. An additional question arose from the fact that the woman would soon become the mother of another child. Judge Kane decided that she was the property of John Perdu, of Baltimore, together with her son, *and her unborn child*, and they were all surrendered accordingly, and taken into slavery.

*Pittsburg, March 13, 1851.* RICHARD GARDINER was arrested in Bridgewater, Beaver County, Pennsylvania, claimed as the property of Miss R. Byers, of Louisville, Ky. Judge Irwin, of the United States District Court, "remanded the fugitive back to his owner." He was afterwards bought for \$600, and brought into a free State.

*The Wilmington (Del.) Journal,* in March, 1851, says kidnapping has become quite frequent in that State, and speaks of a negro kidnapped in that city, on the previous Wednesday night, by a man who had been one of the city watchmen.

THOMAS SIMS, arrested in *Boston*, April 4, 1851, at first on pretence of a charge of theft; but when he understood it was as a fugitive from slavery, he drew a knife and wounded one of the officers. He was taken before Commissioner George T. Curtis. To guard against a repetition of the Shadrach rescue, the United States Marshal, Devens, aided by the Mayor (John P. Bigelow) and City Marshal (Francis Tukey) of Boston, surrounded the Court House, in Boston, with heavy chains, guarded it by an extra force of police officers, with a body of guards also within the building, *where the fugitive was imprisoned* as well as tried. Several military companies, also, were called out by the city authorities, and kept in readiness night and day to act against the people, should they attempt the deliverance of Sims; Faneuil Hall itself being turned into barracks for these hirelings of slavery. Every effort was made by S. E. Sewall, Esq., Hon. Robert Rantoul, Jr., and Charles G. Loring, Esq., to save Sims from being returned into slavery, and Boston from the eternal and ineffaceable disgrace of the act. But in vain.



The omnipotent Slave Power demanded of Boston a victim for its infernal sacrifices. Millard Fillmore, Daniel Webster, and their numerous tools, on the Bench, in Commissioners' seats, and other official stations, or in hopes of gaining such stations bye and bye, had fallen upon their faces before the monster idol, and sworn that the victim should be prepared. Thomas Sims was ordered back to slavery by Commissioner George T. Curtis, and was taken from the Court House, in Boston, early on the morning of April 11th, [1851,] to the brig *Acorn*, lying at the end of Long Wharf, and thence, in the custody of officers, to Savannah, Georgia. There, after being lodged in jail, and severely and cruelly whipped, as was reported, he was at length sold, and became merged and lost in the great multitude of the enslaved population. The surrender of Sims is said to have cost the United States Government \$10,000; the city of Boston about as much more; and Mr. Potter, the claimant of Sims, about \$2,400,—making a total of some \$22,000, directly expended on the case.

On this subject of the cost of recovering fugitive slaves, and especially in this case, read the following from the *Macon* (Georgia) *Journal*, which was also copied approvingly by the *Nashville* (Tennessee) *Whig*:—

“Some of the papers even pretend that Mr. Potter was compelled to pay all, or nearly all, of the costs and charges in the case of Sims. This is not the fact. Every item of the necessary expenses, incident to the return, was paid by the General Government, as required by law. It even paid the expenses of the half dozen police officers who guarded him to Savannah. When Messrs. Bacon and De Lyon, the agents, applied to Seth Thomas, Esq., their attorney, to know the amount of his fee, his reply was that it had been settled by the people of Boston. The truth is, that it costs the owner less, in many respects, to reclaim a runaway under the late law, than it would to recover one from Kentucky; because he gets rid of many expenses at the North which are necessarily incurred at the South, and under our own laws.”

*Vincennes, Indiana, April, 1851.* Four fugitive slaves were seized, claimed by one Mr. Kirwan, of or near Florence, Alabama. The magistrate, named Robinson, gave up the fugitives, and they were taken into slavery.

MOSES JOHNSON, *Chicago, Illinois*, brought before a United States Commissioner, and discharged as not answering to the description of the man claimed.

*In Salisbury Township, Penn., April, 1851*, an elderly man was kidnapped and carried into Maryland.

*Near Sandy Hill, Chester County, Penn., in March, 1851*, a very worthy and estimable colored man, named Thomas Hall, was forcibly seized, his house being broken into by three armed ruffians, who beat him and his wife with clubs. He was kidnapped.

CHARLES WEDLEY, kidnapped from Pittsburg, Penn., and taken into Maryland. He was found, and brought back.

*Cincinnati, Ohio, June 3, 1851*, an attempt to arrest a fugitive was made; but a scuffle ensued, in which the man escaped.

*Cincinnati, Ohio.* About the same time, some slaves, (number not stated,) belonging to Rev. Mr. Perry and others, of Covington, Ky., were taken in Cincinnati, and carried back to Kentucky.

*Philadelphia, end of June, 1851*, a colored man was taken away as a slave, by steamboat. A writ of *habeas corpus* was got out, but the officer could not find the man. This is probably the same case with that of JESSE WHITMAN, arrested at Wilkesbarre.

FRANK JACKSON, a free colored man in *Mercer, Penn.*, was taken, early in 1851, by a man named Charles May, into Virginia, and sold as a slave. He tried to escape, but was taken and lodged in Fincastle jail, Virginia.

THOMAS SCOTT JOHNSON, free colored man, of *New Bedford, Mass.*, was arrested near Portsmouth, Virginia, and was about to be sold as a slave; but, by the strenuous interposition of Capt. Card, certificates were obtained from New Bedford, and he was set at liberty.

ELIZABETH WILLIAMS, *West Chester County, Penn.*, delivered into slavery by Commissioner Jones. (July, 1851.)

DANIEL HAWKINS, of *Lancaster County, Penn.*, (July, 1851,) was brought before Commissioner Ingraham, Philadelphia, and by him delivered to his claimant, and he was taken into slavery.

*New Athens, Ohio, July 8, 1851.* Eighteen slaves, who had escaped from Lewis County, Ky., were discovered in an old building in Adams County, Ohio. Some white men, professing to be friendly, misled them, and brought them to a house, where they were imprisoned, bound one by one, and carried back to Kentucky. [The enactment of the Fugitive Slave Law is the direct stimulating cause of all these cases of kidnapping.]

*Buffalo, August, 1851.* Case of DANIEL ———. D. was a cook on board the steamer "Buckeye State." He was engaged in his avocation, when Benj. S. Rust, with a warrant from United States Commissioner H. K. Smith, went on board the boat. Daniel was called up from below, and as his head appeared above the deck, Rust struck him a heavy blow, upon the head, with a large billet of wood, which knocked him back into the cook-room, where he fell upon the stove, and was badly burned. In this state, he was brought before the Commissioner, "bleeding profusely at the back of the head, and at the nose, and was, moreover, so stupefied by the assault, that he fell asleep several times during the brief and very summary proceedings." For most of the time, he was unable to converse with his counsel, and "sat dozing, with the blood slowly oozing out of his mouth and nostrils." After a very hurried form and mockery of a trial, Daniel was ordered to be delivered to Rust, the agent of George H. Moore, of Louisville, Kentucky. By a writ of *habeas corpus*, Daniel was brought before Judge Conkling, of the United States Court, at Auburn, who gave a decision that set Daniel at liberty, and he was immediately hurried by his friends into Canada. Rust was indicted, in Buffalo, for his brutal assault on Daniel. It was fully proved; he afterwards plead guilty, and was let off with the paltry fine of fifty dollars.

JOHN BOLDING, *arrested in Poughkeepsie, N. Y.*, claimed as the property of Barret Anderson, of Columbia, S. C. Bolding was a young man, of good character, recently married, and had a small tailor's shop in P. He said he was told, when he was a boy, that he was the son of a white man. He was tried before United States Commissioner Nelson, who ordered him to be delivered up to his claimants, and he was taken quietly from the city to Columbia, S. C. The sum of

\$2,000 was raised in New York, and paid to Bolding's owner, who had consented to take that sum for him, and Bolding returned to his family in Poughkeepsie.

*Christiana, Lancaster County, Penn., Sept., 1851.* Edward Gorsuch, (represented as a very pious member of a Methodist Church in Baltimore!) with his son Dickinson, accompanied by the Sheriff of Lancaster County, Penn., and by a Philadelphia officer named *Henry Kline*, went to Christiana to arrest certain slaves of his, who (as he had been privately informed by a wretch named Wm. M. Padgett) were living there. An attack was made upon the house, the slaveholder declaring (as was said) that he "would not leave the place alive without his slaves." "Then," replied one of them, "you will not leave here alive." Many shots were fired on both sides, and the slave-hunter, Edward Gorsuch, was killed.

At a subsequent trial, a number of persons (nearly forty) were committed to take their trial for "treason against the United States, by levying war against the same, in resisting by force of arms the execution of the Fugitive Slave Law." CASTNER HANWAY was of the number. After suffering imprisonment, and being subjected to great loss of time and heavy expenses, they were all discharged.

*Syracuse, October 1, 1851.* JERRY, claimed as the slave of John McReynolds, of Marion County, Missouri, was brought to trial before Commissioner J. F. Sabine. He was rescued by a large body of men from the officers who had him in custody, and was next heard of in Canada.

*James R. Lawrence*, a lawyer of Syracuse, acted as counsel for *James Lear*, attorney of McReynolds.

[N. B. Daniel Webster's prophecy (see page 9) was not fulfilled.]

*Columbia, Penn., (fall of 1851.)* Man named HENRY, arrested as the slave of Dr. Duvall, of Prince George's County, Maryland; taken to Harrisburg, before United States Commissioner M'Allister, and by him consigned to slavery.

JUDGE DENNING, of Illinois, discharged a negro brought before him as a fugitive slave, on the ground that the Fugitive Slave Law was unconstitutional.



*Two alleged slaves arrested at Columbia, Penn.,* on warrant of United States Commissioner M'Allister, — claimed as property of W. T. McDermott, of Baltimore. One was carried into slavery; one escaped. (November, 1851.)

*Near New Philadelphia, Maryland,* a woman, married to a free colored man, with whom she had lived ten years, was arrested as the slave of a Mr. Shreve, of Louisville, Ky. She was taken back to Kentucky.

RACHEL PARKER, free colored girl, kidnapped from house of Joseph S. Miller, West Nottingham, Penn., by the "notorious Elkton Kidnapper, McCreary," Dec. 31, 1851. Mr. Miller tracked the kidnappers to Baltimore, and tried to recover the girl, but in vain. On his way home, he was induced to leave the cars, and was undoubtedly murdered — it was supposed, in revenge for the death of Gorsuch, at Christiana. Mr. Miller's body was found suspended from a tree. A suit was brought in the Circuit Court of Baltimore County, for the freedom of Rachel Parker, Jan., 1853. Over sixty witnesses, from Pennsylvania, attended to testify to her being free-born, and that she was not the person she was claimed to be; although, in great bodily terror, she had, after her capture, confessed herself the alleged slave! So complete and strong was the evidence in her favor, that, after an eight days' trial, the claimants abandoned the case, and a verdict was rendered for the freedom of Rachel, and also of her sister, Elizabeth Parker, who had been previously kidnapped, and conveyed to New Orleans.

☞ McCreary was demanded by Gov. Bigler, of Pennsylvania, to be delivered up for trial on a charge of kidnapping; but Gov. Lowe, of Maryland, refused to surrender him. See *National Anti-Slavery Standard*, July 2, 1853.

JAMES TASKER, *New York City*, (Feb., 1852,) arrested through the treachery of Police Officer Martin, and brought before United States Commissioner George W. Morton, as the slave of Jonathan Pinckney, of Maryland. He was given up, and taken back to slavery.

HORACE PRESTON, arrested in *Williamsburg, New York*, as the slave of William Reese, of Baltimore, Maryland — Rich-

ard Busted, of New York, being attorney for the slaveholder. He was brought before United States Commissioner Morton, 1st April, 1852; for several days previous, he had been kept a prisoner, and his wife knew not what had become of him. He was given up by the Commissioner, and was carried into slavery. The same policeman, Martin, who acted in the case of James Tasker, was active also in this case; being, doubtless, the original informant.

Preston was afterwards bought for about \$1,200, and brought back.

*Columbia, Penn.*, (end of March, 1852;) a colored man, named WILLIAM SMITH, was arrested as a fugitive slave in the lumber yard of Mr. Gottlieb, by Deputy Marshal Snyder, of Harrisburg, and Police Officer Ridgeley, of Baltimore, under a warrant from Commissioner M'Allister. Smith endeavored to escape, when Ridgeley drew a pistol, and shot him dead! Ridgeley was demanded by the Governor of Pennsylvania, of the Governor of Maryland, and the demand was referred to the Maryland Legislature.

Hon. J. R. Giddings proposed the erection of a monument to Smith.

JAMES PHILLIPS, who had resided in *Harrisburg, Penn.*, for fourteen years, was arrested May 24, 1852, as the former slave of Dennis Hudson, of Culpepper County, Virginia, afterwards bought by Henry T. Fant, of Fauquier County. He was brought before United States Commissioner M'Allister. Judge MeKinney volunteered his services to defend the alleged fugitive. The Commissioner, as soon as possible, ordered the man to be delivered up; and, after fourteen years' liberty, he was taken back to slavery, in Virginia. Afterwards, bought for \$900, and taken back to Harrisburg.

*Wilkesbarre, Penn.*, (summer of 1852.) Mr. Harvey arrested and fined, for shielding a slave.

*Sacramento, California*; a man named Lathrop claimed another as his slave, and Judge Fry decided that the claim was good, and ordered the slave to be surrendered. Mr. Lathrop left, with his slave, for the Atlantic States.

A beautiful young woman, nearly white, was pursued by her owner [and father] to New York, (end of June, 1852.)

There a large reward was offered to a police officer to discover her place of residence. It was discovered, and measures taken for her apprehension; but the alarm had been taken, and she escaped.

*Sacramento, California*; three men were seized by a Mr. Perkins, of Mississippi. The Court decided them to be his property, and they were carried back to Mississippi.—*Standard*, July 29, 1852.

*Petersburg, Penn.* Two fugitives from Alabama slavery were overtaken, and taken back, September, 1852.

JOHN HENRY WILSON, a lad of fourteen years, kidnapped from Danville, Penn., and taken to Baltimore, where he was offered for sale to John N. Deming. Kidnappers committed to jail, October, 1852.

[☞ DANIEL WEBSTER, the endorser of the Fugitive Slave Law, died at Marshfield, Mass., October 24th, 1852, in the very height of the Law's triumphant operation.]

LOUISA, a colored woman, claimed by Mrs. Reese, of San Francisco, Cal., was seized by five armed men, and put on board Steamer Golden Gate, and carried, it is not known whither. The aid of the Law was not invoked. The *California Christian Advocate*, from which the above is taken, says:—"Two colored men, stewards on the Golden Gate, were sent back to the States on the last trip, under the State Fugitive Law."

*A mulatto woman, in San Francisco*, was ordered to be delivered to her claimant, T. T. Smith, Jackson County, Mo., by "Justice Shepherd."—*San Francisco Herald*—in *Standard*, November 4, 1852.

*Sandusky, Ohio.* Two men, two women, and several children were arrested, and taken from a steamboat just about to leave for Detroit. Taken before Mayor Follett, by a man who claimed to be their owner. R. R. Sloane, Esq., was employed as counsel for the slaves. No one claiming custody of the slaves, or producing any writs or warrants, Mr. Sloane signified to the crowd present that there appeared to be no cause for the detention of the persons. Immediately a rush

was made for the door. A man, who before had been silent, exclaimed:—"Here are the papers—I own the slaves—I'll hold you individually responsible for their escape." The slaves escaped into Canada, October, 1852. Mr. Sloane was afterwards prosecuted for the value of the slaves, and judgment given against him, to the amount of \$3,950.

"*Thirty slaves*," says the Maysville (Ky.) *Eagle*, "escaped from Mason and Bracken Counties, a short time ago. Some of them were captured in Ohio, by their owners, at a distance of about forty miles from the river." "They brought the captured slaves home without encountering the least obstacle, or even an unkind word."—*Standard*, November 4, 1852.

**THE LEMMON SLAVES.** At New York, eight persons, claimed by Jonathan Lemmon, of Norfolk, Va., as his slaves, were brought before Judge Paine, November, 1852. It appeared that they had been brought to New York by their owner, with a view of taking them to Texas, as his slaves. Mr. Louis Napoleon, a respectable colored man, of New York, procured a writ of *habeas corpus*, under which they were brought before the Court. Their liberation was called for, under the State law, not being fugitives, but brought into a free State by their owner. Said owner appeared, with Henry D. Lapaugh as his counsel, aided by Mr. Clinton. At their urgent request, the case was postponed from time to time, when Judge Paine decreed the freedom of the slaves. E. D. Culver and John Jay, Esqs., were counsel for the slaves. The merchants and others of New York subscribed and paid Mr. Lemmon the sum of \$5,280, for loss of his slaves. The *New York Journal of Commerce* was very active in raising this money. The same men were invited to contribute something for the destitute men, women and children claimed by Lemmon. The whole amount given by them all was two dollars. About one thousand dollars were raised for them among the better disposed, but less wealthy class. In October, 1857, the case being still before the Supreme Court of New York, John Jay, Esq., moved the Court that the case be dismissed, inasmuch as the plaintiffs, the Lemmons, really had no interest at stake, they having been fully remunerated for the loss of their slaves, by a public subscription. The Court gave a decision, affirming the original decision of Judge Paine, which declared the slaves free. See *Standard*, December 12, 1857.



THOMAS BROWN, *alias* GEORGE BORDLEY, *Philadelphia*, November, 1852, was claimed by one Andrew Pearce, Cecil County, Md. Given up to claimant by Commissioner Ingraham. The arrest of the man was made by the notorious kidnapper, George F. Alberti. Mr. Pettit, counsel for the claimant.

RICHARD NEAL, free colored man, kidnapped in Philadelphia, and carried from the city in a carriage, towards Maryland. A writ of *habeas corpus* was obtained, the kidnappers were overtaken, and Neal brought back, after resistance and various hindrances. The Supreme Court of Pennsylvania discharged him. February, 1853.

*Ten slaves*, arrested in Indiana, and taken back to Tennessee, by W. Carney and others. Resistance was made, and W. Carney "was very badly injured during the fracas." — *Nashville Whig*, March 5, 1853.

*Alton, Illinois*. A man claimed to belong to Walter Carrico, of Warren County, Mo., was arrested by police officers from St. Louis. After being lodged in jail in St. Louis, he made his escape, and again went into Illinois. He was pursued, found, and taken back to St. Louis. — *St. Louis Republican*, March, 1853.

AMANDA, a slave girl, was brought to St. Louis, from near Memphis, Tenn., a year before, by a son of her master, and by him set free, without his father's consent. After the father's death, an attempt was made to seize Amanda, and take her back to Tennessee, without trial. This was prevented by officers, the girl taken from the steamboat *Cornelia*, and brought before Levi Davis, United States Commissioner. He decided in favor of the claimants, (the heirs of the estate, of course.) — *St. Louis Republican*, March 17, 1853.

JANE TRAINER, a colored child, about ten years old, in the possession of Mrs. Rose Cooper, *alias* Porter, (a woman admitted by her counsel to be a common prostitute,) was brought before Judge Duer, of New York City, by a writ of *habeas corpus*, which had been applied for by Charles Trainer, the father of the child, (a free colored man, who had followed the parties from Mobile to New York,) and who desired that the custody of his daughter's person should be granted to him.

[June, 1853, and previous.] Judge Duer decided that it was not within his jurisdiction to determine to whom the custody of the child belonged; the Supreme Court of New York must decide that. Judge D. proposed to both parties that the child should be put into his hands, and he would provide a proper person for her care and education, but the woman (Porter) would not consent to this. She evidently designed to train up the child for a life of shame, and perhaps of slavery also. The case was brought by a writ of *habeas corpus* before Judge Barculo, of the Supreme Court, sitting at Brooklyn. The effort to serve the writ was at first defeated by the notorious New York bully, Captain Isaiah Rynders, acting, it was said, under the advice of James T. Brady, counsel for Mrs. Porter. For this interference with the law, Rynders and some others were arrested and taken before Judge Barculo, who let them off on their making an apology! The second attempt to serve the writ on the child was more successful. After hearing counsel, Judge Barculo adjudged "that the said Charles Trainer is entitled to the care and custody of said Jane Trainer, and directing her to be delivered to him as her father," &c. In giving his decision, Judge B. said:—"It is not to be assumed that a child under fourteen years of age is possessed of sufficient discretion to choose her own guardian; a house of ill-fame is not a suitable place, nor one of its inmates a proper person, for the education of such a child." Jane Trainer's mother was afterwards bought from slavery in Mobile, Ala., and enabled to join her husband and child.

In 1854, Charles Trainer obtained a verdict in King's County Court, N. Y., for \$775 damages, against Rose Cooper.

[N. B. Though not strictly a case under the Fugitive Slave Law, this is very properly inserted here, as the whole spirit of the woman, of her counsel, and of the means he took to accomplish his base designs, was clearly instigated by that Law, and by the malignant influences it brought into action against the colored people, both slave and free.]

*Two slaves* of Sylvester Singleton, living near Burlington, (Ky.?) escaped and reached Columbus, Ohio; were there overtaken by their master, who secured them, and took them back with him. — *Cincinnati Enquirer*.

BASIL WHITE, Philadelphia, was summarily surrendered into slavery in Maryland, by United States Commissioner Ingraham, June 1, 1853. He was betrayed into the clutches of the kidnapper Alberti by a colored man named John Dorsey.

JOHN FREEMAN, a free colored man, seized in Indianapolis, and claimed as the slave of Pleasant Ellington, a Methodist church-member, (summer, 1853,) of Missouri. Freeman pledged himself to prove that he was not the person he was alleged to be. The United States Marshal consented to his having time for this, provided he would go to jail, and pay *three dollars a day* for a guard to keep him secure! Bonds to any amount, to secure the Marshal against loss, if Freeman could go at large, were rejected. Freeman's counsel went to Georgia, and "after many days, returned with a venerable and highly respectable gentleman from Georgia, Mr. Patillo, (postmaster of the place where he resides,) who voluntarily made the long journey for the sole purpose of testifying to his knowledge of Freeman, and that he was well known to be free!" But Freeman was still kept in jail. After several days, Ellington brought witnesses to prove F. to be his slave. The witnesses and Liston, (counsel for Ellington,) wished to have Freeman strip himself, to be examined naked. By advice of his counsel, he refused. The Marshal took him to his cell, and compelled him to strip. The witnesses then swore that he was Ellington's property. Freeman's counsel produced further evidence that he had been known as a free man *twenty* years. Ellington claimed that he had escaped from him *sixteen* years before. The man who did escape from Ellington, just sixteen years before, was discovered to be living near Malden, Canada. Two of the Kentucky witnesses visited and recognized him. Freeman was then released, but with a large debt upon him, \$1,200, which had grown up by the unusually heavy expenses of his defence and long imprisonment. Freeman brought a suit against Ellington for false imprisonment, laying damages at \$10,000. A verdict for \$2,000 was given in his favor, which was agreed to by Ellington's counsel. — *Indiana Free Democrat*, May, 1854.

*Three slaves*, two men and a girl, fled from near Maysville, Ky., into Ohio. Were pursued by their owners and assis-

tants, five men armed, and were overtaken, says the *Maysville Weekly Express*, "at the bridge over Rattlesnake Creek, on the Petersburg and Greenfield road, about ten o'clock at night," the slaves being armed, and accompanied by a white man. Both parties fired, the negro girl was wounded, but still fled; one of the negro men was also wounded, "and," says the *Maysville paper*, they "were tracked a mile and a half by the blood." The other slave was secured and taken back to Kentucky, "much bruised and cut in the affray." "The white man," says the same paper, "was also caught and beaten in a very severe manner with a club, and strong hopes are entertained that he will die."— *Wilmington (Ohio) Republican*, July 22, 1853.

A colored girl, between four and five years old, suddenly disappeared from Providence, R. I., July 13, 1853; at the same time, a mulatto woman, who had been heard to make inquiries about the child, was missing also. Believed to be a case of kidnapping.

A negro boy, says the *Memphis Inquirer*, "left his owner in this city," and went on board the steamboat *Aurilla Wood*, bound for Cincinnati. By a telegraphic message he was intercepted, taken from the boat at Cairo, Ill., and taken back to Memphis. (Summer, 1853.)

GEORGE WASHINGTON McQUERRY, *Cincinnati, Ohio*. A colored man, who had resided three or four years in Ohio, and married a free woman, by whom he had three children, was remanded to slavery by Judge John McLean, (August, 1853.) The man was taken by the United States Marshal, with a posse, across the river to Covington, Ky., and there delivered to his master! Judge McLean, in his decision, pronounced the Fugitive Slave Law to be constitutional.

Two men kidnapped from Chicago, and taken to St. Louis. See *Chicago Tribune*, quoted in *Standard*, August 27, 1853.

Three slaves taken by *habeas corpus* from steamboat *Tropic*, and brought before Judge Flinn, at Cincinnati, August, 1853. The woman Hannah expressed a wish to return to her master in the boat. Judge Flinn ordered her into the custody of the claimants, without investigation. Judge F. asked Hannah if she had the custody of the child Susan, to which she an-



swered that she had. Whereupon the Judge also ordered her back into the custody of the claimants, without examination. Mr. Jolliffe protested against ordering the child back without examination. The Court said it would take the responsibility. The examination then proceeded in the case of the man Edward. It appeared that they were purchased in Virginia, to be conveyed to Mississippi. The boat stopped at Cincinnati, and the slaves were twice taken by the agent of the owners on shore, and upon the territory of Ohio. Mr. Jolliffe commenced his argument at 7, P. M., and argued that the slaves, being brought by their owners upon free territory, were legally free. Mr. J., before finishing, was taken ill, and obliged to leave the court-room; he first begged the Court to adjourn until morning, which was refused by Judge Flinn. Judge Keys said the Ohio river was a highway for all States bordering on it, whose citizens had a right also to use the adjacent shores for purposes necessary to navigation. Mr. Zinn stated that Mr. Jolliffe had been obliged to retire, in consequence of illness, and had requested him to urge the Court to continue the case. Judge Flinn said—"The case will be decided to-night; that is decided on. We have not been sitting here four or five hours to determine whether we will decide the case or not. It will be decided, and you may come up to it sideways or square, or any way you please; you must come to it." Mr. Zinn said he was not going to argue. He had made the request out of courtesy to a professional brother. He doubted the power of the Court to deliver the boy into slavery. Judge Flinn said—"I do not wish to hear any arguments of that nature." The man was then ordered to be taken by the Sheriff, and delivered to claimant on board the boat—which was done.—*Cincinnati Gazette*, 27th August, 1853.

PATRICK SNEED, a colored waiter in the Cataract House, Niagara Falls, arrested on the pretended charge of murder committed in Savannah, Georgia. He was brought, by *habeas corpus*, before Judge Sheldon, at Buffalo, (September, 1853,) and by him ordered to be "fully discharged."

BILL, [or WILLIAM THOMAS,] a colored waiter at the Phoenix Hotel, Wilkesbarre, Penn., described as a "tall, noble-looking, intelligent, and active mulatto, nearly white," was

attacked by "Deputy Marshal Wynkoop," Sept. 3, 1853, and four other persons, (three of them from Virginia.) These men came "suddenly, from behind, knocked him down with a mace, and partially shackled him." He struggled hard against the five, shook them off, and with the handcuff, which had been secured to his right wrist only, "inflicted some hard wounds on the countenances" of his assailants. Covered with blood, he broke from them, rushed from the house, and plunged in the river close by, exclaiming, "I will be drowned rather than taken alive." He was pursued, fired upon repeatedly, ordered to come out of the water, where he stood immersed to his neck, or "they would blow his brains out." He replied, "I will die first." They then deliberately fired at him four or five different times, the last ball supposed to have struck on his head, for his face was instantly covered with blood, and he sprang up and shrieked. The bystanders began to cry shame, and the kidnappers retired a short distance for consultation. Bill came out of the water and lay down on the shore. His pursuers, supposing him dying, said, "Dead niggers are not worth taking South." Some one brought and put on him a pair of pantaloons. He was helped to his feet by a colored man named Rex; on seeing which, Wynkoop and party headed him and presented their revolvers, when Bill again ran into the river, "where he remained upwards of an hour, nothing but his head above water, covered with blood, and in full view of hundreds who lined the banks." His claimants dared not follow him into the water, for, as he said afterward, "he would have died contented, could he have carried two or three of them down with him." Preparations [rather slow, it would appear!] were made to arrest the murderous gang, but they had departed from the place. Bill then waded some distance up the stream, and "was found by some women flat on his face in a corn-field. They carried him to a place of safety, dressed his wounds," and the suffering man was seen no more in Wilkesbarre.—*Correspondence of New York Tribune.*

Wynkoop and another were afterwards arrested in Philadelphia, on a charge of riot, the warrant issuing from a State magistrate of Wilkesbarre, on the complaint of William C. Gildersleeve, of that place. Mr. Jackson, the constable who held them in custody, was brought before Judge Grier, of the

United States Supreme Court, by *habeas corpus*. Judge Grier, during the examination, said:—

“I will not have the officers of the United States harassed at every step in the performance of their duties by every petty magistrate who chooses to harass them, or by any unprincipled interloper who chooses to make complaints against them—for I know something of the man who makes this complaint.” “If this man Gildersleeve fails to make out the facts set forth in the warrant of arrest, I will request the Prosecuting Attorney of Luzerne County to prosecute him for perjury. \* \* \* If any tuppenny magistrate, or any unprincipled interloper can come in, and cause to be arrested the officers of the United States, whenever they please, it is a sad affair. \* \* \* If *habeas corpuses* are to be taken out after that manner, I will have an indictment sent to the United States Grand Jury against the person who applies for the writ, or assists in getting it, the lawyer who defends it, and the sheriff who serves the writ. \* \* \* I will see that my officers are protected.”

On a subsequent day, Judge Grier gave an elaborate opinion, reciting the facts in the case, *as stated by the prisoners*, and ordering them to be *discharged!* He said:—

“We are unable to perceive, in this transaction, any thing worthy of blame in the conduct of these officers, in their unsuccessful endeavors to fulfil a most dangerous and disgusting duty; except, perhaps, a want of sufficient courage and perseverance in the attempt to execute the writ”!

Wynkoop and the other were discharged by Judge Kane, on the ground that they did only what their duty, under the Law, required. (May, 1854.)

*A family of colored persons*, at Uniontown, Pa., were claimed as slaves by a man in Virginia. They admitted that they had been his slaves, but declared that they had come into Pennsylvania with their master's consent and knowledge, on a visit to some friends in Fayette County, and were not, therefore, *fugitives*. This was overruled, and the negroes were sent back by a United States Commissioner, name not given. (September, 1853.)—*Pittsburg Saturday Visiter*.

A *desperate fight* between a party of four fugitives and about double the number of whites, took place in Carroll County, Maryland. Four white men shot—none dangerously. Two of the slaves wounded, one severely. They were captured. (October, 1853.)—*Westminster (Md.) Democrat*.

*Washington, Indiana.* In April, 1853, GEORGE, a negro man, was arrested and claimed by a Mr. Rice, of Kentucky, as his slave. Judge Clemens ordered his surrender to Rice, who took him to Louisville, and there sold him to a slave-trader, who took him to Memphis, Tenn. Here a man from Mississippi claimed that George was *his* slave, obtained a writ of replevin, and took possession of him.

JOSHUA GLOVER, colored man, claimed as the slave of B. S. Garland, of St. Louis County, Missouri, was arrested near Racine, Wisconsin, about the 10th of March, 1854. Arrest made by five men, who burst suddenly into his shanty, put a pistol to his head, felled him to the ground, handcuffed him, and took him in a wagon to Milwaukee jail, a distance of twenty-five miles. They swore that if he shouted or made the least noise, they would kill him instantly. When visited, says the Milwaukee *Sentinel*, "We found him in his cell. He was cut in two places on the head; the front of his shirt and vest were soaking and stiff with his own blood." A writ of *habeas corpus* was immediately issued; also a warrant for the arrest of the five men who assaulted and beat him in his shanty. Thousands of people collected around the jail and Court House, "the excitement being intense." A vigilance committee of twenty-five persons was appointed to watch the jail at night, and see that Glover was not secretly taken away. The next day, at about five o'clock, P. M., a considerable accession of persons being made to the crowd, and it appearing that every attempt to save Glover by the laws of Wisconsin had been overruled by United States Judge Miller, a demand was made for the man. This being refused, an attack was made upon the door with axes, planks, &c. It was broken in, the inner door and wall broken through, and Glover taken from his keepers, brought out, placed in a wagon, and driven off at great speed.

S. M. Booth, editor of the *Milwaukee Free Democrat*, Charles Clement, of the *Racine Advocate*, W. H. Waterman,




and George S. Wright, were arrested for aiding and abetting the rescue of Glover. Booth was subsequently discharged by the Supreme Court of Wisconsin, on the ground that the Fugitive Slave Law is unconstitutional. He was, however, re-arrested, and held to answer in the United States Court, on the same charge; the offered bail was refused, and he was lodged in jail. The case was subsequently tried before the District Court of the United States, at Milwaukee, on the question as to the right of a State judiciary to release prisoners, under a writ of *habeas corpus*, who may be in the lawful custody of United States officers; and also to determine the constitutionality of the Fugitive Slave Law. (*Washington Star*, September 20, 1854.) The Attorney General, Caleb Cushing, made himself very active in pushing forward this case. Mr. Booth, early in 1855, was fined one thousand dollars and sentenced to one month's imprisonment. John Rycraft, for same offence, was sentenced in a fine of two hundred dollars and imprisonment for ten days. All for acts such as Christianity and Humanity enjoin. On a writ of *habeas corpus*, Messrs. Booth and Rycraft were taken before the Wisconsin Supreme Court, sitting at Madison, and discharged from imprisonment. This, however, did not relieve them from the fines imposed by the United States Court. The owner of the slave brought a civil suit against Mr. Booth, claiming \$1,000 damages for the loss of his slave. Judge Miller decided, July, 1855, that the \$1,000 must be paid.

EDWARD DAVIS, *March*, 1854. As the steamboat Keystone State, Captain Hardie, from Savannah, was entering Delaware Bay, bound to Philadelphia, the men engaged in heaving the lead heard a voice from under the guards of the boat, calling for help. A rope was thrown, and a man caught it and was drawn into the boat in a greatly exhausted state. He had remained in that place from the time of leaving Savannah, the water frequently sweeping over him. Some bread in his pocket was saturated with salt water and dissolved to a pulp. The captain ordered the vessel to be put in to Newcastle, Delaware, where the fugitive, hardly able to stand, was taken on shore and put in jail, to await the orders of his owners, in Savannah. Davis claimed to be a free



man, and a native of Philadelphia, and described many localities there. Before Judge Bradford, at Newcastle, Davis's freedom was fully proved, and he was discharged. He was again arrested and placed in jail, on the oath of Capt. Hardie that he believed him to be a fugitive slave and a fugitive from justice. After some weeks' delay, he was brought to trial before United States Commissioner Samuel Guthrie, who ordered him to be delivered up to his claimant, on the ground that he was legally a slave, though free-born. It appeared in evidence that Davis had formerly gone from Pennsylvania to reside in Maryland, contrary to the laws of that State, which forbid free colored persons from other States to come there to reside; and being unable to pay the fine imposed for this offence (!) by the Orphan's (!) Court of Hartford County, was committed to jail and sold as a slave for life, by Robert McGaw, Sheriff of the County, to Dr. John G. Archer, of Louisiana, from whom he was sold to B. M. Campbell, who sold him to William A. Dean, of Macon, Georgia, the present claimant. Thus a free-born citizen of Pennsylvania was consigned, *by law*, to slavery for life.

[ In May, 1854, the Kansas-Nebraska Bill was enacted, another triumph of Slavery, repealing the Missouri Compromise, and opening the whole vast Territory of the United States to slavery.]

ANTHONY BURNS, arrested in *Boston*, May 24, 1854, as the slave of Charles F. Suttle, of Alexandria, Virginia, who was present to claim him, accompanied by a witness from Richmond, Virginia, named William Brent. Burns was arrested on a warrant granted by United States Commissioner Edward Greeley Loring, taken to the Court House in Boston, ironed, and placed in an upper story room, under a strong guard. The hearing commenced the next morning before Mr. Loring, but was adjourned until Saturday, May 27th, to give the counsel for A. Burns time to examine the case. On Friday evening, (26th,) an attack was made upon the Court House by a body of men, with the evident design of rescuing Burns; a door was forced in, and one of the Marshal's special guard (named Batchelder) was killed; whether by the

assailants or by one of his own party is uncertain, it being quite dark. Upon the cry of Batchelder that he was killed, the attacking party retreated, and made no further attempt. The trial of the case proceeded on Saturday, again on Monday, Tuesday, and Wednesday, when the Commissioner said he would give his decision on Friday. During the trial, Burns was continually surrounded by a numerous body-guard, (said to be at least one hundred and twenty-five men,) taken chiefly from the vilest sinks of scoundrelism, corruption and crime in the city, and made Deputy Marshals for the occasion, by Watson Freeman, United States Marshal. These men, with every form of loathsome impurity and hardened villainy stamped upon their faces, sat constantly round the prisoner while in the court-room, the handles of pistols and revolvers visibly protruding from their breast pockets. A company of United States troops, from the Navy Yard, occupied the Court House, and guarded all avenues to the United States court-room. The testimony of numerous highly respectable witnesses was adduced to show that Anthony Burns was in Boston a month earlier than the time at which he was said to have left Richmond. R. H. Daña, Jr., and Charles M. Ellis, counsel for Burns, made very eloquent and able arguments in his behalf. Seth J. Thomas and Edward G. Parker were the counsel for Suttle, the case being constantly watched and aided by the United States District Attorney, Benjamin F. Hallett, who was in regular telegraphic communication with the President of the United States, (F. Pierce,) at Washington. An effort was made, and followed up with much perseverance, to buy Burns's freedom, Suttle having offered to sell him for \$1,200. The money was raised and tendered to Suttle, when difficulties were interposed, especially by Mr. Attorney Hallett, and the attempt failed. Suttle afterwards declared he would not sell Burns for any sum, but that he should go back to Virginia. On Friday morning, June 2d, Commissioner Loring gave his decision, overruling all the testimony in Burns's favor, using certain expressions which fell from Burns in the first heat and confusion of his arrest as testimony against him, and concluding with ordering him to be delivered up to the claimant. Some four hours were consumed in getting Court street, State street, &c., in a state of readiness for the removal of the prisoner.

A regiment of Massachusetts Infantry had been posted on Boston Common, under command of Col. Benjamin Franklin (!) Edmands, from an early hour of the day, in anticipation of the Commissioner's decision. These troops, which had been called out by the Mayor, Jerome V. C. Smith, were marched to the scene of the kidnapping, and so placed as to guard every street, lane, and other avenue leading to Court street, State street, &c., the route through which the slave procession was to pass. No individual was suffered to pass within these guards, and acts of violence were committed by them on several individuals. Court Square was occupied by two companies of United States troops, and a large field-piece was drawn into the centre. All preparations being made, Watson Freeman (United States Marshal) issued forth from the Court House with his prisoner, who walked with a firm step, surrounded by the body-guard of vile men before mentioned, with drawn United States sabres in their hands, and followed by United States troops with the aforesaid piece of artillery. Preceded by a company of Massachusetts mounted troops, under command of Col. Isaac H. Wright, this infamous procession took its way down Court street, State street, and Commerce street, (for the proprietors of Long Wharf refused to allow them to march upon their premises, though a public highway in all ordinary cases,) to the T Wharf, where the prisoner was taken on board a steam tow-boat, and conveyed down the harbor to the United States Revenue Cutter Morris, in which he was transported to Virginia.

It may not be amiss to have given, in a single instance, this somewhat detailed account of the process of seizing, trying, and delivering up a man into slavery, whose only crime was that he had fled from a bondage "one hour of which is fraught with more misery than ages of that which our fathers rose in rebellion to throw off," as Thomas Jefferson, the Virginia slaveholder, himself declared.

Anthony Burns, having been sold into North Carolina was afterwards purchased with money subscribed in Boston and vicinity for the purpose, and returned to Boston, *free*.

The *illegality* of the Mayor's conduct in ordering out the military, and giving to the Colonel of the regiment the entire control of the same, was fully shown by different and highly

competent writers, among whom was P. W. Chandler, Esq., whose two articles, in the *Boston Advertiser*, deserve to be remembered with respect. The Mayor's excuse was, that he desired to *keep the peace!* But these Massachusetts troops received pay for their day's work from the United States Government! Judge Hoar, in a charge to the Grand Jury, declared the act of the Mayor, in calling out the militia, to be an infraction of law. Men, assaulted and injured by the military force on that day, brought actions against the Mayor and the Colonel of the regiment, but obtained no redress.

STEPHEN PEMBROKE, and his two sons, *Robert* and *Jacob*, 19 and 17 years of age, were arrested in New York almost simultaneously with the seizure of Burns in Boston; claimed as the slaves of David Smith and Jacob H. Grove, of Sharpsburg, Washington County, Md. They escaped May 1st, and came to New York, followed closely by their masters, who discovered their retreat in Thompson street, and pounced upon them by night. At 8½ o'clock, next morning, they were taken before United States Commissioner G. W. Morton, "where the case came up for the most summary and hasty hearing that has ever characterized our judicial proceedings." Dunning and Smith were counsel for the masters, but the fugitives had no counsel; and the hearing was finished, and a warrant granted to the slave claimants, before the matter became known in the city. When Mr. Jay and Mr. Culver hastened to the court-room to offer their services to the prisoners, as counsel, they were assured by officers, *and by Commissioner Morton himself*, that the men wanted no counsel, and were not in the building. On search, however, it was found they were in the building, locked up in a room. They said they desired counsel, and the aid of friends. A writ of *habeas corpus* was obtained, but before it could be served, the three men had been removed from the State, and were on their way to Baltimore. [See the published card of E. D. CULVER, Esq.] Stephen Pembroke was the brother, and his sons the nephews, of Rev. Dr. Pennington, of New York city, Pastor of a Presbyterian (colored) Church. Stephen Pembroke was purchased and brought back to New York, (\$1,000 having been contributed for that purpose,) and related his experience of the slave's life at a public meeting, held in the



Broadway Tabernacle, July 17, 1854. His sons had been sold, and remained in slavery.

*Akron, Ohio.* On Thursday of last week, says the Salem (Ohio) *Bugle*, a bold and outrageous attempt was made to kidnap a colored citizen of Akron. The kidnappers had been prowling about Cleveland for a week previous, but the colored people and their friends were on their guard, and they met with no success there. They next made a descent upon Akron, and visited a colored barber, named James Worthington, pretending a wish to buy his house. On a subsequent day, at 6 o'clock, A. M., they went to Worthington's house, and arrested him on a charge of *counterfeiting*, and took him to the railroad depot. W. begged his friends to get him counsel; the alarm was given, and an immense crowd assembled. A paper, which the kidnappers produced as a writ, was examined, and found to be totally worthless. The excited crowd refused to let the man be taken away; and the scoundrels were suffered to go away, alone. One of them was said to be from Louisville, Ky.; another, a United States officer, from Cleveland.—*Bugle*, May 27, 1854.

*Near Cedarville, Ohio, May 25, 1854*, about noon, "a colored man, of middle age and respectable appearance, was walking on the Columbus and Xenia turnpike. He was alone. A man in a buggy overtook him, and invited him to ride, saying he was a friend to the colored man, and promising to assist him in obtaining his liberty." He took the colored man to the house of one Chapman, "three miles south of Selma, in Greene County." There Chapman and the other, (whose name was William McCord,) fell upon the colored man, struck him with a *colt* upon the head, so that he bled severely, and bound his hands behind him. "Soon after the negro got loose, and ran down the road; McCord ran after him, crying:—'Catch the d—d horse thief,' &c., Chapman and his son following; negro picked up a stone, the man a club, and struck him on the head, so that he did not throw the stone. He was then tied, and helped by McCord and Chapman to walk to the buggy. McCord asked Chapman, the son, to accompany him to Cincinnati with the colored man, promising to give him half the reward (\$200) if he would. They then started, driving very fast." "We had not gone over two or



three miles," said Chapman, "before the negro died, and after taking him two or three miles further, put him out, and left him as now discovered:"—viz., in a thick wood, one mile south of Clifton. The above facts are taken from the testimony given at the coroner's inquest over the body. The jury gave in substance the following verdict:—"Deceased came to his death by blows from a colt and club in the hands of one William McCord, assisted by the two Chapmans." Chapman, the son, said that McCord made him a proposition to join and follow kidnapping for a business, stating that he knew where he could get four victims immediately. McCord was taken and lodged in Xenia jail. The Chapmans bound over to take their trial for kidnapping. — *Wilmington (Ohio) Herald of Freedom.*

JAMES COTES, free man of color, residing in Gibson County, Indiana, went to Jeffersonville, (Ind.) to take the cars for Indianapolis. On going to the depot at 6, A. M., for the morning train, he was knocked down, "beat over the head with a brick-bat, and cut with a bowie-knife, until subdued. He was then tied, and in open daylight, in full view of our populace, borne off, bleeding like a hog." He was undoubtedly taken to the jail in Louisville. On crossing the river to Louisville, he met the captain of a steamboat, who knew him to be a free man. (About June 1, 1854.) The kidnapper was arrested and held to bail, in the sum of \$1,000, to take his trial at next Circuit Court.

*Columbus, Indiana.* A Kentuckian endeavored to entice a little negro boy to go with him, and both were waiting to take the cars, when mischief was suspected, and a crowd of people proceeded to the depot, and made the kidnapper release his intended victim. *June, 1854. — Indiana Free Democrat.*

— BROWN, a resident of Henderson, Ky., was arrested for aiding four female slaves to escape from Union County, Ky., to Canada. United States Marshal Ward and Sheriff Gavitt, of Indiana, made the arrest. He was lodged in Henderson jail. — *Evansville (Ind.) Journal, June 2, 1854.*

Several Kentucky planters, among them Archibald Dixon, raised \$500, in order to secure Brown's conviction and sentence to penitentiary.

*Nine slaves* left their masters in Burlington, Boone County, Ky., on Sunday, June 11, 1854, having three horses with them. Arrived at the river, they turned the horses back, and taking a skiff, crossed at midnight to the Ohio shore. After travelling two or three miles, they hid during Monday in a clump of bushes. At night, they started northward again. A man, said to be a colored man, named John Gyser, met them, and promised to assist them. He took them to a stable, where they were to remain until night. He meanwhile went to Covington, Ky., learned that \$1,000 reward was offered for their apprehension, and gave information of their place of concealment. At evening, a strong band of Kentuckians, with United States Deputy Marshal George Thayer, assisted by three Cincinnati officers, surrounded the stable, and took the nine prisoners, on a warrant issued by United States Commissioner Pendery. They were all handcuffed and taken to Cincinnati. Their names are thus given in the *New York Tribune* of June 20, 1854:—Shadraek, aged 60 years, claimed by Jonas Crisler; Susan, his wife, 29 years of age, and two boys, Wesley and John, 9 and 7 years of age; Almeda, aged 26 years, and her child, Sarah Jane, aged 3 years; Lewis, aged 24 years, all of whom, except Shadraek, were claimed by William Walton; Lee, aged 21 years, husband of Almeda, claimed by John Gaines, as guardian of Elizabeth Ann and Jasper Blaekenbecker; Anderson, aged 22 years, claimed by John P. Scott. They were all given up to their claimants, and taken back to Kentucky.

*A New Orleans correspondent of the New York Tribune*, in a letter dated July 3, 1854, writes:—“During a recent trip up the river, I was on several steamers, and on every boat they had one or more runaway slaves, who had been caught, and were being taken in *irons* to their *masters*.”

*On the steamer Alvin Adams*, at Madison, Ind., a man was arrested as a fugitive, and taken to Louisville, Ky. He was claimed as the slave of John H. Page, of Bowling Green. The *Louisville Journal*, edited by a Northern man, stigmatized him as a “rascal,” for his attempt to be free. (July, 1854.)

*Two colored men*, on their way to Chicago, were seized and taken from the cars at Lasalle, Ill., by three men, who said they were not officers. The colored men were known to be

free; one was "a respectable resident of Chicago." Some of the passengers interfered; but it being night, and very dark, and the cars starting on, the colored men were left in the hands of their kidnappers.

*Chicago, Illinois.* Three men from Missouri, with a warrant from the Governor of that State, to take a certain fugitive slave, seized a man whom they met in the street, bound him with a handkerchief, and to quicken his steps, beat him with the butt of a pistol. He succeeded in shaking off his captors and fled, a pistol bullet being sent after him, which did not hit him. He made good his escape. The men were arrested and held to trial, for assault with deadly weapons. By an extraordinary conspiracy on the part of District Attorney Hoyne, Sheriff Bradley, and others, these men were taken from jail to be carried to Springfield, Ill., two hundred miles distant, to appear before Chief Justice Treat, that he might inquire "whether said alleged kidnappers were justly held to bail and imprisoned." It was so suddenly done, that the counsel for the kidnapped man and for the State of Illinois had not time to reach Springfield before the men were discharged, and on their way to Missouri! The Grand Jury of the County (in which Chicago is) had found a true bill against them, of which the Sheriff professed to be ignorant, (which was deemed hardly possible,) — under which bill they would probably have been convicted, and sentenced to the State Prison. Thus the omnipotent Slave Power reaches forth its hand into our most Northern cities, and saves its minions from the punishment which their lawless acts have justly merited. — *Chicago Daily Tribune*, September 21, 1854.

☞ The three kidnappers published a statement in the *St. Louis Republican* of September 26.

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☞ The case of SOLOMON NORTHUP, though not under the Fugitive Law, is so striking an illustration of the power which created that Law, and of the constant danger which impends over every colored citizen of the Northern States, fast threatening to include white citizens also, that it must not be passed over without mention. He was kidnapped in 1841, from the State of New York, and kept in slavery twelve years. Two men, named Merrill and Russell, were arrested and tried as his kidnappers, and the fact fully proven. But the case was got into the United States Courts, and the criminals went unpunished.

HENRY MASSEY, at Philadelphia, September, 1854, was brought before United States Commissioner, E. D. Ingraham, claimed by Franklin Bright, of Queen Anne's County, Md., as his slave. Arrested in Harrisburg.

HARVEY, arrested near Cumminsville, Ohio, — escaped, — taken again in Goshen, about ten miles from Cincinnati, and lodged in the jail of that city. An investigation of the case was had before United States Commissioner Pendery, and the slave remanded to the custody of his master. — *Cincinnati Commercial*, September 22, 1854.

*Byberry, Pennsylvania, September 18, 1854.* A carriage load of suspicious looking men came to this place in the afternoon. They waited until nightfall, when they burst into the house of a colored family, "seized the man in presence of his wife and another woman, threatening to shoot them if they interfered, — dragged him out, beating him over the head with a mace. The poor fellow continued to scream for help, until his voice was stifled by his groans; they forced him into their carriage and drove off, before any effectual assistance could be offered." He was a sober and industrious man, and much respected. His wife was left heart-broken, with one child. — *Norristown (Penn.) Olive Branch*.

*The Frankfort (Ky.) Yeoman*, of November 18, 1854, said: — "Kidnapping free negroes in Ohio, and deluding our slaves from their masters, to re-capture and sell them, is an established profession of a gang located upon the borders of the Ohio river, combining with negro-traders in the interior of this State." The names of some employed in this business are given, two of whom, having been arrested and imprisoned, threatened to burn the city of Frankfort for interrupting their business.

JANE MOORE, a free colored woman, at Cincinnati, November, 1854, seized in the house of her sister, (Sycamore street,) beaten, and with the help of a deputy marshal from Covington, Ky., carried over to Covington, and lodged in jail, on pretence of her being a fugitive slave. She was taken before the Mayor of Covington, "who heard the case with impartiality." Her freedom was established, and she released.



*At Indianapolis, Indiana, December, 1854,* Benjamin B. Waterhouse was indicted for harboring fugitive slaves, contrary to the provisions of the Fugitive Law. He was found guilty, but the jury recommended him "to the favorable consideration of the Court, and stated that the evidence was barely sufficient to convict." He was fined fifty dollars and to be imprisoned one hour, and the government to pay the costs. — *Chicago Tribune.*

*A proposition for Kidnapping,* on a large scale, was made by John H. Pope, "police officer and constable," in a letter dated "Frederick, Md., United States of America, January 1, 1855," and addressed to Mr. Hays, Sheriff of Montreal, Canada. "Vast numbers of slaves," says Mr. Pope, "escaping from their masters or owners, succeed in reaching your Provinces, and are, therefore, without the pale of the 'Fugitive Slave Law,' and can only be restored by cunning, together with skill. Large rewards are offered, and will be paid for their return, and could I find an efficient person to act with me, a great deal of money could be made, as I would equally divide. \* \* \* The only apprehension we have in approaching too far into Canada is the fear of being arrested; and had I a good assistant in your city, who would induce the negroes to the frontier, I would be there to pay the cash. On your answer, I can furnish names and descriptions of negroes."

This letter was published, doubtless at the Montreal Sheriff's request, in the *Montreal Gazette*, January 13, 1855.

☞ The *Montreal Gazette*, of February 3, published a second letter from J. H. Pope.

*A warrant was issued in Boston, January 10, 1855,* by United States Commissioner Charles Levi Woodbury, for the arrest of JOHN JACKSON, as a fugitive from service and labor in Georgia. Mr. Jackson, who had been for some time in the city, was nowhere to be found.

ROSETTA ARMSTEAD, a colored girl, was taken by writ of *habeas corpus* before Judge Jamison, at Columbus, Ohio. Rosetta formerly belonged to Ex-President John Tyler, who gave her to his daughter, the wife of Rev. Henry M. Dennison, an Episcopal clergyman of Louisville, Ky. Mrs. D. having deceased, Rosetta was to be sent back to Virginia, in



care of an infant child, both being placed in charge of a Dr. Miller, a friend of Mr. Dennison. Passing through Ohio, the above writ was obtained, by some Ohio citizens, who were informed of the circumstances. Rosetta expressed her desire to remain in freedom in Ohio. The case was removed to Cincinnati, and was delayed until Mr. Dennison could arrive from Louisville. (*Ohio State Journal*, March 12, 1855.) The girl was set free; "but was again arrested by the United States Marshal, upon the same warrant which Judge Parker had declared illegal; thereupon another *habeas corpus* was issued, which the Marshal refused to obey, when he was fined \$50, and imprisoned for contempt." Even United States Commissioner Pendery, before whom the case was brought as that of a fugitive slave, pronounced the girl free, and she was placed in the care of a guardian. The United States Marshal being taken by *habeas corpus* before Judge McLean, of the United States Supreme Court, was set at liberty, Judge McL. alleging that the proceedings in the State Court were null and void! A correspondent of the *Ohio Columbian*, writing from Dark County, Ohio, April 8, 1855, says:—

"While the 'right' of Rosetta was undergoing the forms of trial, in the Cincinnati courts, there were ten of the human species passed near that city, on their road to Canada. They consisted of two women and their five children, and two young men, and one boy, of 12 or 14 years of age. The mothers and their children were bright mulattoes; one of the women was the daughter of a slaveholder, and so white was she, that any person, without a close inspection, would take her to be of pure Anglo-Saxon blood. On the question being asked what induced them to leave their Southern homes, they replied that their masters had a few months since sold to the South both their husbands, and as they had no friends or relatives left, they determined on the hazardous undertaking of escaping from a land of chains."

GEORGE CLARK, a colored boy, eighteen years of age, in Pennsylvania, was decoyed into the house of one Thompson, (February 23, 1855,) where he was seized by three men, one of whom was Solomon Snyders, a well-known ruffian and kidnapper in the neighborhood, who said to him, "Now, George, I am going to take you to your master." The screams of George fortunately brought deliverance to him. The three men were arrested, tried, and sentenced to imprisonment for kidnapping, by the Court of Dauphin County.—*Norristown (Penn.) Olive Branch*.

*The Norristown (Penn.) Olive Branch*, (in connection with the last-named case,) speaks of a case which had occurred a short time before, under the Fugitive Law, before United States Commissioner M'Allister, at Harrisburg, Penn., and which has not yet been mentioned in this record. A colored man and his wife, with their infant child, were taken, "one morning, very early," before Commissioner Richard M'Allister, and before any counsel could reach the spot, the case had been decided against the man and woman; but the babe, having been born in Pennsylvania, they did not "dare to send that" into slavery; "so the only alternative was to take it away from its mother," which was done, and that evening the man and woman were taken South. No time had been allowed to bring forward witnesses in their behalf, and there was only a single witness against them, and he a boy about seventeen years old, and a relative of the slave-claimant. The woman's sufferings, on account of the separation from her child, seemed greater than for her own fate. The article from the Norristown paper is in the *National Anti-Slavery Standard*, June 2, 1855.

GEORGE MITCHELL, a young colored man, at San Jose, California, arrested and taken before Justice Allen, April, 1855, "charged with owing service and labor to one Jesse C. Cooper, of Tennessee." Mitchell was brought into California by his then owner, in 1849, the year before the enactment of the Fugitive Slave Law. His arrest was made under a Fugitive Slave Law of California. By *habeas corpus* the case was carried before Judge C. P. Hester, of the District Court. Mitchell was discharged, on the ground (we believe) that the California Law was unconstitutional; also, that the proceedings were "absolutely void." On the 21st April (or May), "another attempt was made to reduce George to slavery, at San Francisco." He was brought before the United States District Court, Judge Hoffman presiding, claimed under the United States Fugitive Law as the property of the above-named Cooper. [The result of the trial not known.]—*San Jose Telegraph*.

At *Dayville, Connecticut*, June 13, 1855, an attempt was made to seize a fugitive slave; "but the citizens interfered, and the fugitive escaped." He was claimed by a resident of

Pomfret, who said he had bought him in Cuba.—*Hartford Religious Herald*.

At Burlington, Iowa, a colored man, called DICK, was arrested and taken before United States Commissioner Frazee. "Much excitement was caused." He was claimed as belonging to Thomas Ruthford, Clark County, Missouri. Dick was discharged as not being the man elaimed. (June, 1855.)

A white girl, fourteen years of age, daughter of Mr. Samuel Godshall, of Downingtown, Chester County, Penn., while walking upon the road, was seized by two men, a plaster put upon her mouth, and she taken in a close carriage in the direction of Maryland. After going twelve miles, they put her out of the carriage, "in a secluded and woody portion of the country, threatening to kill her if she made any alarm, when they drove away as fast as they could." Some colored people met her, got the plaster off her mouth, and aided her home. It was supposed the kidnappers mistook her for a mulatto girl, but discovering their blunder, dismissed her.—*Philadelphia Ledger*, July 9, 1855.

*The Norristown (Penn.) Herald* relates a case similar to the preceding. Benjamin Johnson, a white lad of fifteen, on his way from his father's, at Evansburg, to S. Jarrett's, near Jeffersonville, was invited to ride by a man in a carriage. The man took him by an unusual route; night coming on, the boy was alarmed, and attempted to escape, "when the villain caught him and drove off at full speed, and by threats and blows prevented him from making any alarm." He drove to a distance of fifteen miles beyond Jeffersonville, when the boy succeeded in making his escape. (July, 1855.)

JANE JOHNSON, and her two sons, (colored,) brought into Philadelphia (on their way to New York and thence to Nicaragua) by John H. Wheeler. Stopped to dine at Bloodgood's Hotel. Jane there made known her desire to be free. Information of the same was conveyed to Passmore Williamson, Secretary of the Pennsylvania Abolition Society, an old association, founded by Benjamin Franklin, Benjamin Rush, and others. Mr. Williamson went to the hotel, and

found that the party had gone to the steamboat, at the foot of Walnut street. He proceeded thither, found them, and told the mother that she and her sons had been legally made free by being brought by their master into a free State. After some delay, Jane rose to leave the boat. Wheeler endeavored to detain her. Williamson held Wheeler back, and the woman went on shore, a number of colored persons taking up the boys and carrying them from the boat. They were enabled to escape. (July 18, 1855.)

The celebrated case of *PASSMORE WILLIAMSON* followed, before Judge Kane, of the United States District Court. (See "Case of Passmore Williamson," reported in full, and published in Philadelphia, by Uriah Hunt & Son, 1856.) On the 27th July, Mr. Williamson was committed to Moyamensing Prison, by Judge Kane, "for a contempt of the Court in refusing to answer to the writ of *habeas corpus*,"—Mr. W. *having answered* that he had not, and never had had, the custody of the three alleged slaves, and therefore could not produce them in Court. Mr. Williamson was kept in prison until November 3d, when he was discharged by Judge Kane, the technical "contempt" having been removed.

Five colored men, who were charged with assisting Jane Johnson and children from the boat, were committed to prison, excessive bail being demanded (viz., \$6000 in one instance, \$7000 in two instances, and \$9000 in the other two) by Alderman James B. Freeman, who was afterwards prosecuted by the said five men for corrupt and malicious conduct in the case. See *Standard*, May 24, 1856.

*CELESTE*, a mulatto woman, claimed as a slave, before Judge Burgoyne, Cincinnati, Ohio. It appeared that she was brought to Cincinnati by her master, and she was set free.—*Cincinnati Gazette*, July 7, 1855.

*Two fugitives*, in Indiana, (September, 1855,) requested aid of the conductor of the Madison and Indianapolis Railroad. The aid given was to take them back to Madison, whence they were conveyed over the river to Kentucky. Before leaving that State, they had been hunted and attacked by dogs. These they had despatched with their knives. The conductor was dismissed from his position. An agent of



the express company was said to have aided him in the surrender of the men.—*Madison Courier*.

JACK, a colored boy, nine years of age, "claimed by Joseph Tucker, of Mobile, as his slave, was sent back to his master from Boston, in the brig Selma, Captain Rogers, on the 18th inst." (October, 1855.)—*Boston Times*.

JACOB GREEN, a colored man, was seized near Hollidaysburg, Pennsylvania, by one Parsons, as a fugitive slave. Parsons could show no authority for detaining Green, who, with the help of some bystanders, released himself and escaped.—*Hollidaysburg Standard*, October 24, 1855.

Four men indicted for kidnapping at Greensburg, Ind., in the spring of 1855. Their names—David and Thomas Maple, Morrison, and McCloskey. Charged with kidnapping two men, whom they conveyed to a slave State, and sold as slaves. The two Maples, fearing the indictment, absconded. The other two were arrested, and brought to trial in October, 1855, at the State Court, before Judge Logan. "Defendants' counsel moved to quash the indictment, for the reason that the section of the statute of Indiana against kidnapping was in violation of the acts of Congress, and, therefore, void; and the Court accordingly quashed the indictment!"—*Indianapolis Journal*.

Eight fugitives from Kentucky reached Adams County, Ohio, closely followed by several Kentuckians, who attempted to search the houses of several of the citizens. "The people, indignant at this outrage, assembled with arms, and placed an injunction upon these summary proceedings." "The men-hunters then offered \$2,000 to any traitor who would betray the fugitives into their hands. But, so far as we have learned, the bribe was as unsuccessful as the attempted search."—(November, 1855.)—*Carroll Free Press*.

At Wilson's Corner, Bensalem, Bucks County, Penn., Dec. 13, 1855, a colored man in the employ of John Henderson was seized by three men, who tied him, threw him into a wagon, and drove off at full speed. They were seen, and quickly followed by men on horseback. After two hours' hard riding, the kidnappers were overtaken. A fight ensued—the black man was released; but three pistol shots were



fired by the kidnappers, killing a horse, and wounding one of the rescuing party severely. A statement of the facts was published, as an advertisement, in the Philadelphia *Ledger*, signed by William Williams and John Henderson.

“*Two very bright mulatto girls,*” says the Staunton (Va.) *Spectator*, “one belonging to Mr. John Churchman, and the other to the estate of Colonel Crawford, deceased, took the cars at Staunton, on the morning of December 30, 1855, and made their way successfully to Baltimore, *en route* for a free State. At Baltimore, they were detected just as they were about to take the train for Philadelphia, and information of their arrest was immediately forwarded to D. Churchman, of this place.” On the following Friday, they were taken back to Virginia. “They were so nearly white, that their success in imposing upon the conductors of the cars is not astonishing, and the only wonder is, that they were detected at all. Since their return, the girls have been sold — Mr. Churchman’s for \$1,050, and the other for \$950.”

FANNY, a colored child of five years old, was taken from Chicago, Ill., into Tennessee, and sold for \$250. A man named F. M. Chapman, with his servant, William R. Tracy, were arrested as the kidnappers, and taken before Justice DeWolf. Chapman claimed to have owned the child in Arkansas, and to have brought her to Illinois [thereby making her free.] He procured Tracy to take the child to Tennessee, and sell her. The result of the case not known. (January, 1856.)

*Two fugitives*, passing through Ohio, (January, 1856,) were closely pursued and nearly overtaken, at Columbus, Ohio. “Ten minutes previous warning only, saved the fugitives from their pursuers.” Deputy Marshal J. Underwood, being called on to act in the case, refused, and resigned his office, saying, he did not expect to be “called upon to help execute the odious Fugitive Slave Law.” — *Cincinnati Commercial*.

☞ The following may, not improperly, find a place here. Where will the demands of slavery be stayed?

The House of Delegates of Virginia, early in 1856, adopted the following: — “*Be it Resolved, by the General As-*

*sembly*, That our Representatives in Congress are requested, and our Senators be and are hereby instructed, to secure the passage of a law making full compensation to all owners whose slaves have, or may hereafter, escape into any of the non-slaveholding States of this Union, and there be withheld from those to whom such service or labor may be due."

MARGARET GARNER *and seven others*, at Cincinnati, Ohio, January, 1856. Of this peculiarly painful case, we give a somewhat detailed account, mainly taken from the Cincinnati papers of the day. It strikingly illustrates the manner in which, in nearly all instances, the laws and authority of the free States are swept away before those which the National Government enacts in behalf of slavery; and how little protection the poor and the oppressed can expect from either.

About ten o'clock on Sunday, 27th January, 1856, a party of eight slaves — two men, two women, and four children — belonging to Archibald K. Gaines and John Marshall, of Richwood Station, Boone County, Ky., about sixteen miles from Covington, escaped from their owners. Three of the party are father, mother, and son, whose names are Simon, Mary, and Simon, Jr.; the others are Margaret, wife of Simon, Jr., and her four children. The three first are the property of Marshall, and the others of Gaines.

They took a sleigh and two horses belonging to Mr. Marshall, and drove to the river bank, opposite Cincinnati, and crossed over to the city on the ice. They were missed a few hours after their flight, and Mr. Gaines, springing on a horse, followed in pursuit. On reaching the river shore, he learned that a resident had found the horses standing in the road. He then crossed over to the city, and after a few hours diligent inquiry, he learned that his slaves were in a house about a quarter of a mile below the Mill Creek Bridge, on the river road, occupied by a colored man, named Kite.

He proceeded to the office of United States Commissioner John L. Pendery, and procuring the necessary warrants, with United States Deputy Marshal Ellis, and a large body of assistants, went on Monday to the place where his fugitives were concealed. Arriving at the premises, word was sent to

the fugitives to surrender. A firm and decided negative was the response. The officers, backed by a large crowd, then made a descent. Breaking open the doors, they were assailed by the negroes with cudgels and pistols. Several shots were fired, but only one took effect, so far as we could ascertain. A bullet struck a man named John Patterson, one of the Marshal's deputies, tearing off a finger of his right hand, and dislocating several of his teeth. No other of the officers were injured, the negroes being disarmed before they could reload their weapons.

On looking around, horrible was the sight which met the officers' eyes. In one corner of the room was a nearly white child, bleeding to death. Her throat was cut from ear to ear, and the blood was spouting out profusely, showing that the deed was but recently committed. Scarcely was this fact noticed, when a scream issuing from an adjoining room drew their attention thither. A glance into the apartment revealed a negro woman, holding in her hand a knife literally dripping with gore, over the heads of two little negro children, who were crouched to the floor, and uttering the cries whose agonized peals had first startled them. Quickly the knife was wrested from the hand of the excited woman, and a more close investigation instituted as to the condition of the infants. They were discovered to be cut across the head and shoulders, but not very seriously injured, although the blood trickled down their backs and upon their clothes.

The woman avowed herself the mother of the children, and said that she had killed one, and would like to kill the three others, rather than see them again reduced to slavery! By this time the crowd about the premises had become prodigious, and it was with no inconsiderable difficulty that the negroes were secured in carriages, and brought to the United States District Court-rooms, on Fourth Street. The populace followed the vehicle closely, but evinced no active desire to effect a rescue. Rumors of the story soon circulated all over the city. Nor were they exaggerated, as is usually the case. For once, reality surpassed the wildest thought of fiction.

The slaves, on reaching the Marshal's office, seated themselves around the stove with dejected countenances, and preserved a moody silence, answering all questions propounded to them in monosyllables, or refusing to answer at all. Simon

is apparently about fifty-five years of age, and Mary about fifty. The son of Mr. Marshall, who is here, in order, if possible, to recover the property of his father, says that they have always been faithful servants, and have frequently been on this side of the river. Simon, Jr., is a young man, about twenty-two years old, of a very lithe and active form, and rather a mild and pleasant countenance. Margaret is a dark mulatto, twenty-three years of age; her countenance is far from being vicious, and her senses, yesterday, appeared partially stupified from the exciting trials she had endured. After remaining about two hours at the Marshal's office, Commissioner Pendery announced that the slaves would be removed, in the custody of the United States Marshal, until nine o'clock Tuesday morning, when the case would come up for examination.

The slaves were then taken down to the street door, when a wild and exciting scene presented itself; the sidewalks and the middle of the street were thronged with people, and a couple of coaches were at the door, in order to convey the captives to the station-house. The slaves were guarded by a strong posse of officers, and as they made their appearance on the street, it was evident that there was a strong sympathy in their favor. When they were led to the carriage doors, there were loud cries of "Drive on!" "Don't take them!" The coachmen, either from alarm, or from a sympathetic feeling, put the whip to their horses, and drove rapidly off, leaving the officers with their fugitives on the sidewalk. They started on foot with their charge to the Hammond street station-house, where they secured their prisoners for the night.

The slaves claimed that they had been on this side of the river frequently, by consent of their masters.

About three o'clock, application was made to Judge Burgoyne for a writ of *habeas corpus*, to bring the slaves before him. This was put in the hands of an Ohio officer, Deputy Sheriff Buckingham, to serve, who, accompanied by several assistants, proceeded to Hammond street station-house, where the slaves were lodged. Mr. Bennett, Deputy United States Marshal, was unwilling to give them up to the State authorities, and a long time was spent parleying between the Marshal and the sheriff's officers. The sheriff being determined that the writ should be executed, Mr. Bennett went out to take coun-



sel with his friends. Finally, through the advice of Mayor Faran, Mr. Bennett agreed to lodge the slaves in the jail, ready to be taken out at the order of Judge Burgoyne. Mr. Buckingham obtained the complete control of the slaves.

On the morning of the 29th, Sheriff Brashears, being advised by lawyers that Judge Burgoyne had no right to issue his writ for the slaves, and remembering Judge McLean's decision in the Rosetta case, made a return on the writ of *habeas corpus*, that the slaves were in the custody of the United States Marshal, and, therefore, without his jurisdiction. This returned the slaves to the custody of the Marshal. By agreement, the parties permitted the slaves to remain in the County jail during that day, with the understanding that their examination should commence the next morning, before Commissioner Pendery. Thus the State of Ohio was made the jailor of these slaves, while her officer, Sheriff Brashears, lyingly pretended they were not within the State's jurisdiction. An inquest had been held on the body of the child which was killed, and a verdict was found by the jury charging the death of the child upon the mother, who, it was said, would be held under the laws of Ohio, to answer the charge of murder. An examination took place on Wednesday, before the United States Commissioner. Time was allowed their counsel to obtain evidence to show that they had been brought into the State at former times by their masters. A meeting of citizens was held on Thursday evening, to express sympathy with the alleged fugitives.

The Cincinnati *Commercial*, of January 30, said: — "The mother is of an interesting appearance, a mulatto of considerable intelligence of manner, and with a good address. In reply to a gentleman who yesterday complimented her upon the looks of her little boy, she said, 'You should have seen my little girl that — that — [she did not like to say, was killed] — that died; that was the bird.'"

The Cincinnati *Gazette*, of January 30, said: — "We learn that the mother of the dead child acknowledges that she killed it, and that her determination was to have killed all the children, and then destroy herself, rather than return to slavery. She and the others complain of cruel treatment on the part of their master, and allege that as the cause of their attempted escape."



The jury gave a verdict as follows:—“That said child was killed by its mother, Margaret Garner, with a butcher knife, with which she cut its throat.”

Two of the jurors also find that the two men arrested as fugitives were accessories to the murder.

“The murdered child was almost white, and was a little girl of rare beauty.”

The examination of witnesses was continued until Monday, February 4, when the Commissioner listened to the arguments of counsel, until February 7th. Messrs. Jolliffe and Gitchell appeared for the fugitives, and Colonel Chambers, of Cincinnati, and Mr. Finnell, of Covington, Ky., for the claimants of the slaves. A great number of assistants (amounting very nearly to five hundred) were employed by the United States Marshal, H. H. Robinson, from the first, making the expenses to the United States Government very large; for their twenty-eight days' service alone, at \$2,00 per day, amounting to over \$22,000. February 8th, the case was closed, so far as related to the three slaves of Mr. Marshall, but the decision was postponed. The examination in regard to MARGARET and her children was further continued. It was publicly stated that Commissioner Penderly had declared that he “would not send the woman back into slavery, while a charge or indictment for murder lay against her.” Colonel Chambers, counsel for the slave claimants, in his argument, “read long extracts from a pamphlet entitled, ‘A Northern Presbyter's Second Letter to Ministers of the Gospel of all Denominations, on Slavery, by Nathan Lord, of Dartmouth College,’ he himself approving and recommending Dr. Lord's views.” Colonel Chambers having alluded, in his remarks, to Mrs. Lucy Stone Blackwell, and said that she had sought to give a knife to Margaret Garner, the Court gave permission to Mrs. Blackwell to reply to Colonel C. Mrs. B. preferred not to speak at the bar, but addressed the crowded court-room directly after the adjournment. Her eloquent remarks will be found in the papers of the day. At the close of the hearing, February 14th, the Commissioner adjourned his court to the 21st, afterwards to the 26th, when, he said, he would give his decision.

Meantime, the case was making some progress in the State courts. Sheriff Brashears having made return to the Common Pleas Court, that the fugitives were in the custody of the

United States Marshal, Judge Carter said this could not be received as a true return, as they were in the County jail, under the sheriff's control. The sheriff then amended his return, so as to state that the prisoners were in his custody, as required in the writ, and this was received by the Court. The fugitives now came fully into the charge of the State authorities. The sheriff held them "by virtue of a *capias* issued on an indictment by the Grand Jury for murder."

The slaves declared they would go dancing to the gallows, rather than to be sent back into slavery.

On the 26th February, Commissioner Pendery gave his decision. First, he refused to discharge Margaret and three others from the custody of the United States Marshal, and deliver them to the Sheriff of Hamilton County, although held to answer, under the laws of Ohio, to the charge of murder. He then proceeded to consider the claim of Marshall to three of the slaves, decided it to be valid, and ordered them into Marshall's custody. He then considered Gaines's claim to Margaret and her three surviving children, decided that also to be good and valid, and ordered them to be delivered into the possession of said Gaines.

The case of the rightful custody, as between the United States Marshal and the Ohio Sheriff also came on, February 26th, before Judge Leavitt, of the United States District Court, and was argued by counsel on both sides. On the 28th, Judge Leavitt decided that the custody was with the United States Marshal. The substance of Judge L.'s argument and decision is found in the following extract:—

'Judge McLean says:— 'Neither this nor any other Court of the United States, nor Judge thereof, can issue a *habeas corpus* to bring up a prisoner who is in custody, under the sentence or execution of a State Court, for any other purpose than to be used as a witness. And it is immaterial whether the imprisonment be under *civil or criminal process*.' If it be true, as there asserted, that no Federal Court can interfere with the exercise of the proper jurisdiction of a State Court, either in a civil or criminal case, the converse of the proposition is equally true. And it results that a State Court cannot take from an officer of the United States, even on a criminal charge, the custody of a person in execution on a civil case.

“ It is said in argument that if these persons cannot be held by the arrest of the Sheriff, under the State process, the rights and dignity of Ohio are invaded without the possibility of redress. I cannot concur in this view. The Constitution and laws of the United States provide for a reclamation of these persons, by a demand on the Executive of Kentucky. It is true, if now remanded to the claimant and taken back to Kentucky, as slaves, they cannot be said to have fled from justice in Ohio ; but it would clearly be a case within the spirit and intention of the Constitution and the Act of Congress, and I trust nothing would be hazarded by the prediction that upon demand properly made upon the Governor of Kentucky, he would order them to be surrendered to the authorities of Ohio, to answer to its violated law. I am sure it is not going too far to say, that if the strictness of the law did not require this, an appeal to comity would not be in vain.”

Mr. Chambers said his client, Mr. Gaines, authorized him to say that he would hold the woman Margaret, who had killed her child, subject to the requisition of the Governor of Ohio, to answer for any crime she might have committed in Ohio.

Judge Leavitt's decision covered the cases of the four adult fugitives. Another legal process was going on, at the same time, before Judge Burgoyne, of the Probate Court, viz :— a hearing, under a writ of *habeas corpus* allowed by Judge Burgoyne, alleging the illegal detention, by the United States Marshal, of the three negro children, Samuel, Thomas, and Silla Garner, which took place in the Probate Court, before Judge B., on the afternoon of February 27.

Mr. Jolliffe said he represented the infants at the request of their father and mother, who had solicited him to save the children, if possible.

Messrs. Headington and Ketchum appeared for the United States Marshal.

Judge Burgoyne said that, in view of the serious and important questions involved, he should require some time to render a decision. He intimated, however, that a majority of the Judges of the Supreme Court having passed on the constitutionality of the Fugitive Slave Law was no reason why he should not take up the Constitution and read it for himself, being sworn to support the Constitution of the United States and the Constitution of the State of Ohio.

Mr. Ketchum suggested that his Honor was as much bound in conscience to regard the decision of the majority of the Judges of the United States Courts as the express provisions of the Constitution itself.

Judge Burgoyne said, that however the decisions of the Judges of the United States Courts might aid him in coming to a conclusion, where the obligations of his conscience were involved, he could not screen himself behind a decision made by somebody else.

Judge Burgoyne subsequently decided that, in as far as the Fugitive Slave Law was intended to suspend the writ of *habeas corpus*—and he believed that it was so intended—it clearly transcended the limits prescribed by the Constitution, and is “utterly void.” Judge B. required the United States Marshal to answer to the writ on the following Friday; and on his neglect to do so, fined and imprisoned him. Judge Leavitt, of the United States Court, soon released the Marshal from prison.

The *Cincinnati Columbian*, of February 29, gave the following account:—“The last act of the drama of the fugitives was yesterday performed by the rendition of the seven persons whose advent into the city, under the bloody auspices of murder, caused such a sensation in the community. After the decision of Judge Leavitt, Sheriff Brashears surrendered the four fugitives in his custody under a *capias* from an Ohio court, to United States Marshal Robinson. An omnibus was brought to the jail, and the fugitives were led into it—a crowd of spectators looking on.

“Margaret was in custody of Deputy-Marshal Brown. She appeared greatly depressed and dispirited. The little infant, Silla, was carried by Pic. Russell, the door-keeper of the United States Court, and was crying violently. Pollock, the reporter of the proceedings in the United States Court, conducted another of the fugitives, and all were safely lodged in the omnibus, which drove down to the Covington ferry-boat; but, although a large crowd followed it, no hootings or other signs of excitement or disapprobation were shown.

“On arriving at the Kentucky shore, a large crowd was in attendance, which expressed its pleasure at the termination of the long proceedings in this city by triumphant shouts. The fugitives were escorted to the jail, where they were



safely incarcerated, and the crowd moved off to the Magnolia Hotel, where several toasts were given and drank. The crowd outside were addressed from the balcony by H. H. Robinson, Esq., United States Marshal for the Southern District of Ohio, who declared that he had done his duty and no more, and that it was a pleasure to him to perform an act that added another link to the glorious chain that bound the Union. [What a *Union!* For what 'glorious' purposes!]

"Mr. Finnell, attorney for the claimants, said he never loved the Union so dearly as now. It was proved to be a substantial reality.

"Judge Flinn also addressed to the crowd one of his peculiar orations; and was followed by Mr. Gaines, owner of Margaret and the children. After hearty cheering, the crowd dispersed.

"Further to signalize their triumph, the slaveholders set on the Covington mob to attack Mr. Babb, reporter for one of the Cincinnati papers, on the charge of being an Abolitionist, and that gentleman was knocked down, kicked, trampled on, and would undoubtedly have been murdered, but for the interference of some of the United States Deputy Marshals."

On the Sunday after the delivery of the slaves, they were visited in the Covington jail by Rev. P. C. Bassett, whose account of his interview, especially with Margaret, was published in the *American Baptist*, and may also be found in the *National Anti-Slavery Standard*, of March 15, 1850. Margaret confessed that she had killed the child. "I inquired," says Mr. Bassett, "if she were not excited almost to madness when she committed the act? 'No,' she replied, 'I was as cool as I now am; and would much rather kill them at once, and thus end their sufferings, than have them taken back to slavery, and be murdered by piecemeal.' She then told the story of her wrongs. She spoke of her days of unmitigated toil, of her nights of suffering, while the bitter tears coursed their way down her cheeks."

Governor Chase, of Ohio, made a requisition upon Governor Morehead, of Kentucky, for the surrender of Margaret Garner, charged with murder. The requisition was taken by Joseph Cooper, Esq., to Gov. Morehead, at Frankfort, on the 6th of March—an unpardonable delay. Gov. Morehead issued an order for the surrender of Margaret. On taking it to Louisville, Mr. Cooper found that Margaret, with her



infant child, and the rest of Mr. Gaines's slaves, had been sent down the river, in the steamboat *Henry Lewis*, to be sold in Arkansas. Thus it was that Gaines kept his pledged word that Margaret should be surrendered upon the requisition of the Governor of Ohio! On the passage down the Ohio, the steamboat, in which the slaves were embarked, came in collision with another boat, and so violently, that Margaret and her child, with many others, were thrown into the water. About twenty-five persons perished. A colored man seized Margaret and drew her back to the boat, but her babe was drowned! "The mother," says a correspondent of the *Louisville Courier*, "exhibited no other feeling than joy at the loss of her child." So closed another act of this terrible tragedy. The slaves were transferred to another boat, and taken to their destination. (See Mr. Cooper's letter to Gov. Chase, dated Columbus, March 11, 1856.) Almost immediately on the above tragic news, followed the tidings that Gaines had determined to bring Margaret back to Covington, Ky., and hold her subject to the requisition of the Governor of Ohio. Evidently he could not stand up under the infamy of his conduct. Margaret was brought back, and placed in Covington jail, to await a requisition. On Wednesday, Mr. Cox, the Prosecuting Attorney, received the necessary papers from Gov. Chase, and the next day (Thursday,) — again a culpable delay — two of the Sheriff's deputies went over to Covington for Margaret, but did not find her, as she had been taken away from the jail *the night before*. The jailor said he had given her up on Wednesday night, to a man who came there with a written order from her master, Gaines, but could not tell where she had been taken. The officers came back and made a return, 'not found.'"

The *Cincinnati Gazette* said: — "On Friday, our Sheriff received information which induced him to believe that she had been sent on the railroad to Lexington, thence *via* Frankfort to Louisville, there to be shipped off to the New Orleans slave market.

"He immediately telegraphed to the sheriff at Louisville (who holds the original warrant from Gov. Morehead, granted on the requisition of Gov. Chase) to arrest her there, and had a deputy in readiness to go down for her. But he has received no reply to his dispatch. As she was taken out on Wednesday

night, there is reason to apprehend that she has already passed Louisville, and is now on her way to New Orleans.

“Why Mr. Gaines brought Margaret back at all, we cannot comprehend. If it was to vindicate his character, he was most unfortunate in the means he selected, for his duplicity has now placed this in a worse light than ever before, and kept before the public the miserable spectacle of his dishonor.

“We have learned now, by experience, what is that boasted comity of Kentucky, on which Judge Leavitt so earnestly advised Ohio to rely.”

The assertion of the *Louisville Journal*, that Margaret was kept in Covington jail “ten days,” and that the Ohio authorities had been notified of the same, is pronounced to be untrue in both particulars, by the *Cincinnati Gazette*, which paper also declares that prompt action was taken by the Governor of Ohio, and the Attorney and Sheriff of Hamilton County, as soon as the fact was known.

Here we must leave MARGARET, a noble woman indeed, whose heroic spirit and daring have won the willing, or extorted the unwilling, admiration of hundreds of thousands. Alas for her! after so terrible a struggle, so bloody a sacrifice, so near to deliverance once, twice, and even a third time, to be, by the villainy and lying of her “respectable” white owner, again engulfed in the abyss of Slavery! What her fate is to be, it is not hard to conjecture. But friendless, heart-stricken, robbed of her children, outraged as she has been, not wholly without friends,

“Yea, three firm friends, more sure than day and night,  
Herself, her Maker, and the angel Death.”

At the risk of too far extending the record of this most painful yet instructive case, we give the following eloquent extract from a sermon delivered in Cleveland, Ohio, by Rev. H. BUSHNELL, from the following text:—“And it was so, that all that saw it, said, There was no such deed done nor seen from the day that the children of Israel came up out of the land of Egypt unto this day; CONSIDER OF IT, TAKE ADVICE, AND SPEAK YOUR MINDS.”—JUDGES 19:30.

“A few weeks ago, just at dawn of day, might be seen a company of strangers crossing the winter bridge over the Ohio River, from the State

of Kentucky, into the great city of our own State, whose hundred church-spires point to heaven, telling the travellers that in this place the God of Abraham was worshipped, and that here Jesus the Messiah was known, and his religion of love taught and believed. And yet, no one asked them in, or offered them any hospitality, or sympathy, or assistance. After wandering from street to street, a poor laboring man gave them the shelter of his humble cabin, for they were strangers and in distress. Soon it was known abroad that this poor man had offered them the hospitalities of his home, and a rude and ferocious rabble soon gathered around his dwelling, demanding his guests. With loud clamor and horrid threatening they broke down his doors, and rushed upon the strangers. They were an old man and his wife, their daughter and her husband, with four children; and they were of the tribe of slaves, fleeing from a bondage which was worse than death. There was now no escape—the tribes of Israel had banded against them. On the side of the oppressor there is power. And the young wife and mother, into whose very soul the iron had entered, hearing the cry of the master, ‘Now we’ll have you all!’ turning from the side of her husband and father, with whom she had stood to repel the foe, seized a knife, and with a single blow, nearly severed the head from the body of her darling daughter, and throwing its bloody corpse at his feet, exclaimed, ‘Yes, you *shall* have us all! take that!’ and with another blow inflicted a ghastly wound upon the head of her beautiful son, repeating, ‘Yes, you *shall* have us all—take that!’ meanwhile calling upon her old mother to help her in the quick work of emancipation—for there were two more. But the pious old grandmother could not do it, and it was now too late—the rescuers had subdued and bound them. They were on their way back to the house of their bondage—a life more bitter than death! On their way through that city of churches whose hundred spires told of Jesus and the good Father above; on their way amid the throng of Christian men, whose noble sires had said and sung, ‘Give me *liberty*, or give me *death*!’

“But they all tarried in the great Queen City of the West—in chains, and in a felon’s cell. There our preacher visited them again and again. There he saw the old grandfather and his aged companion, whose weary pilgrimage of unrequited toil and tears was nearly at its end. And there stood the young father and the heroic wife ‘Margaret.’ Said the preacher, ‘Margaret, why did you kill your child?’ ‘It was my own,’ she said; ‘given me of God, to do the best a mother could in its behalf. *I have done the best I could!* I would have done more and better for the rest! I knew it was better for them to go home to God than back to slavery.’ ‘But why did you not trust in God—why not wait and hope?’ ‘I did wait, and then we dared to do, and fled in fear, but in hope; hope fled—God did not appear to save—*I did the best I could!*’

“And who was this woman? A noble, womanly, amiable, *affectionate mother*. ‘But was she not deranged?’ Not at all—calm, intelligent, but resolute and determined. ‘But was she not fiendish, or beside herself with passion?’ No, she was most tender and affectionate, and all her passion was that of a *mother’s fondest love*. I reasoned with her, said the preacher; tried to awaken a sense of guilt, and lead her to repentance and to Christ. But there was no remorse, no desire of pardon, no reception of Christ or his religion. To her it was a religion of *slavery*, more cruel than death. And where had she lived? where thus taught? Not down among the rice swamps of Georgia, or on the banks of Red River. No, but within sixteen miles of the Queen City of the West! In a nominally Christian family—whose master was most liberal in support of the Gospel, and

whose mistress was a communicant at the Lord's table, and a professed follower of Christ! Here, in this family, where slavery is found in its mildest form, she had been kept in ignorance of God's will and word, and learned to know that the mildest form of American slavery, at this day of Christian civilization and Democratic liberty, was worse than death itself! She had learned by an experience of many years, that it was so bad, she had rather take the life of her own dearest child, without the hope of heaven for herself, than that it should experience its unutterable agonies, which were to be found even in a Christian family! But here are her two little boys, of eight and ten years of age. Taking the eldest boy by the hand, the preacher said to him, kindly and gently, 'Come here, my boy; what is your name?' 'Tom, sir.' 'Yes, Thomas.' 'No sir, Tom.' 'Well, Tom, how old are you?' 'Three months.' 'And how old is your little brother?' 'Six months, sir!' 'And have you no other name but Tom?' 'No.' 'What is your father's name?' 'Haven't got any!' 'Who made you, Tom?' 'Nobody!' 'Did you ever hear of God or Jesus Christ?' 'No, sir.' And this was slavery in its best estate. By and by the aged couple, and the young man and his wife, the remaining children, with the master, and the dead body of the little one, were escorted through the streets of the Queen City of the West by a *national guard of armed men*, back to the great and chivalrous State of old Kentucky, and away to the shambles of the South — back to a life-long servitude of hopeless despair. It was a long, sad, silent procession down to the banks of the Ohio; and as it passed, the death-knell of freedom tolled heavily. The sovereignty of Ohio trailed in the dust beneath the oppressor's foot, and the great confederacy of the tribes of modern Israel attended the funeral obsequies, and made ample provision for the necessary expenses! 'And it was so, that all that saw it, said, *There was no such deed done nor seen from the day that the children of Israel came up out of the land of Egypt unto this day; CONSIDER OF IT, TAKE ADVICE, AND SPEAK YOUR MINDS.*'

*Fourteen persons of color*, held at Los Angeles, Cal., early in 1856, as the servants of one Robert Smith, were brought before Judge Benjamin Hays, on a writ of *habeas corpus*. Smith alleged that he formerly resided in Mississippi, where he owned these persons; was now about to remove to Texas, and designed to take these persons with him as his slaves. Judge Hays decided that they were all free, and those under twenty-one years of age were placed in the charge of the sheriff, as their special guardian. — *Los Angeles Star*.

The opinion of Judge Hays, (who is said to be a native of South Carolina,) is a very able one, and in the circumstances, of much interest. It may be found in the *Standard* of April 5, 1856.

*Two colored lads*, named RALLS and LOGAN, living in Cincinnati, were kidnapped thence by two men, named Orr and Simpkins, and taken to St. Louis, Mo., where the men tried to sell them. The men were arrested as kidnappers. (March, 1856.)



*The Decatur (Illinois) Chronicle* states that "a man charged with being a fugitive slave was recently arrested at that place, and carried off, no one knows where. The sheriff of the county was the willing instrument in the hands of the claimants; no attempt to appeal to the law was made, the negro being carried off as if he was a stray horse or dog." The *Chicago Tribune* says: — "If this is a true statement of the affair, that sheriff has laid himself liable to the charge of kidnapping, and should at once be proceeded against with such rigor as his offence demands." (April, 1856.)

☞ THE ASSAULT UPON SENATOR CHARLES SUMNER, in the United States Senate Chamber, by the South Carolina ruffians and Representatives, Preston S. Brooks and Lawrence M. Keitt, took place May 22, 1856.

*Cincinnati, Ohio. Another Outrage.* Last Sunday, as the steamer *Jacob Strader* rounded to the dock at Cincinnati, a free negro, who happened to be on board, was arrested by her officers, and immediately conveyed across the river to Covington. He exhibited to his captors papers which proved his freedom; but they paid no heed to his remonstrance. After lying in jail at Covington all night, he was taken out in the morning, and, after a careful hearing, discharged. What makes the matter worse, is the fact that the poor man got on board the boat at a town in Illinois, which was a proof that he was free. This outrage upon the dignity of our laws should be properly avenged. Let the captain and officers of the *Strader* be arrested on a charge of kidnapping; and, if they be found guilty, let them all be sent to the Penitentiary. There is no use in playing with such men. We apprehend, however, that the officers of justice in Cincinnati will pocket the insult to their State, and say nothing more about the matter. What are we coming to?—*Cleveland Leader*, May, 1856.

*British Bark Intrinsic*, Captain Macfarlane, on her voyage from Charleston, S. C., to Liverpool, had on board JOHN, "the property of Dr. Carrere," of Charleston. After being several days at sea, the captain discovered the fugitive, and, says the *Charleston Mercury*, "very correctly put his vessel about," and headed for Charleston. Falling in with the British



schooner *Victory*, from Nassau, the fugitive JOHN was transferred to the latter, and taken to Charleston. — *Charleston Mercury*, June 10, 1856.

JAMES PECK, cook of steamer *Ella*, plying between Cincinnati and Nashville, together with the stewardess of the boat, were arrested for concealing and feeding a fugitive slave on board, and thrown into prison at Hawesville, Ky., to be taken back to Nashville. What their fate has been we have never learned; a long imprisonment at least, and, possibly, slavery for life, and the fugitive himself cast into a lower deep of the hell from which he had vainly essayed to escape. The stewardess was a mother, with a babe of a few months old. — *Frederick Douglass's Paper*, June, 1856.

*Boston, July, 1856.* Bark *Growler* arrived in Boston harbor, from Mobile, having a fugitive slave on board. He was discovered, when four days out, — was then in a nearly starving condition, and much care was needed to restore him. He asked leave to go ashore at Boston, which the Captain refused, and undertook to confine him, with a view to returning him, as supposed, to Mobile. Whereupon the fugitive jumped overboard, and made for the shore; he was unable to contend with the current, and was picked up by a boat ordered out by the captain. These movements being noticed and understood on shore, a writ of *habeas corpus* was obtained, and the man forthwith taken before Judge Metcalf, of the Supreme Court. John A. Andrew, Esq., who acted as counsel for the prisoner, moved the Court that he be discharged. The Judge simply said, without note or comment, "Let Johnson be discharged;" which was immediately done, and he was soon beyond the reach of any designs upon his liberty. — *Correspondent of N. Y. Tribune*.

Some months later, the bark *Growler* again making a Southern trip, the owner of Johnson, says the *Mobile Tribune*, "Mr. R. Sheridan, pounced on her captain for the value of the slave, and got it — the owner's agent paying Mr. S. \$1200."

"A *Grand Hunt for Negroes* came off in Greene County, Penn., the week before last, in which no less than fifty armed white men were engaged in the pursuit of nine negroes, who had left Booth's Creek, Harrison County, Va., a few days

before. The fugitives — three men, and half-a-dozen boys, some of the latter but twelve or fifteen years old — escaped, and the “nigger-hunters” earned, not the reward of fifteen-hundred dollars they so anxiously sought, but the contempt of all honorable men. In one township, half-a-dozen of them drew their pistols on an unarmed woman, who refused to allow them to search her house for the runaways.” — *Pittsburg Dispatch*, August 6, 1856.

*Fauquier County, Virginia*, summer of 1856. A Virginia paper says: — “A party of men from Frederick County arrested eight of a party of ten negroes, runaways from Fauquier County, near Bloomery, on the borders of Hampshire County. The negroes showed fight, were well armed with guns, &c. A desperate fellow drew his gun on Mr. Coohus, the muzzle nearly touching Mr. C.’s breast; the gun missed fire, at the same time Mr. C. snapped a pistol at the negro; the negro dropped his gun, drew a butcher’s knife, and made at Mr. C., when another of Mr. C.’s party came up and knocked the fellow down with a stone, when he was secured. The other fellows were arrested after a show of resistance. Two of the party escaped. The negroes were lodged in jail at Romney.”

*Horrible Death of a Fugitive.* A letter in *F. Douglass’s Paper*, dated September 17, 1856, (“names omitted for obvious reasons”) has the following: — “We had a fearful slave case here, a few days since, and which we dare not make public. A slave man was closely packed in a box at ———; the box was marked as goods, and consigned to a friend at this place, care of Adams & Co.’s Express. When the box was opened, the poor wretch was found dead, his countenance horribly contorted, and his body drawn into a knot. It appeared on examination that the box had no air-holes. Peace to his ashes! ‘O, Lord! O, Lord! how long? O, that thou wouldst rend the heavens and come down! O, let the sighings of the prisoner come before thee! We are given up as sheep to the slaughter! We are killed all day long! O, Lord, avenge us of our adversaries!’ ”

*Steamer Roanoke*, on her trip from Norfolk, Va., to New York, October 5, 1856, brought the slave Morocco concealed in a box. He was discovered, however, before the vessel’s

arrival at New York, and was, by order of Capt. Skinner, conveyed on board a vessel bound for Richmond, Va., and taken back to Norfolk. The Norfolk *Herald* says: — “The boxing up of the negro was done in a house in Foster’s Lane, not more than one hundred and fifty yards from the wharf of the New York steamers, and by two white men belonging to an Eastern schooner, who had the box conveyed on board the Roanoke; and the inspector, whose duty it is to prevent the escape of negroes, was sitting on it, while keeping watch to prevent them from coming on board. Too much credit cannot be awarded to Captain Skinner and Purser Smith, of the Roanoke, for their prompt and judicious agency in securing the fugitive, and returning him to his owner.” Hard as the case of the slave was, there is no doubt that Skinner and Smith were the chief slaves, and the basest, in the case.

*Carlisle, Penn.* The Loudon (Va.) *Mirror* says that the citizens of Carlisle, Penn., behaved very handsomely (!) a few days since, when a party of Virginians went to that place to capture some slaves who had run away. It says: — “When the fugitives were arrested and taken to the cars, an attempt was made by the free negroes and a few white men present to rescue them, but the United States Marshal was promptly in attendance, and took them into custody. The Mayor of Carlisle then addressed the crowd, and told them that the citizens of a sister State were there, in pursuance of law, to recover their property, and that they must not be molested. The great majority of the audience heartily seconded his remarks, and declared that they would sustain him. The slaves were removed by the officers without the slightest disturbance.” — *Standard*, November 1, 1856.

*New Albany, Indiana.* Two fugitives were captured at Salem, Indiana, while stopping for breakfast at a public house. “It appears that they crossed the river on Sunday, and travelled on the railroad track all Sunday night. Having arrived within five miles of Salem, they gave a boy three dollars to take them to that place.” Having asked for a private room, suspicion was awakened, and a man named Mc Kinney demanded their free papers—[free papers in Indiana!] The negro immediately drew a pistol and pointed it at McK.’s breast, but it missed fire. The bystanders then

seized him, and his companion ran away, but was pursued and taken. They were both sent back to Louisville, Ky., whence they came.—*New Albany (Ind.) Ledger*, Dec. 3, 1856.

“*Jeffersonville, Indiana, Feb. 7, 1857.* If our city can boast of nothing more, she can at least boast of one of the most rapacious negro-catching Marshals that this State or any other can afford. Only a few days ago, he captured in this city, and lodged in the Louisville jail, a negro man—John Tatson—who asserts that he was born free in Virginia, where he was bound out until of age; after which he came to this State, where he has resided more than one year, as an upright working man, and as such is known to many of our citizens. He is now in jail, awaiting the clemency of the *Christian* laws of Kentucky, where, if he is not claimed by some pretended owner, or his friends in Virginia do not intercede for him, he will doubtless be sold into slavery.”—*Correspondent of N. Y. Tribune*.

*Kidnappers in Boston.* “It was ascertained last evening that certain persons were in this city in pursuit of fugitive slaves. They applied to the wrong source for information, by which means the colored people were notified of the fact, and it was announced at the meetings of the colored churches, in order that they might place their brethren on their guard.”—*Boston Telegraph*, April 9, 1857.

*Slave-Catcher in Wisconsin.* “A slave-catcher by the name of J——, of Virginia, has been prowling about this State after one of his escaped victims, a girl about eighteen years old. \* \* The chattel is on free soil, and the bloodhounds, official and volunteer, of this city can give him no help.”—*Milwaukee Free Democrat*, April 21, 1857.

JOHN JOLLIFFE, Esq., an eminent lawyer of Cincinnati, “extensively known as the friend and advocate of the slave, in cases arising under the Fugitive Slave Law,” (says the *Cincinnati Gazette* of June 1, 1857,) “on Saturday last was mobbed in Covington [a town in Kentucky directly opposite Cincinnati] and driven out of that town.” Going over there to a friend’s house, he was accosted in the street with profane and abusive epithets, by a man who gave his name as Gaines, the master and “owner” of Margaret Garner, in whose ever-



memorable case (given in preceding pages) Mr. Jolliffe had nobly and indefatigably labored, as her counsel. Gaines called Mr. Jolliffe "a d——d nigger thief," and collected a mob around him. Gaines repeatedly assaulted Mr. J., and very serious violence would have been done to him, had not Mr. Warnock (an ex-United States Marshal) come up, took Mr. J. by the arm, and guaranteed to see him safely to the boat. Marshal Lett, having arrived, took the other arm, and they walked towards the ferry, Gaines and the crowd following, using every kind of threatening and insulting language. A large man walking with Gaines cried out, "Get a cowhide and cowhide him," and Gaines inquired at every house they passed for a cowhide. He finally got a whip, and struck Mr. Jolliffe with it over the shoulders, when Marshal Lett turned and arrested Gaines. A German then came forward to assist in protecting Mr. J., and he arrived safely at the ferry-boat. Gaines was to be tried the next day. These facts are condensed from the *Cincinnati Gazette*.

ADDISON; near Mechanicsburg, Ohio. Addison was a fugitive slave from Kentucky, where he left a wife and children, free, but too poor to get to him; he had been living in the neighborhood of Mechanicsburg, Champaign County, about six months, working to get "enough to send for his wife and children." A letter was written to his wife, which was probably intercepted, and thus information of Addison's whereabouts reached his master. On a Tuesday morning in the latter part of May, 1857, a party composed of five Kentuckians and two Deputy U. S. Marshals, made a descent upon the cabin of Mr. Hyde, where Addison resided. Addison took refuge in the loft of the cabin, through a hole barely sufficient to admit his body, being a very large and stout man. One of the Kentuckians mounted the ladder, with a double-barreled gun in hand. He had scarcely got his head and shoulders through the hole, when Addison fired upon him, the ball striking the gun in front of the Kentuckian's breast, and glancing off, whereby he narrowly escaped a fatal wound. He immediately descended, fired his gun up the hole, and retreated from the house. Meantime, quite a crowd had been collected, and the party, alarmed, hastily left the neighborhood. Addison took his immediate departure, and



was helped on his way by the Old School Covenanter Synod, who were holding a meeting at Northwood, in the adjoining county of Logan.

But the matter was not to end thus. The disappointed man-hunters returned to Cincinnati, and obtained a warrant from the United States District Judge, Humphrey H. Leavitt, for the arrest of four men, Hyde, Gurtridge, and two named Taylor, on the charge of aiding in the fugitive's escape; and on Wednesday, Deputy U. S. Marshal Churchill, from Cincinnati, arrested the parties above named in Champaign County, and started with them for Cincinnati. On application, a writ of *habeas corpus* was issued by Judge Baldwin, of the Probate Court of Champaign, for the relief of the prisoners, and put into the hands of the Sheriff, who made pursuit, and overtook them at Vienna, Clarke County. The Marshal and his *posse* refused to obey the writ, and there being a question of the Sheriff's right to enforce it out of his own County, the latter proceeded to Springfield, and put the warrant into the hands of Sheriff Layton, of Clarke County, who at once proceeded, with one assistant, named Compton, after the Marshal, and overtook him and his captives near South Charleston, where, without calling further aid, they attempted to arrest them. The Marshal and his company numbered some dozen men, and all made resistance; several shots were fired, none of which took effect, but the Marshal and his gang set upon Sheriff Layton, and beat him so badly that he was disabled, when they proceeded on. At Charleston, a warrant was got out against the Marshal and his *posse*, for assault upon Sheriff Layton, with intent to kill. This, with the writ of *habeas corpus*, was put into the hands of Sheriff Lewis, of Greene County, and he, with a respectable *posse* of selected men, started and overtook Marshal Churchill and party near Lamberton, and arrested them without difficulty; two of Churchill's gang, however, Bunker and Starr by name, effected their escape into the woods and got clear. The Sheriff took his prisoners to Xenia, and thence took the Marshal and *posse* to Charleston, to answer the charge of assaulting Sheriff Layton. The four men whom the Marshal had arrested were taken back to Urbana, in Champaign County, in obedience to the *habeas corpus*. These four men, while prisoners of the Marshal, Churchill,

had been handcuffed and treated with all manner of indignity; and were threatened with having their brains instantly blown out if they opened their mouths to tell any body they were under arrest, or for what. "Such brutal conduct," said the *Xenia News*, "by United States officers, towards free white citizens of Ohio, deserves to be punished with the highest penalties of the law." Sheriff Layton was found to be badly hurt in the head and back, but not mortally; three or four of the Marshal's gang set on him at once, and one gave him repeated heavy blows with a colt. Sheriff Lewis had instructed his party, which consisted of some twenty resolute young men, thoroughly armed, that in case he (Lewis) was shot by Churchill, they were to fire at once. Churchill at first threatened to fire. Mr. Lewis told him if he did so, his whole party would be shot, when he submitted. His force, also, was well armed.

Churchill and party were examined and committed to jail in Springfield. They immediately telegraphed to U. S. Marshal Leifert, at Cincinnati, who in turn telegraphed to Washington for instructions. A writ of *habeas corpus* was issued by District Judge Leavitt, to bring Churchill and his men to Cincinnati, and Deputy Marshal Patton, with ten or twelve assistants, went to execute it. Meantime, Churchill and party were brought before Justice Christie, at Springfield, and arraigned on two charges,—one for assaulting Deputy Sheriff Compton, the other for assaulting Sheriff Layton, with intent to murder. Messrs. Churchill and Elliott asked, through their counsel, that the amount of bail might be fixed for their appearance at the next term of Common Pleas. Their bail was then fixed at \$2,500 each, on both charges. The balance of the party, eight in number, were required to give bail in the sum of \$10,000, and, refusing to do so, were all committed to jail. Two days after, Judge Leavitt's writ of *habeas corpus* arrived, when the Clarke County Sheriff gave up the prisoners, who were taken to Cincinnati for examination.

The above statement has been compiled chiefly from the *Xenia News* of May 29, 1857, the *Cincinnati Commercial* of May 30, and the *Cincinnati Gazette*. The course and language of the *Cincinnati Enquirer*, in this case, merits special reprobation.

On the 9th of June, the case of the United States Marshals, brought by Judge Leavitt's *habeas corpus* to Cincinnati, came on before the said Judge. George E. Pugh (U. S. Senator from Ohio) and C. L. Vallandigham (Representative in Congress) together with John O'Neil and Stanley Matthews, were counsel for the Marshals; for Sheriff Layton and the State, appeared Attorney General Wolcott, Rodney Mason, and James C. Good. The evidence showed a greater degree and amount of brutality and violence, on the part of the U. S. officials, than has been described in the foregoing account; the most of the Marshal's party drank frequently and deeply, and were much intoxicated. The evidence is too long for this tract, but may be found, taken from Cincinnati papers, in the National Anti Slavery *Standard* for June 20, 1857. The *Standard* says:—

“THE MAN-HUNT IN OHIO. We publish this week a synopsis of the testimony taken in the U. S. District Court at Cincinnati in the case of the Marshals, who ask that Court to release them from the custody of the State Judiciary. The evidence presents a picture of official ruffianism and brutality, at sight of which every American citizen may well hang his head for shame. The character of the American Government is fitly symbolized in the conduct of its agents. We shall see whether Judge Leavitt (an Elder in the Church and a member of the late Old School General Assembly) will extend judicial protection to these drunken scoundrels, or leave them to answer before the proper tribunal for their offences against the laws of the State of Ohio. We trust that Governor Chase will not fail in this case to vindicate the sovereignty of the State. The Columbus *State Journal* of the 6th inst. says:—

“We understand that Gov. Chase, at the earliest possible moment after reaching the city yesterday from Cincinnati, had an interview with Messrs. Mason & Good, who represent the Prosecuting Attorney of Clarke County in the case before the Federal Judge at Cincinnati, involving the right of the State to enforce her own criminal laws within her own jurisdiction, against violators, whether Federal, official, or other; and that he immediately telegraphed to Attorney-General Wolcott to appear in the case on the part of the State, in conjunction with these gentlemen.

“In this prompt action we are certain that the Governor only fulfils the wishes of nine-tenths of the people of Ohio. Party discipline may restrain the expression of the real sentiments of the heart in some cases, but we do not believe there are many citizens of this State who desire to see her laws outraged, and her Sheriffs assaulted, beaten, and almost murdered, with impunity, by insolent Federal officials.”

On the 9th of July, Judge Leavitt gave his decision, discharging all the Deputy Marshals from the custody of the Sheriff of Clarke County, declaring the Marshals to be right in resisting the State process, and that they had used no unnecessary violence! SHAMEFUL!

A large meeting of citizens of Clarke County was held at South Charleston, wherein they fully supported the course of their Sheriff and the other officers, who arrested the U. S. Marshals — declared themselves ready to submit to any writ legally executed by *decent, sober* Marshals — denounced those partizan editors, who had misrepresented and slandered the citizens of Clarke County, “conspicuous among which editors for venom and meanness, is the editor of the Cincinnati *Enquirer*,” &c.

On the 28th June, another descent was made on Mechanicsburg; in this case, by eight Deputy U. S. Marshals, with a view to arrest Messrs. Hyde and Charles Taylor, but they had both sufficient warning to enable them to escape the clutches of the hounds, who, being foiled, hurried away at early sunrise.

At various times, mostly early in July, the following persons, charged with obstructing the U. S. Marshals in the Mechanicsburg slave case, were all brought before United States Commissioner Newhall, at Cincinnati, and held to bail in the sum of \$1,500 each, to appear and answer said charge at the October term of the United States Circuit Court, viz: Ichabod Corwin, A. L. Mann, Price Morris, residents of Mechanicsburg; Samuel Lewis, Sheriff of Greene County, Sheriff John E. Layton, Deputy Sheriff James Fleming, Justice J. S. Christie, Attorney J. S. Hawk, Constable Alexander Temple, Deputy Sheriff William H. Compton, John C. Miller, and Constable E. Crossland, of Springfield. Thus was the sovereignty of Ohio ignominiously trailed in the dust before the power of slavery, incarnated in the Federal Government. And where was Governor Chase? And what use or meaning was there in having a State Government in Ohio?

At the assembling of the Court, Judge Leavitt instructed the Grand Jury as to what constitutes the violation of the Fugitive Slave Law. See *Standard*, November 21, 1857.

In April, 1858, nearly a year after the origin of the case, the prosecutions against the Ohio sheriffs and others were dismissed in the United States District Court, the District Attorney moving a *nolle prosequi*. And so Ohio was allowed to go out of Court, and went without the slightest remedy for all the violence and indignities which had been heaped upon her officers. It was said that the suits were discontinued by order



of President Buchanan, Gov. Chase having advised that course, and saying the people of Ohio would not bear their prosecution.

*Another Slave-Hunt in Cincinnati.* While the affair last described was yet remaining unsettled, the U. S. officers were summoned by one Col. C. A. Withers to arrest two of his slaves, Irwin and Angelina Broadus, (man and wife,) who had escaped from him in Kentucky. The following account of the matter is abridged from the Cincinnati *Commercial* and *Times*, of June 13 and 15, 1857:—

“About ten o’clock Saturday morning, a bloody affair took place on Vine street, a few doors above Fourth. Deputy United States Marshal J. C. Elliott was severely stabbed by a runaway negro whom he was attempting to arrest, and the negro shot and desperately wounded by another of the United States Marshal’s posse. It appears that two negroes, slaves of Colonel C. A. Withers, of Covington, Superintendent of the Covington and Lexington Railroad, had for some days been concealed in room No. 18 of the building adjoining the *Gazette* office on the north, which apartment was rented as a lodging-room by W. M. Connelly, reporter for the *Daily Commercial*. Friday night, the room was watched, and Saturday morning, warrants having been procured for the arrest of the fugitives, Deputy United States Marshals John B. Anderson, B. P. Churchill, J. C. Elliott, J. K. Lowe, James Woodward and E. B. Carty, proceeded to bag the game which had been treed. Woodward was stationed at the trap-door on the roof of the house, to prevent the possibility of escape in that direction. The others approached the room by the stairs. One of the party knocked for admittance. It was denied, when Elliott knocked out one of the panels of the door, when the negro man made a plunge at him with a dirk cane, inflicting a wound just below the third rib on the left breast.

“One of the party, said to be Withers, the owner of the slaves, then fired at the negro, the ball taking effect just below the breast bone. Elliott, as soon as he was stabbed, walked down the steps and across the street to the Custom-House, with a pistol in his hand. He was noticed by some bystanders, and assisted up the steps into one of the offices back of the District Court-room. The negro and his wife were al

brought over to the Custom-House, and placed in one of the rooms.

“ Elliott received two wounds, one in the breast, near the left shoulder, the other in the left arm, near the elbow. The negro was shot in the abdomen. The instrument with which Mr. Elliott was wounded was a sword cane, the blade of which was bloody for eight inches. Dr. Blackman attended Mr. Elliott, and found that internal hemorrhage ensued from the breast wound.

“ The captive negroes were taken at once before the United States Commissioner, E. R. Newhall, and in a remarkably short space of time were ascertained to his satisfaction to be fugitive slaves belonging to Col. Withers, and remanded to their master, to whom they were despatched in hot haste, the woman accompanying the Colonel in an omnibus, guarded by two Deputy United States Marshals, and the man being moved in an express wagon, with a guard of three of the Marshals. A warrant was issued for Connelly, in whose room the fugitives were found, but at the latest accounts, his whereabouts had not been discovered.

“ We saw Marshal Elliott last evening. He was still in the office of the United States Marshal. He was *using an American flag for bed-clothing*, and evidently suffering much, dozing and moaning. At 9 o'clock last evening, Dr. Blackman reported him as improving, with prospects of recovery.”

The wounded negro was taken from Covington to Cynthiana, Ky., where, after lingering a time, he died of his wounds. The ball, it was found, passed through his stomach, and entered his lung. “ Freed at last,” says the *Ohio Anti-Slavery Bugle*.

“ *Nashville, Washington County, Illinois, July 4, 1857.* The citizens of this place have been engaged in celebrating the anniversary of Independence (!!) by holding an inquest on the dead body of a fugitive slave, shot last night in this vicinity. It appears that three runaway slaves from near Pilot Knob, Mo., were in the neighborhood, and last night a large crowd started out in search of them. After scouring the country for several hours in vain, the most of the crowd returned, but a detached party of six men encountered the fugitives, and ordered them to surrender. One of the negroes

made fight, with a pistol in each hand, and was shot by one of the party named Mansfield, in self-defence. (!) The negro died in an hour and a half. The other two made their escape." An inquest was held on the dead body at Nashville, (which is in that part of Illinois called Egypt, on account of the prevalent ignorance and pro-slavery character of the population,) and on the day following "the grocery rabble carried the corpse out for burial, singing and drumming on the coffin the tune of 'Old Uncle Ned.' Subsequently, a part of this same crew assisted the kidnapper to exhume the body, when the head was drawn across the corner of the coffin, and with an axe was dissevered from the corrupting remains, and being placed in a vessel of spirits, was taken to Missouri. \* \* \* The honest German, from whose shop the axe was taken, was so horrified at the act, that he refused to receive the axe again upon his premises." (From the *Chicago Tribune*.) "We can hardly believe," says the *St. Louis Republican*, "the latter part of the story. It is too atrocious to be enacted by any man, unless in a moment of ungovernable passion. One thing is certain, that it will find no justification — no palliation — among any considerable portion of our people" — with more to the same effect. A horrible thing, it seems, to cut off a dead man's head for exhibition, but nothing calling for especial censure or remark to give chase to him with murderous weapons, and to shoot him dead — and all for the crime of loving liberty! Nothing is said of the other two slaves, and we may hope, therefore, that they made good their escape. See *Standard*, July 18, August 1, and August 8, 1857.

*Camp Point, Illinois, July 15, 1857.* A negro woman and three small children escaped from her master, living at La Grange, Mo., and came over into Illinois. They hid in the woods several days, until hunger drove the mother to the vicinity of the house of James Welsh. Meanwhile, it had been reported that a reward of \$1,000 was offered for the apprehension of these fugitives. A daughter of Welsh, seeing the mother and children, decoyed them to her father's house, by telling them she was a friend, and would give them food, &c. "The distracted mother accepted this offer for her starving children, and, without suspicion, went to the house. Before they had time to appease their hunger, the sable mother,

and poor, helpless children, were surrounded by a dozen stout men, *all armed*; a hack was procured, and the poor creatures were soon fast returning to their bondage. — *Chicago Daily Tribune*.

*Philadelphia, July 27, 1857.* A negro man, named JIM, who had accompanied his master, Charles Parlange, from New Orleans, left the said master for the purpose of tasting the sweets of freedom. Mr. Parlange endeavored to secure the aid of the police, by representing that Jim had stolen two tin boxes, one of which contained money. A telegraphic operator, named David Wunderly, was very officious in the case, saying that \$100 (the reward offered) did not come along every day. Probably JIM found friends, and his freedom was secured.

*Springfield, Illinois.* Commissioner Corneau sent back into slavery an elderly negro, about sixty years of age. He had been a slave in Kentucky; in 1847 was sold by a Mr. Clemans, of Union County, in that State, to a neighbor named M'Elroy, with the express condition that he should be free at the expiration of seven years. When this period had elapsed, M'Elroy agreed to pay him wages as a free man. His wife and children have resided at Atlanta, in Illinois, free, for several years. A few months since, the man came to visit his family, and staying longer than usual, M'Elroy sent a fellow named Markham with M'Elroy, Jr., after him, who arrested the old man while working in a harvest field. A Democratic lawyer espoused the cause of the man-hunters, but objected to any counsel being allowed to the alleged slave! This was overruled. William H. Herndon, Esq., of Springfield, volunteered to act as the slave's counsel, and with assistance of Mr. J. E. Rosette, contested every inch of ground with ability and zeal. But it availed nothing. — *Correspondent of Chicago Tribune*, August, 1857.

“*Cairo, Illinois, July 27, 1857.* On Sunday morning, a party of Missourians, supposed to be nearly fifty in number, came over from the Missouri shore, to search for fugitive slaves — some ten or fifteen slaves having recently escaped from that part of the State. They surrounded and searched several negro cabins, but at length the free negro residents,



excited by their threats and insulting language, determined to permit no further search without a warrant, and offered determined resistance. A party of white men attacked a house near the Methodist Church. A number of shots were exchanged, and a Missourian, named Wilson, had his jaw blown off; the furniture of the house was entirely demolished, and about a dozen pistol-balls were left in it. The Mayor assembled a *posse*, and arrested three of the rioters, named J. Q. Stancil, Thomas Ewing, and — Gatilin. These were examined on Tuesday, before a Police magistrate, and were held to bail to answer a charge of kidnapping.” — *Cincinnati Gazette, and other papers.*

It also appears that these men-hunters were very willing to diversify their sport by seizing occasionally free colored men. Two free negroes, about this time, had been forced across the river to be sold; one of them escaped, swam the Mississippi, and returned naked to Cairo, beaten and mangled about the head.

“*Negro-Stealers in New Jersey.* On Monday evening last, three persons visited Belvidere, for the purpose of identifying certain negroes, (four in number,) resident in this neighborhood, who were suspected to have escaped from the *patriarchal* bondage of the South. Finding their papers to be defective and informal, they were compelled to return on Tuesday morning for further vouchers. In the meantime, the suspected fugitives got wind of the danger, and fled to a place of safety. Among these fugitives from home and friends was an old and respected negro, who has resided in Belvidere for thirty-seven years, gathering around him a family, and acquiring considerable property, and being a worthy and respected member of the Methodist Church in this place. These cases were ferreted out by one John M. Bryan, residing in Belvidere, who conferred with the masters, living in Delaware, and thus sold himself to this nefarious business, for about as many pieces of silver as Judas received for the betrayal of his Master.” — *Belvidere (N. J.) Intelligencer*; in *Standard*, August 22, 1857.

*Wheeling, Virginia.* “Two black girls, owned by Hugh Nichols, of Wheeling, succeeded in escaping to the Ohio side of the river. Immediate pursuit was made, the girls were

overtaken between Bridgeport and Martinsville, and carried back to slavery."

*"Appeal to the Benevolent.* Mr. William Cockerel, an American slave, who was whipped, imprisoned, hunted and caught by bloodhounds, shot, robbed of wife, children, education, wages, every thing, — and who, after his escape from Southern bondage, was twice arrested in Illinois, incarcerated in a felon's prison, sold out at auction, in pursuance of Illinois law, and at last made his final escape to Canada, is in this city, for the purpose of obtaining the means of redeeming his only son from bondage. His case appeals strongly to the benevolent." — *Boston Traveller*; in *Standard*, September 19, 1857.

*A young white woman*, who came from Kansas with a man named Halliburton, was sold by him as a slave, in Carrolton, La., to a trader named White. She fled from his domicile, and sought protection in a neighboring parish. She represented that she was an orphan, and left in charge of a guardian, who went to California; that Halliburton informed her that he had received a letter from her guardian, requesting him to take the girl to New Orleans, and send her on to him in California. The case is surrounded by mystery. — *New Orleans Correspondent of the St. Louis Leader*.

[Though not strictly a case under the Fugitive Slave Law, this is inserted as one of a great number recorded in the journals of both men and women turning kidnappers of children and others; the occurrence of which may be in a great measure ascribed to that law, and to the mercenary, lustful and diabolical spirit it nurtures.]

*A Methodist Church fleeing to a City of Refuge.* Under this head the *New York Independent* details a case of a very touching character, which it has responsible authority for saying may be relied upon in all its facts. It is too instructive to be withheld, and does not admit of abridgement: —

"A few days since, I was travelling in the neighborhood of the great road, (once governmental, when it was constitutional for the General Government to have roads or build them,) leading from the capital of the Union to the 'frontiers.' Here I saw what the historic page describes, but which I hoped my eyes and heart would never be pained with seeing — a

church fleeing for refuge. Some on foot, leading their children by the hand, others in wagons, and following the 'leading of the better Providence,' were forsaking their homes, lands, neighbors, and the church of their adoption, to find, under the flag of the Crown, that 'liberty and the pursuit of happiness' denied them under the *stars and stripes*.

"Tears and sorrows were their companions. Yet, hidden by their heaving bosoms were hearts strong in the faith of the covenant-keeping God, that under a colder sky, and on a more congenial soil, His blessed manifestations they should enjoy, and their blood, and the blood of their kindred and children, no man should dare to claim. True, they had left farms and firesides, homes and friends, but they were carrying with them the altar in the heart, and the Shekinah.

"As I wished them a hearty God speed, I remembered that at the last quarterly meeting of the Methodist Episcopal Church, I had seen them surround the altar, and there commune, with myself and others, at the table of the Lord. I thought, as I ran over the names of the remnant left, and behold, here was a large moiety of the Church — enough to form a new church, 'fleeing into the wilderness.' I thought, too, of Pastor Robinson's church, in the Mayflower — that Puritan church, from the West of England, among whom were my maternal ancestors; of that church which fled to Holland, numbering with it my paternal ancestors; of the Huguenots, who found in the Georgians that freedom to worship God which France denied. A host of worthy examples came crowding into my mind; the Holy Family, too, who had sought and obtained in Egypt, liberty and life, that the constituted authorities of the Fatherland had refused them; and I said to myself, they are in good company. Better to cast in my lot with these, than with the Herods, and Henrys, and Harleses, and other oppressors of God's people.

"The pursuer was on their track; they were the hunted, panting fugitives. So, too, the minions of Herod sought for my infant Lord. I could not be ashamed of them. Before them were the wilds of Canada, and hardships, poverty, and suffering. But Liberty, blessed spirit, was there also. Behind them was the hated rice-field and cotton, and slavery.

"I knew where they were from, and who claimed them, and my duties under the Constitution, in the mind of their claimant; but I remembered *who owned* them, having *purchased them with His own blood*; and no Marshal's baton, no power on earth, should have persuaded or forced me to detain them a moment. Let no man talk to me of *law*, and my duties as a *law-abiding* subject. I am a law-abiding and *law-loving* subject, as were all my fathers before me; but my mothers have been scourged, fined, imprisoned, for refusing to obey the laws of the crown of England — *self-constituted authorities of God* — and their descendant honors and venerates them for their disobedience. Their blood flows freely and hotly in his veins. It curdles at the Fugitive Slave Law, and will spill the last drop, before yielding the slightest obedience to it. Law must commend itself to my *conscience*, before I can *conscientiously obey it*. My conscience is not the creature of the law, but above it, beyond it, could exist without it. A violated conscience, what law can heal? Yet I would not resist *by force* this law, however hateful or odious, nor would I resist any law. It is one thing to resist, and another thing to refuse to obey. A refusal to obey may call for penalties, and stripes may be gloried in, and a dungeon become the paradise of God.

R. P. S."

See also Salem (Ohio) *Anti-Slavery Bugle*, September 20, 1857.

*Cincinnati, Ohio.* Two Cincinnati officers discovered at the river side a number of men endeavoring to force a negro man, whom they accused of having stolen a carpet-bag, across the river to the Kentucky side. The officers took the negro into custody, and placed him in a station-house; but after keeping him there awhile, and no one appearing to claim him, he was discharged. The negro said he had been a slave, but was liberated by his master in Cincinnati, who had then unexpectedly returned and claimed ownership, and had forced him to the river, when the officers took him in charge.—*Cincinnati Commercial*, September 28, 1857.

*Washington, October, 1857.* MATILDA SMITH, the slave of a Mr. Martin, of Maryland, had been manumitted by the latter in the summer of 1856, on receiving the sum of \$75 from Mr. Lewis Clephane, a well-known anti-slavery gentleman of Washington; it being then supposed that the said Matilda was in or near Boston. She was an elderly person, and blind of one eye. About Christmas, 1856, Matilda appeared in Washington, which fact becoming known to her former master, Martin, he caused her to be arrested as a fugitive slave and brought before a magistrate, alleging that she had never been in Boston at all, but had been concealed in Washington. His deed of manumission being produced, he declared it to be worthless, as the woman had never belonged to him, but to his wife, and that he had no right to sell her! Case postponed a few days.—*Corr. of N. Y. Tribune*, Oct. 20, 1857.

BEN (or BENJAMIN CHELSON), a slave near Lexington, Ky., was emancipated in 1840, by will of his master, and went to Ohio to live. The heirs of his master were unwilling to lose so valuable a piece of property, and tried various schemes to get possession of him. At length, they employed a negro man to decoy him to a place on the shore of the Ohio River; and there his kidnappers were lying in wait for him. They pounced upon Ben, who "fought with the desperation of a man who had tasted the sweets of liberty, after having spent half a life in slavery, and it was not until he had been several times brought to the ground with a stick, and his head severely cut and bruised, that he yielded to his captors, who bound him, and took him to Covington jail, whence he



was sent to A. M. Robinson, Estil County, Kentucky." — *Cincinnati Gazette*, Oct. 26 and 27, 1857.

*Newtown, Somerset Co., New Jersey.* A colored boy named HENRY EDWARDS, kidnapped by two men, and carried rapidly away in a wagon, arriving at Bordentown at 4, A. M. Here the boy contrived, by kicking against the side of the wagon, to call attention, when two of the bridge men came and discovered him, bound and gagged. They took him from the wagon, when his kidnappers applied the whip to the horse and drove off at full speed. The boy, on being freed, started for home on foot, which he reached on Saturday evening, having been carried off on Wednesday evening. — *New York Tribune*; in *Standard*, Nov. 14, 1857.

*Cincinnati, Ohio.* Three slaves, brought by their master, a Mr. Withers of Virginia, stopped at the Cincinnati landing on their way to St. Louis; while the boat lay there, the slaves were taken by a writ of *habeas corpus*, granted by Judge Burgoyne of the Probate Court, and brought before Judge B. on a Monday afternoon. By request of counsel, the examination was continued to the next day, and the slaves meantime committed to the care of Mr. Eggleston, as guardian, according to an Ohio law. But on Tuesday morning, Withers obtained another writ of *habeas corpus*, from Judge Carter, of the Common Pleas Court, alleging his slaves to be illegally detained. They were brought before Judge Carter, when the following conversation occurred: *Judge C.* "Are you a slave?" *Ans.* "I am." *Judge C.* "Do you wish to go with your master?" *Ans.* "I do." *Judge C.* "You are at liberty to go where you please." The same questions were put to the others, with like answers; when Judge C. directed the Sheriff to hand over the slaves to the custody of Mr. Withers, and they were immediately rushed out of the court-room, put into an express-wagon waiting at the door, and driven with speed to the Vine Street Ferry, put on board the steamer *Queen City*, and in a few minutes were landed on the Kentucky side.

The sly, under-handed way in which the re-delivery of the slaves was made at the Court-House probably prevented a scene of excitement. An attempt was made, by Mr. Jolliffe, to obtain from Judge Burgoyne a writ against Alfred George

Washington Carter (the Judge), for a contempt of Court. Judge Burgoyne declined this, on account of the eluding of jurisdiction, although he said he felt bound to protect the process of his Court. He ordered an attachment upon the slaves to be issued at once. Judge Burgoyne further stated, that Judge Carter had said he should take *no further action in the matter* until the proceeding in the Probate Court was disposed of! — *Boston Journal*; in *Standard*, Nov. 21, 1857.

Judge Burgoyne caused proceedings to be instituted against the lawyer, J. J. Dennis, who sued out the second writ of *habeas corpus*, while the first was still undisposed of. Mr. Dennis was brought before Judge Burgoyne, and it was shown that he had procured an adjournment of the Court of Common Pleas, under pretence of preparing for trial as counsel for Million, claimant of other slaves, and then, with Judge Carter as an accomplice, smuggling eight human beings into Kentucky slavery. The *Ohio Bugle* says:— “Judge Burgoyne has in this and in the Margaret Garner case, shown more manhood and self-respect than any other representative of the vaunted sovereignty of Ohio, and has alone attempted to maintain the dignity and authority of his Court. For such an intolerable offence against the peace and dignity of slaveholding rule, he is now to be pursued with prosecutions and vexatious suits, got up by kidnappers and their abetting attorneys and judges. This process has been commenced, as we learn by the following paragraph from the *Cincinnati Gazette* of Monday last :

“The recent proceedings in the case of alleged contempt of the Probate Court, growing out of the return of the eight slaves to Kentucky, has given rise to a prosecution in another shape. Yesterday afternoon, about 4 o’clock, Constable McLaughlin arrested Judge Burgoyne on a warrant issued by J. J. McFall, Esq., and took him before that officer, to answer a charge of oppression in office.

“The affidavit upon which the warrant was granted was made by J. J. Dennis, Esq. The particular ground of complaint we understand to be the infliction of the fine of \$500 upon that gentleman, for the alleged contempt of the Probate Court, the refusal to permit Mr. D. to say any thing in his own defence at the time the sentence was passed, and various acts of oppression connected with the hearing of the case.

“Judge Burgoyne was taken before Justice McFall, who held him in bonds of \$1,000 for his appearance for examination.” — *Bugle*, Dec. 12, 1857.

DAVID WAIT, of Adams County, Ohio, indicted for aiding, abetting, and harboring fugitive slaves, was brought for trial before the United States Court in Cincinnati; Judge Leavitt presiding. In this trial, Mr. B. Million, of Kentucky, the alleged owner of the slaves, (eight in number,) and the principal witness against Wait, gave testimony so contradictory to what he had avowed to several persons previously, that he was immediately put on trial for perjury. It was proved by credible witnesses that he had declared that the negroes had crossed the river with his consent, in order to get them beyond the reach of his creditors. Judge Leavitt, in charging the jury, said that, if the slaves left Kentucky by consent of their master, the verdict should be in their (the slaves') favor. The jury were out one day and night, could not agree, and were discharged. It was understood they were nine for conviction, and but three for acquittal!

JAMES PUNTNEY, also, was arrested on complaint of said Million for harboring his eight slaves, and was held to bail in \$500 to answer to the charge. B. Million, being brought before Commissioner Lee, on the charge of perjury, was discharged! — *Cincinnati Gazette*; and *Standard*, of Nov. 21 and 28, 1857.

*Geneva (N. Y.) Kidnapping Case.* This case is so illustrative of the spirit engendered by the Fugitive Slave Law, as to demand notice in a publication like this:

Two young colored men, or lads, 18 or 20 years of age, residing in Geneva, New York, were induced, by the promise of liberal wages, to leave that place for Columbus, Ohio, to work in a hotel there. Their names were Daniel Prue and John F. Hite. The man who offered them the wages, and who was to accompany them to Columbus, was Napoleon B. Van Tuyl, only some 21 years of age, a clerk in a dry goods store at Geneva, and son of a respectable citizen of Penn Yan, N. Y. He was, says the *Yates County Chronicle*, “the only remaining child of his parents, and had hitherto maintained an honest character; he was also a *professor of*

*religion and a member of a religious church.*" [The distinction between a *religious* and a *Christian* church is suggested by these words,—a distinction exceedingly important to be borne in mind.] We copy now from the *Cincinnati Gazette*, of several dates from 3d of December, 1857, onward :

The history in brief is thus : On the cars from Cleveland, Van Tuyl, the kidnapper of the negroes, fell in company with three Kentuckians, Barton W. Jenkins, of Port Royal, Henry County, and Henry Giltner and George W. Metcalf, of Carroll County, to whom he represented the boys as runaway slaves, and solicited their aid in getting them back to Tennessee, from which State Van Tuyl asserted they had escaped. The three gentlemen named, placing implicit reliance in the story of the kidnapper, who gave his name as Paul Lensington, rendered him such assistance as was in their power, and when the boy Daniel Prue, who, it seems, had overheard a part of the false tale of Van Tuyl, and who had also learned that the cars had passed Columbus, where he expected to stop, attempted to get off the cars at Carlisle, Mr. Jenkins made an effort to keep him on, which Prue resisted and knocked him down, and escaped and went back to Columbus on foot. Jenkins subsequently went back with Van Tuyl in search of him, and was afterwards arrested at Franklin on charge of kidnapping, but discharged for want of evidence.

The other boy (John Hite) remained on board the cars, still believing that the men were acting in good faith, and that every thing would be satisfactory. He was brought to this city, (Cincinnati,) conveyed across the river to Covington, and from there shipped down the river and placed in jail at Carrolton, Ky.

Certified copies of the freedom papers of Hite were forwarded to Judge Wilcox, of Columbus, together with a letter from Hon. Sam'l F. Vinton, giving a full description of him. He had been a servant in Mr. Vinton's family in Washington, where his father now lives. The free papers and Mr. Vinton's letter were given to Judge Calvin Walker, who went to Kentucky, by authority of the Governor of New York, to ferret out the matter, accompanied by Mr. Robert Lay, of Geneva, for whom Hite had formerly worked, and who could therefore readily identify him.



But to return to the order of the narrative :

Van Tuyl (or Lensington, as he was known to the Kentuckians) came to Kentucky a day or two after, and made a sale of the boy to Jenkins for \$500, alleging, in the bill which has been shown us [Editors of *Gazette*], that he was "19 years of age, of copper color; that he was the true and lawful owner of said boy, and that he was a slave for life," which he signed "Paul Lensington." The bill of sale was made out for \$750, but \$500 only was paid, the balance being voluntarily deducted by Van Tuyl for the trouble of the purchaser in aiding him to secure his "property." Subsequently, the negro was sold to Lorenzo Graves, Esq., by Mr. Jenkins, for \$750, who took him to Warsaw, Ky., but afterwards sent him to Louisville, to be confined until he should require his services elsewhere. This brings the history of the case down to the arrival of Mr. Walker with the requisition from the Governor of New York.

On the arrival of the two New York officers at Warsaw, they had no difficulty in finding Mr. Graves, and on explaining to him their business, and exhibiting the evidence in their possession that the negro was free, that gentleman replied, "I am satisfied he is a free negro, and that he has been kidnapped. I am a Kentuckian and a slaveholder, but I would as soon poison my mother as to purchase a negro I knew to be free. I pledge you my honor that the boy shall be placed in your hands, and safely conveyed to a free State." Like an honorable man, he kept his word in every particular.

Mr. Graves immediately had horses saddled for the party, and proceeded to the residence of Mr. Jenkins, who had made the sale to Mr. Graves, and that gentleman was as much astonished as had been Mr. Graves, that he had been so foully imposed upon by the rascal Van Tuyl, and immediately refunded to Mr. Graves the amount of the purchase money, putting to his private loss account the \$500 paid to Van Tuyl, merely reminding the officers, if any portion of the amount could be obtained from "Mr. Lensington," that it should be forwarded. Matters being satisfactorily arranged thus far, the whole party started for Louisville, where Hite was still in confinement, and Mr. Graves not only opened the prison doors of the captive, with his own hands, and delivered him to Mr. Walker, but he accompanied the gentlemen with

the boy to this city, gave the latter money to spend on the way, and on his arrival here, bought several acceptable presents to send to the boy's mother at Geneva. In reply to Mr. Walker, as he was about leaving for home on the mail boat Saturday noon, who thanked him for the trouble he had taken in the matter, and for his honorable conduct throughout, Mr. Graves said, "I promised that you should have the boy on free territory, unmolested, and I have kept my word. I was satisfied a foul wrong had been committed, and I have done what I could to right it. I only hope the laws of New York will be equally prompt in punishing the guilty party.

"Honor to whom honor is due," and surely in this case the Kentucky slaveholder appears in high and honorable contrast with the "religious church" member from the North.

After selling young Hite, and getting his \$500, Van Tuyl returned to Dayton, Ohio, from which place he wrote a letter to a lady in Geneva, which letter was intercepted. Supposing his villainy to be undiscovered, he came to Niagara Falls, N. Y., and there was arrested and taken to Geneva. "He was met at the Geneva railroad station," says the *Albany Journal*, "by an immense crowd of intensely excited and indignant citizens, most of whom were black, and, but for the presence of a number of officers, would probably have been subjected to harsh treatment." "As it was," says the *Cortland Republican*, "one colored girl aimed a blow at his head with a bar of iron, which fortunately shattered a lantern into a thousand pieces, instead of laying open his skull."

Prue was summoned as a witness from Ohio, and a purse was raised there to enable him to return.

Of Van Tuyl's release we find no account, but in the following April (1858), we find him in New Orleans, where he was recognized by the Kentuckian to whom he sold the boy Hite. Van Tuyl there went by the name of Edwin Read. He was arrested and taken to Kentucky, and being tried at Frankfort, on a charge of obtaining money by false pretences, was acquitted by the jury. He was immediately handed over to New York officers, to be tried in that State for kidnapping.

*Brooklyn, New York.* A man, nearly white, owned as a slave by a planter in Georgia, arrived at the port of New York on Saturday last, in the steamship Florida, from

Savannah. The captain was not aware that he was on board until he was several days out, and on his arrival in New York secured the services of two policemen, who took the man (who is called John Smith) to the house of Thomas McNulty, at Red Hook Point, where he was guarded night and day by four persons employed for that purpose. The fact became known to Mr. Lewis Tappan, who applied to Judge Culver, of the Brooklyn City Court, for a writ of *habeas corpus*, which was granted. Constable Oliver served the writ, and brought the fugitive before the Judge, at his house in Williamsburg, where the case was disposed of, and it is understood that he was discharged. It is also understood that an action will be commenced against those who retained Smith in their custody. Smith was to have embarked for Georgia yesterday. It is not probable that he went in that direction. — *N. Y. Tribune*.

☞ A fuller account of this case may be found in the *Anti-Slavery Standard* of Dec. 12, 1857. •

*Wholesale Capture of Fugitives in Nebraska.* The St. Joseph (Mo.) *Gazette* relates the following account of a wholesale capture of runaway negroes:—

During the past week, we heard, through a gentleman living near this city, the following interesting account of the capture of *eleven* runaways:

About a fortnight since, a gentleman stayed at our informant's house on his return from Iowa, whither he had been in pursuit of the fugitives above alluded to. The negroes made their escape from Clay, Jackson, and Platte Counties several months since, and have eluded all pursuit until the last three weeks. The gentleman of whom we speak, we believe, lives in Clay or Platte, and owns five of the negroes. He relates that he first heard of them at or near Topeka, Kansas, some time since, whither he went to capture them. The people of that famous burgh succeeded in defeating his efforts to get his property. He then applied to the authorities for a force which was sufficient to effect his purpose. When this was ascertained, the negroes were secreted and assisted to again escape. He then hired a free negro of Jackson County to pursue them. This fellow being shrewd, and having some knowledge of the character of an

Abolitionist, went to Topeka and represented himself as a fugitive. This he knew to be the key to the hearts of negro lovers. A horse was furnished him, and information given where he might join the party he was in quest of.

The master, after receiving this information, again made pursuit, and overtook his negroes, in company with six others, about two weeks since, in Iowa, in a bend of the Missouri River near Nebraska City. In company with three other gentlemen, he proceeded at once to capture them, as they had determined upon resistance. The leader of the negroes fired three times without effect, when he was shot down. The other negroes were summoned to give up their arms, when they threw down *thirty odd revolvers*, and surrendered themselves. The negro who did the shooting is the same who killed Myers, at Brownsville, under similar circumstances, some six months since. It is not ascertained whether he was fatally wounded or not. The whole party of negroes, we understand, passed through this city, under the convoy of their capturers, about two weeks ago.

*Indianapolis, Indiana.* A colored man by the name of West was recently several days on trial, before a United States Commissioner, as to his right to liberty, Dr. Austin W. Vallandingham, of Frankfort, Ky., claiming him as his chattel. This claim was established to the satisfaction of the Commissioner, Ray, who gave him up to Kentucky slavery. Subsequently, the case was brought before Judge Wallace, of the State Court, who decided that the Commissioner's writ was the paramount law of the land in the case, and the poor fellow was sent back to Kentucky, under guard of United States officials, and at United States' expense.

While the trial was in progress, Dr. Vallandingham had his chivalric nerves somewhat shocked by an arrest for kidnapping, and that, too, on the affidavit of Samuel Williams, a colored man. On this charge, he was brought before the Mayor, who required bonds for his appearance for trial at a later day—and at the time of trial, finally released him. The only defence set up was that Williams, being a colored man, was not competent to file an affidavit or give evidence against a white man, the Constitution of the State of Indiana prohibiting the testimony of such persons!!



Thus, by a decision of a State Judge, corroborated incidentally by the Mayor of Indianapolis, the sovereignty of Indiana is laid in the dust beside that of Ohio, and the dictum of a fugitive slave Commissioner is recognized as the supreme law of the land. Thus does a miserable slave oligarchy rule in our State capitals, as well as at Washington; and our enslaved and mammon-worshipping people love to have it so.—*Ohio Bugle*, Dec. 12, 1857.

The Indianapolis *Journal* gives the following account of the termination of the case:—

“About half-past five o'clock on Saturday afternoon, the negro West was taken from the Democratic head-quarters at the Palmer House to the Union Depot, and placed in the room above the ticket office, to wait for the departure of the Jeffersonville train. A little before 7 o'clock, the negro, with a slavery-loving Democrat having hold of each arm, one pushing him behind, another pioneering the way, with thirty or forty others making the 'body guard,' was brought down the stairs and placed on the train. Like a wild beast when he is caged, the negro was shoved in, thrust into a seat, and the blinds let down to prevent the crowd from looking into the car.

A large crowd was present to see the exit of West out of the city. No demonstration was made towards preventing the Marshal and his posse from putting the negro aboard the train. Smiles of contempt played upon the faces of many who witnessed the loyalty of the distinguished posse of the Marshal.”

West arrived at Louisville, Ky., on Sunday night, and was immediately placed in jail for safe keeping.

*Ann Arbor, Michigan.* Several detectives, among whom we have only the names of Officers Sprague and Wilcoxson, took a supply of small arms, handcuffs, &c., and went to Ann Arbor for the purpose of catching a couple of fugitive slaves there. They had arranged for an amicable partition of the reward. Not being able to keep their errand quite to themselves, word was got to the poor fellows, who were at work in a field, and they betook themselves forthwith to a place of greater security.—*Detroit Tribune*.

*Slave-Hunting in Kansas.* Another of those outrageous and tyrannical acts which are peculiar to the slavery-fostering

government of the United States was perpetrated in this town on the night of Wednesday last. A file of soldiers, at the dead of night, were marched up to the residence of Mr. John Richey, immediately on the outskirts of the town, headed by that pusillanimous tool of bogus law and slave-catchers, Deputy Marshal Butcher, who, it will be remembered, made us a similar visit about three weeks ago. The object of this visit, as before, was to capture some alleged fugitive slaves, whom the Deputy, and one Mills, their pretended owner, believed to be secreted here.

Without presenting a writ or other evidence of his acting in any official capacity, the Deputy, true to the instincts of that Border-Ruffianism which he serves, attempted at once to forcibly enter Mr. R.'s house, by breaking open the door with an axe, but was brought to a stand by the click of some sharp-shooters, and was compelled to obtain an increased force to secure an entrance. It is needless to say that no "niggers" were found. The Garvey House was afterwards searched by them, with the same result.

How long our citizens are to be harrassed in this way, the sanctity of their dwellings outraged, and themselves subjected to pillage and insult, is a question yet to be answered. Its continuance or cessation depends entirely upon the answer which the people themselves shall give to it. Time was, when a man's house was his castle, into which no power could venture with impunity, without due process of law. Shall that time ever return? It is for the people of Kansas to say whether a band of assassins and mountebanks, who pretend to administer law in this Territory, shall continue to desecrate their dwellings, prostitute justice, and set at nought the most sacred and inalienable of rights. Let Deputy Marshal Butcher, or any other man who shall attempt to violate the sacredness of the home circle, as has been done in this instance, feel at once the vengeance of a sovereign citizen, and the extent of the peril which he thereby incurs.—*Topeka Tribune, in Bugle*, Dec. 19, 1857.

*Ann Arbor, Michijan.* Two men from North Carolina spent much time in efforts to secure two negro brothers, called Tom and David, living in the neighborhood of Ann Arbor. The brothers, suspecting the plot, went over into

Canada, where, it is said, their "owner" visited them, and endeavored to persuade them to go with him; but not succeeding in his plan, he left and returned home.—*Detroit Free Press*.

*Philadelphia; Case of Jacob Dupen.* Jacob (30 years of age) was arrested, near Harrisburg, by Deputy Marshals Jenkins and Stewart. He was in a field ploughing, and made no resistance. He was taken to Philadelphia, and on the morning of December 18, 1857, brought before Judge Kane. The only witnesses examined before Judge Kane were Thomas John Chew, of Calvert Co., Md., and Officer Stewart. Chew testified that he knew the boy Jacob—that he was the slave of Wm. M. Edelin, of Baltimore Co., Md.—and that he knew him 14 years in that county. Officer Stewart testified to making the arrest, and to contradictory statements made by Jacob.

*Judge Kane* (to fugitive)—Jacob, do you hear what is said?

*Jacob*—Yes.

*Judge*—Do you want to ask him any questions?

*Jacob*—I don't know what to ask him.

*Judge*—Well, does he tell the truth?

*Jacob*—I don't know what he said.

*District Attorney*—Was Mr. Edelin your master?

*Jacob*—Yes, sir.

*District Attorney*—Do you want to go home with him?

*Jacob*—I want to go somewhere.

*District Attorney*—Who brought you from home?

No answer.

*District Attorney*—Don't you want to answer?

No answer.

*Judge*—You are not obliged to answer. Where did you live in Maryland?

No answer.

*Judge*—Was it in Calvert County?

*Jacob*—Yes, sir.

The necessary papers were then made out, and Jacob was handed over to the custody of his master. There was no excitement in the court-room; indeed, no one present, except the officers of the Court and the parties.

At this stage of the case, Wm. M. Bull, Esq., came into Court, and stated that he had been employed by the friends of Jacob to defend him.

Judge Kane remarked that the case had been heard, and that he had remanded the fugitive to the custody of his master.

The counsel asked if it was not unusual for cases to be heard at so early an hour in the morning?

*Judge Kane*—There is no rule of Court which fixes a time for the hearing of cases. In the fugitive slave cases, there is often an attempt made to interfere with the execution of the law, and for that reason, they should be peremptorily heard.

*Mr. Bull*—That is the case, your Honor, in others besides fugitive slave cases. I did not know that in any case the defendant had not a right to be represented by counsel.—*Philadelphia Bulletin*, Dec. 18, 1857.

What a mockery of law was this, to say nothing of justice! What a sight it was, indeed, to witness this Judge and District Attorney helping each other to get admissions from the lips of this poor fellow, who had neither friend nor counsel to advise him,—and whose case was hurried indecently to its end,—violating even the Fugitive Law itself, in obtaining and using the accused man's witness to his own harm! Here was a gross violation of the rights of the fugitive;—enough to have caused the impeachment of both officers. The Judge, even while informing the accused that he is not obliged to answer, urges and shapes his questions to extort from the friendless man an admission that he had lived in a slave State. Dark days were these, when on the side of the oppressor there was power, and men in high places did wickedly, and no man cared for the oppressed.

DAVID W. BELL and son, of Indiana, were forcibly abducted from their home and carried across the river into Kentucky, on suspicion of having aided the escape of a slave belonging to a Mr. Ditto. The kidnapping men first came to Mr. Bell's house as friends, and were entertained there. Having thus played the part of spies, and laid their plans, a posse of Kentuckians was brought across the river from Brandenburg, and at 10 o'clock at night they forcibly carried them to Kentucky, and lodged them in jail.—*Indiana State Journal*.



After they had lain in Brandenburg jail nearly a year, two other sons of Mr. Bell, lately returned from California, went across the river, on a day when the men of Brandenburg were mostly absent at a barbecue, demanded the jail keys, took out their father and brother, armed them with revolvers, and all succeeded in getting safely over to Indiana, though pursued by nearly twenty persons.—*Standard*, August 28, 1858.

*Slave Chase in Nebraska Territory.* Sometime in 1857, three colored men passed through Nemaha City northward. Some persons suspected them to be fugitive slaves, and having no better business than to be kidnappers' hounds, collected a party of men, who, on horse and mule-back, followed their prey, and overtook them. "One negro was shot through the right arm by two white men, and captured, because he could not swim the Missouri River. The other two negroes shot William Myers and killed him, and finding themselves surrounded, without hope of escape except by an extraordinary movement, seized, mounted, and rode off two of the enemy's horses. Neither horses nor negroes have been recovered. The wounded negro was detained in jail in Nemaha County, at an expense of about \$300, until our recent November term of the District Court, when, upon affidavit, his trial was transferred to Otoe County; and there, about a week ago, the poor negro, with one arm, was returned to his master without a trial."—*Nemaha City Journal*, January, 1858.

*Sandoval, Illinois.* "Three well-dressed and manly-looking negroes were arrested at Sandoval, at the junction of the Illinois Central and Ohio & Mississippi Railroad, last week, and locked up in the Salem jail. They were supposed to be fugitive slaves. Notice of their capture being given, a man calling himself their 'master' appeared, and took them in charge, as we understand, without process of law, and carried them to Missouri and bondage."—*Chicago Tribune*, January 25, 1858.

*Free man kidnapped from New York.* Under date January 24, 1858, the Mayor of Richmond, Va., (Joseph Mayo, Esq.,) wrote to the Mayor of New York, saying that a man named Mason Thomas had been brought before him, charged with kidnapping from New York City a negro named George

Anderson, and selling him as a slave; and that Anderson, being questioned, said he was a free man, and had been hired by Thomas in New York, to work for wages in Pennsylvania. The Richmond Mayor desired evidence, if it could be had, of the truth or falsehood of Anderson's story. Mayor Tiemann, of New York, caused the needful inquiries to be made, when it was found that George Anderson's account of himself was "correct in every particular." The necessary papers, affidavits, &c., were immediately forwarded to Richmond. — *Standard*, February 6, 1858.

Gov. King, of New York, sent officers to Richmond, with a requisition for both Thomas and Anderson; they were delivered up, and brought to New York. Thomas, in default of bonds, was imprisoned to take his trial for kidnapping.

*Case of WILLIAM M. CONNELLY, of Cincinnati.* "On Monday of last week, as Deputy Marshal Elliott, of this city, was on his way home from Washington, he stopped in New York City, and requested Marshal Rynders, of that district, to aid him in the arrest of William M. Connelly, who is under indictment here for harboring the slaves of Col. Withers, of Kentucky, while they were in this city in June last. The Marshal designated one of his deputies, named O'Keefe, who was to meet Elliott at 7 o'clock in the evening, to proceed to the office of the daily paper upon which Connelly was employed as a reporter, to make the arrest. O'Keefe went to the office in advance of the time agreed upon, and sent to an upper room for Connelly. The latter came down at once, and the arrest was made. Connelly expressed his willingness to accompany the officer, but requested permission to return to his room to arrange his papers. He was permitted to do so, the officer remaining below, who, after waiting a reasonable time, and the prisoner not returning, proceeded to the upper room, and found that Connelly had made his escape through another entrance into the street, and has not since been heard of. Marshal Rynders has offered a reward of \$50 for his arrest." — *Cincinnati Gazette*, February, 1858.

Connelly was subsequently arrested, and taken to Cincinnati; he was tried and convicted in May, although it was proved that the slaves in question had been in the habit of

coming to Cincinnati with their master's consent, thus becoming free by the laws of Ohio. Mr. Connelly was fined ten dollars, and to be imprisoned twenty days; — not even Judge Leavitt venturing a severer sentence.

*Kidnapping at Pittsburg, Penn.* The *Pittsburg Post*, of February 13, 1858, and other Pittsburg papers of that time, represent that, some five years previously, a light mulatto man, named George W. Farris, escaped from his master, a wealthy planter by the name of Reiglan, (in some accounts called Ruggles,) near Tuscumbia, Alabama, said master being also the reputed father of Farris. He was a fine mechanic, came to Pittsburg, married, and settled. A fellow mechanic, named George Shaw, who had worked on the same plantation with Farris, followed him to Pittsburg, and endeavored to entice him back into the slave States, but without success, until about a year since, when, by showing him a forged letter or letters, he induced him to go to St. Louis, and from there, to a small town named Brunswick, to work as a bricklayer. Here Farris was arrested by the United States authorities, and carried back to Alabama. Farris's wife (a white woman) remained in Pittsburg, with one child, a little girl of three years old, white, and attractive. Soon the mother had reason to think that Shaw was planning to get possession of her child, with a view to carrying her also into slavery, being in league, for that purpose, with a man named Cassel, employed at the Pittsburg Theatre; and, on her complaint before the Mayor, Shaw and Cassel were arrested, and held for trial. Shaw had boasted that he had been in pursuit of Farris for five years, and had received considerable sums of money in payment for his services. His principal employer seems to have been a son of Reiglan the elder — consequently a half-brother of Farris, against whom the villainous plot was laid. This statement Shaw had made to John B. Nettle, of Lowellville, Ohio, as was declared by a correspondent of the *Pittsburg Gazette*, in a letter dated February 22d. He told Nettle he had received five hundred dollars and his expenses, being then on his way home from Tuscumbia, where he had been to deliver up Farris.

The *Pittsburg Gazette* of February 16 gives further particulars, from which the following is taken: —

“We noticed in brief yesterday morning the case of a man named Farris, who used to work in this city, having been entrapped by a wretch named Shaw, and returned to the hands of a slave-driver named Raglan, or Ruggles. George W. Farris was a white man, to all appearance. He married a white woman, and being a skillful mechanic, was able to earn a good living. He is one of the men you may meet every day at the South, bought and sold like old shoes, who perhaps have a right to claim some Colonel, or General, or Senator, for a father. These great men have a natural horror for all Abolitionists, because the Colonels, &c., &c., do say that the ‘Abolitioners’ are in favor of amalgamation! Humph! His wife’s maiden name was Mary Ann Wickham, and her mother now lives in this city, on Fifth street. In March, last year, Farris and his wife separated, he going to St. Louis, with a troupe of singers. His wife had one child, a daughter, by him, which is said to be very fair, and even beautiful, now three years of age. The man Shaw, who is now arrested in this city, charged with attempting to kidnap this child, as it is alleged he has the father, and returned him to this Raglan, or whatever his name may be, in Alabama, is said to be the same who made some excitement here over two years ago, (in July, 1855.) He was at that time arrested on the premises of Mrs. Gardiner, in the 9th ward, with matches, augurs, chloroform, and all the necessary arrangements for burglary and plunder. He appears, from boasts he has made and from facts that have transpired in reference to his actual thefts and this attempted one, to belong to the class of pimps, burglars and slave-catchers, one equally as honorable as the other.”

Shaw remained in jail in Pittsburg, unable to find bail, until the autumn, when he was tried and found guilty on four of the six counts of the indictment.

This case, like others in these pages, shows how closely allied the hunting of fugitive slaves is to the stealing of free persons, adults or children, colored or white.

*Kidnapping in New York City.* James P. Finlay, *alias* Haley A. Howard, (said to be a Canadian,) and his reputed wife, Anna Brainard, *alias* Anna Howard, made an attempt (which came near being a successful one) to kidnap and sell



as a slave, a colored girl named Sarah Harrison, the daughter of poor but respectable parents living in New York, corner of Baxter and Broome streets. They pretended they wished the child to go and live with them as a servant in Newark, N. J. She went with them in the cars, but instead of stopping at Newark, they took her directly to Washington, where they arrived the next morning, March 9th. It is alleged that Finlay immediately offered the girl to a slave-driver in that city for \$600, but it appears did not make a bargain.

The girl, having become alarmed, went to Mr. Willard (Willard's Hotel) and claimed his protection. The kidnapers, thus exposed, suddenly left for Baltimore, and Mr. Willard opened a correspondence with the Mayor of New York, and soon obtained proof of the truth of the girl's story. Gov. King sent a requisition to Maryland, and Finlay and his wife were arrested at Ellicott's Mills and brought back to New York. Dr. C. F. Clay, of New York, was also arrested as an accomplice. He at first denied all knowledge of the matter, but subsequently made a full disclosure of the plot.

The above account is obtained from the *Evening Post* of March 24, and the *Standard* of April 3, 1858.

Finlay was sentenced to two years' imprisonment in the penitentiary; but, when about eight months of the sentence had expired, was pardoned out by Gov. Morgan, on the alleged ground that F. was a tool of others.—*Standard*, Jan. 29, 1859.

*A Daring Attempt to Kidnap* two colored women, and sell them into slavery, was made in Chicago by an Englishman named Thomas Radcliffe, stopping at the Massasoit House in that city. He had come from Toronto, bringing one of the women, named Hannah Blackson, with him, as his servant. The plot, however, was discovered by a man whom he (Radcliffe) had endeavored to make an accomplice.—*Chicago Journal*.

ARCHY, at San Francisco, Cal. This case, which created intense excitement in San Francisco, may be found fully detailed in the *New York Evening Post*; also in the *Anti-Slavery Standard* of April 24, 1858. The principal facts in the case are these:—

A Mr. Stovall, of Mississippi, being in feeble health.

in 1857 made the journey to California overland, taking with him his slave Archy, 19 years of age; with the intention, as he announced, of returning to Mississippi again, after an absence of a year and a half, or thereabouts. On arriving at San Francisco, he hired Archy out for over a month. After the lapse of some months, Stovall proposed to send Archy back to Mississippi in care of an agent; Archy escaped, but was arrested again by an officer of San Francisco. The Chief of Police, however, refused to deliver up Archy, as a slave, to Stovall, who demanded him. On these facts, the case went before the Supreme Court of California.

To the surprise of all, Archy was ordered into the custody of Stovall. The *Sacramento Union* said: "The law of comity, — the operation of the State Constitution, — in fact, all the law of the case, was ruled against the petitioner [Stovall], and yet, because he is young, in bad health, and this being the first case, and the petitioner may not have been advised (!) of the constitutional provision being in operation, he is permitted to take Archy back to Mississippi." ["O, learned Judge! Mark, Jew; a learned Judge!"]

Stovall attempted to take him away in the Steamer *Orizaba*, which sailed from San Francisco March (?) 5th. Great crowds assembled, and officers with writs for both Archy and Stovall went on board both the steamers which were to sail that day. But Archy was nowhere to be found. Presently it was rumored that he was concealed at a point down the harbor, and was to be put on board as the steamer passed. The officers remained on board, with boats and boatmen attending, and kept quiet watch as the steamer proceeded down the bay. Presently a boat was seen approaching the steamer, in which, as it drew nearer, the officers recognized Stovall, and, as the boat came alongside the ship, saw Archy also crouching in the bottom of the boat. Lees, one of the officers, sprang into the boat and seized Archy, whom he passed up to Thompson, another officer. Great efforts were made by a portion of those on board to prevent the officers from serving their writs, and Stovall and his friends threatened vengeance and violence; but the officers were calm and firm, and did their duty manfully. Stovall himself was next arrested, on a charge of kidnapping, and the officers, with their prisoners, returned to the city,—having received all needful help from the officers of the steamer.

On a writ of *habeas corpus*, Archy was taken before Judge Freelon, of the County Court, who ordered his discharge. But he was immediately re-arrested by the U. S. Marshal, Stovall swearing that he was a fugitive slave (!), had escaped from Mississippi (!), and fled into California (!).

Archy, at this point, screamed out at the top of his voice, "I'll die first — I's free man, sir — I'll never be carried into slavery." At these words, all order in the Court was at an end, and a general rush took place towards the prisoner. It was with the greatest difficulty, and in the midst of constant blows and fights, that the officers got Archy into the U. S. Marshal's office, — he himself resisting with all his strength.

*Easton, Washington Co., N. Y.* An attempt was made to take a fugitive man in this village, but it was foiled by the vigilance and united sentiment of the people. The intended victim was a large and powerful man. A correspondent of the *Albany Evening Journal* said: "Two of these slave *pursuers* are said to reside in Albany. For their benefit, and the benefit of all whom it may concern, I would say that said fugitive is here and intends to remain." — *Standard*, May 1, 1858.

*Petersburg, Virginia.* Five slaves (four men and one woman) sought to escape from Petersburg in the schooner *Keziah*, Capt. Wm. B. Baylis, of Wilmington, Delaware. The schooner had reached Norfolk, and was nearly out at sea, when overtaken by a steamer sent from Petersburg with officers, who searched the *Keziah*, found the slaves, and took all back to Petersburg, including the vessel and crew, which consisted only of the captain and mate. The exasperation of the mob was so great, that it was with difficulty that Baylis and the mate were got to the jail. — *Standard*, June 12, 1858.

Capt. Baylis was convicted, and sentenced to the penitentiary for forty years, — eight years for each slave found on board his vessel. Mr. Baylis is about 60 years of age. The schooner was confiscated.

☞ Capt. Baylis died in the Virginia penitentiary in the summer of 1859. — *Lynchburg Virginian*.

*Sandusky, Ohio.* "A colored waiter at the St. Lawrence Hotel, Sandusky, was, a day or two since, captured by a

Kentucky slaveholder, accompanied by a United States Marshal. They got him as far as the railroad depot, but the crowd of people who went along to witness his departure was very large, and got very much "mixed up" with the Marshal's party. In the confusion, the "fugitive" disappeared. The Marshal fired a pistol through a man's hat, whereupon he was arrested, and gave bail for trial."—*Standard*, June 12, 1858.

*New Albany, Indiana.* Mrs. Bonner, wife of Matthew Bonner, was arrested on a charge of selling a free mulatto girl, three years old, into slavery. The child had been brought from Vicksburg, Mississippi, by a white woman, who stated that its mother was dead, and that the child was free. The child was left with a Mrs. Haney, who subsequently gave it to Mrs. Bonner, who took it to Louisville, and sold it to a family, about to remove to Missouri, for \$250. Suspicion arising, an officer went to Louisville, and obtained such information as led to Mrs. Bonner's arrest. She was allowed to go at large on \$500 bonds, and at the appointed hour for examination was missing. The child had gone to Missouri, but its recovery was expected. — *New Albany Tribune*, June 10, 1858.

JAMES L. BOWERS, a Quaker, of Charleston, Maryland, on bare suspicion of having aided slaves to escape, (having been tried and acquitted of the act,) was inveigled from his house in the evening, on the pretence that a traveller had broken his carriage and required assistance, — was then hurried off to some woods half a mile distant, stripped, tarred and feathered, and then suffered to depart, but not until a promise to leave the State within twenty-four hours had been exacted. A colored woman in the neighborhood, named Tillison, on a like suspicion, had the upper part of her body tarred and feathered; and a colored man, in whose house she was found, was severely flogged. This case, though not strictly a case under the Fugitive Law, is so clearly one of the multifarious spawn of that hideous and brutal enactment,— the shame of our land and of our people — as of necessity to have a place here, amidst kindred barbarities, lies, and villainies.—See *Charleston (Md.) News*, June 26, 1858.

In the *Anti-Slavery Standard* of July 24th are fuller



particulars, showing the above statement to be within the truth. The following persons had been identified, under oath, by Mr. Bowers, and were put under bonds, in \$500 each, to appear at next Court:—George H. Handy, Josiah Ringgold, Harris Beck, William P. Francis, Isaac Perkins, Samuel Baker, William T. Baker, Frisby Brown. There were about thirty persons engaged in the outrage, but Mr. Bowers could identify only the above eight. In the *Standard* of November 6, 1858, may be found further notices of Mr. Bowers.

*Attempt to Kidnap in New York.* On Sunday morning, Aug. 8th, (1858,) says the *New York Evening Post*, a colored lad, named Isaac Moore, residing with his mother at 231 Second street, appeared at the Eleventh Precinct Station House, and stated that early on the previous Wednesday morning, he was accosted by a man in Houston street, who took him by force on board of the schooner *Ann Ellis*, then lying at the foot of Third street. Here he was confined in the hold of the vessel four days, with a plaster upon his mouth to keep him from making a noise. On Sunday morning, the captain sent him above for a glass of water, when he succeeded in making his escape. A police officer was despatched to the vessel, but she had left and gone to sea: The vessel was from Virginia. “The boy is full-blooded, very black, but intelligent.”

*Terre Haute, Indiana.* An elderly negro passing near this place was arrested by some men from Evansville, “on suspicion,” as they said, of his being a fugitive! The captive was taken to the jail, but the jailor refused to receive him without the proper writ. He was then taken to a U. S. Commissioner’s office. While waiting, an attempt was made to rescue the old man from the kidnappers; but in the confusion, officer Jones slipped him away, and, it is stated, put him on board a wood-train going South, and, in connection with the Evansville man, carried him off. — *Terre Haute Express*.

*Shawneetown, Illinois. Kidnapping and Murder.* On Sunday, Aug. 15, 1858, a likely negro boy, some 18 or 20 years of age, was arrested as a fugitive slave by two or three persons, near this town, and brought here. The boy declared

himself to be free, born in Vigo County, Indiana, and showed himself acquainted with persons and places in that vicinity. The mass of our citizens believed him to be free. His captors had no legal process, and they were told they could not take the boy away without a Magistrate's certificate. But notwithstanding this, the boy was forced across the river by his captors, with the assistance of a few others, in the face of the assembled crowd. The next day, it was reported that the boy had escaped and could not be found. The day following, he was found dead in the river, lying on the Kentucky beach opposite this town. — *Shawneetown Illinoian*.

THE INGRAM SLAVES, at Cincinnati. Two slaves, 22 and 25 years of age, escaped from Robert M. Ingram, (or Ingraham,) of Dover, Mason Co., Ky., on the 5th of March last, and succeeded in getting to Canada. In the latter part of August, they came to Cincinnati, with a view, it is said, of helping some eight or ten others to freedom. Their master was notified by a colored man, who knew their object, that they were in Cincinnati; he came hither, obtained a writ, and secured the services of Deputy Marshals B. P. Churchill and W. L. Manson, and others, who served a writ on the fugitives as they were about leaving the city for New Richmond. The victims were taken to the United States Court House, and Commissioner Newhall's services called for. He objected to examining the case at that hour of night, but Mr. Ingram insisted upon his right to an immediate examination; whereupon Mr. Newhall acceded to the demand, [Is not the North pliant and cringing enough to suit the South? What do they want?] heard the case, ordered the slaves into the custody of the master, and they were immediately taken across to Covington and lodged in jail.—*Cincinnati Commercial*, August 28, 1858.

*Kidnapping in Delaware.* Two negro boys were entrapped by some persons in Sussex County, says the *Wilmington Commonwealth*, and, being secured, were kidnapped and sold into slavery in Virginia. They were traced to the neighborhood of Richmond, Va., and immediate measures taken for their release. — *Chester County (Pa.) Times*, September, 1858.

*Creek Indian Kidnapped and Enslaved.* A Creek Indian, whose father was a mulatto, and who was making ox-yokes at Quindaro, Kansas, was, when driving his team in Kansas, surrounded by a band of Missourians, and taken as a slave to Independence, Missouri. The Creek had a certificate of his freedom from the Indian Agent. — *Cincinnati Gazette*, Sept., 1858.

THE OBERLIN-WELLINGTON RESCUE CASE, so called, of itself makes a thick volume. In this tract, we can give but the barest outline of it, and must leave untouched many of its aspects. It was a long-protracted effort on the part of the United States Government, prostituted in all its branches to the service of slavery — that “sum of all villainies,” which assimilates to itself all that enlist in its defence and service, — to harass and punish a large body of peaceable, moral, and highly respectable citizens of Northern Ohio, simply because they could not sit quietly down and see a worthy young man of their town snatched from all the privileges of his home and of freedom, by a ruthless gang of man-stealers. Among their number were several students of the College at Oberlin, one of the Professors in it, and the rest were citizens of the town and neighborhood, both white and colored.

On Saturday, Sept. 11, 1858, two slave-hunters came to the house of Lewis D. Boynton, near Oberlin, Ohio, and remained there over two nights. Monday morning, a son of Boynton, only twelve years of age, took the horse and buggy of his father and proceeded to the village of Oberlin. He found the colored man JOHN, sometimes called Little John, and told him his father wished to hire him to dig potatoes. The unsuspecting John agreed to go, and to accompany the boy back. When about one half a mile from the village, a carriage from a cross-road came behind the buggy, when the Boynton lad stopped, and the first that John knew of the snare set for him was to find himself seized from behind by the arms, dragged from the buggy, pinioned, and placed in the carriage between his *brave* Kentucky captors. Fortunately for the kidnapped John, he was recognized, while being driven rapidly away, by an Oberlin student who was passing, and who made haste to give the alarm along the road and at Oberlin. The Boynton boy returned to his

father's house with a golden reward for his part in the inhuman betrayal of a fellow-man into slavery. Can it be believed, even in this slaveholding and demoralized land, that this same Lewis D. Boynton, the hired accomplice in this work of kidnapping, should have been selected and allowed to act as one of the Grand Jurors by whom the rescuers of John were subsequently indicted ?

To return : a large body of Oberlin residents responded to the alarm-call, and in various vehicles and well-armed, took the road for Wellington, the nearest station on the Cleveland and Cincinnati Railroad. Their numbers increased as they went, and on arriving at W., they found the slave-hunters, with U. S. officers, at the hotel, waiting the coming of the train. U. S. Marshal Lowe produced some papers, and read them. The crowd demanded that the man be brought out. Some State officers assured the crowd that, if they would be patient, the U. S. Marshal and company should be arrested as kidnappers. But the afternoon wore away, and nothing being done, and a sight of the prisoner at an upper window being obtained, the crowd would wait no longer. A ladder was placed by which men reached the balcony, entered the house and gained the attic story ; and the prisoner was borne out, and down among the crowd, in a very short time. " No one was hurt, not a shilling's damage was done, not a shot fired, and the boy saved." The Marshal asked if his life would be spared ; and the answer was, it would be, provided he would not visit those parts on the same errand again. The rescuers returned home in triumph.

On the 8th December following, some thirty-six of the rescuers, having been previously indicted, fourteen of them appeared at the United States Circuit Court at Cleveland, to answer to the charge of " rescuing, or aiding, abetting and assisting to rescue, a fugitive from service and labor."

The following are the persons indicted : — *Henry E. Peck, James M. Fitch, Ralph Plumb, Charles Langston, John Watson, John Copeland, Simeon Bushnell, Lorin Wordsworth, Robert Windsor, James K. Shephard, John H. Scott, J. Manderville, Ansel W. Lyman, Matthew De Wolf, William E. Lincoln, Jeremiah Fox, Henry Evans, Wilson Evans, David Watson, Eli Boyce, Wm. E. Scrimiger, Lewis*



Hines, *James Bartlett*, James H. Bartlett, Abner Loveland, Matthew Guillett, Thomas Gena, Walter Sawles, William Scriples, Robert R. Cummings, *Oliver S. B. Wall*, Henry D. Niles, Daniel Williams, Chauncey Goodyear, Franklin Lewis, *William Watson*, John Hartwell,—thirty-seven in all. It was spoken of, in the Cleveland papers, as a very singular circumstance, that, although quite a number of Democrats were prominent in the rescue, and some boasted openly of the active part in it they had taken, yet not a single Democrat was indicted! “Why this discrimination?” they asked; and answered, “No man who has read the charge of Judge Wilson, heard of the conduct of Marshal Johnson, and known the circumstances under which Lewis D. Boynton was selected and served upon the Grand Jury, will be at a loss for an answer.”

At 2, P. M., fourteen of the indicted persons, — all who were then present, (their names appear above in italics,) — were arraigned before the Court. Hon. R. P. Spaulding, Hon. A. J. Riddle, and S. O. Griswold, Esq., appeared as their counsel, undertaking their defence free of charge. Judge Spaulding announced that the accused were ready for trial, and requested trial immediately. This evidently disconcerted the District Attorney, Judge Belden, and he was obliged to admit that he was not ready for trial, and asked a delay of a fortnight to obtain witnesses from Kentucky. Judge Spaulding asked if it was “reasonable that citizens of Ohio should be thrown into jail, to await the movements of Kentucky slave-catchers.” The Court, however, granted a continuance, and stated that the defendants would be held to bail in the sum of five hundred dollars each. “We give no bail, may it please the Court, and the prisoners are here subject to the order of the Court.” Again, both Court and prosecuting officer seemed confounded; but, after consultation, it was decided to discharge the prisoners on their own recognizance to appear at the March term.

In the course of the winter, a young man, a student in Oberlin College, went to the neighborhood of Columbus to teach a school. His name was Lincoln, and he was one of the number (see list above) indicted for participating in the rescue. He is described by Prof. Peck as “a person of excellent character and deportment.” One day, when engaged

in his school, he was summoned to the door by a man named Samuel Davis, ("a bailiff in the U. S. Court,") who informed him he had a writ for him, and produced handcuffs, which he proceeded to apply. Mr. Lincoln objected to being pinioned, said he should make no resistance, but would go with him at once. But Davis, who was one of the men who got badly frightened at Wellington, at the time of the rescue, insisted on putting the irons upon Mr. Lincoln's hands, and bore him away. He was taken 12 miles to Columbus, put in a foul cell, where vermin came, and no food given him until 3 o'clock next morning. To his cell came two or three visitors, to insult him; among them, a man named Dayton, who also had been a helper of U. S. Marshal Lowe at the time of the Oberlin kidnapping. The next day, the said Lowe took Mr. Lincoln to Cleveland, where Judge Wilson discharged him on his own recognizance to appear at the March Court. These facts are from a spirited letter of Prof. Peck to the Columbus *State Journal*, copied in *Standard*, Feb. 5, 1859.

The Grand Jury of Loraine County unanimously found bills of indictment against Anderson, Jennings and R. P. Mitchell, of Kentucky, and Jacob Lowe, (Deputy U. S. Marshal,) and Samuel Davis, of Columbus, Ohio, for attempting to kidnap John Rice from Oberlin.

The trial of the indicted thirty-seven came on, in Cleveland, in April, 1859. After a trial of ten days or more, upon the single case of Lorin Bushnell, the jury brought in a verdict of guilty. The name of Mr. Langston was called next. The counsel objected to his trial going on before the same jury which had just heard and determined the case of Bushnell. Judge Wilson gave it to be understood that no other jury would be called. Judge Spaulding and the counsel then declined arguing the case. The Judge said the prisoners would be allowed to go on their *parole* to return on Monday morning. The prisoners declined to give either recognizance or parole, and were taken to jail; where the officer declined to incarcerate them in the cells, but made them as comfortable as he could in his own house.

At this stage of the case, the prisoners applied to the Supreme Court of the State of Ohio for a writ of *habeas corpus*, to take them out of the custody of the U. S. Marshal. This was heard by the full bench, and the writ refused, on

the ground, it would appear, of *comity* (!) to the U. S. courts. In this decision three judges agreed, the other two (Brinkerhoff and Sutliff) dissenting. A report of the decision may be found in *Standard* of June 11, 1859. For C. H. Langston's address to the Court, before sentence, see *Standard*, June 25, 1859.

As the time for trial drew nigh of the four "kidnappers," indicted (as before stated) by the Grand Jury of Loraine County, and they saw no escape for them from the Ohio Penitentiary, a proposition to compromise the whole matter was made, and agreed upon, — by which the United States agreed to abandon all the prosecutions against the rescuers, and the Ohio State authorities agreed to abandon the suits against Jennings, Lowe, Mitchell, and Davis, the arresting officers! *Law and Justice*, indeed! Thus terminated, in July, 1859, the Oberlin Rescue case.

WILLIAM BRODIE, a free colored sailor, of the Bark Overman, of New York, was arrested in Darien, Georgia, charged with assisting slaves to gain their freedom, and, after such a trial as Southern laws condescend to allow a black man in such cases, was sentenced to be sold as a slave for such a period as would suffice to reimburse the purchaser for the amount of his fine and the costs of suit—\$535. "Mr. James B. Strippling, of Talbot County, Maryland, offered to pay this amount for sixty-five years of service, and the man was knocked down to him to be his slave — virtually for life." — *Standard*, Oct. 2, 1858.

*New London, Conn.* "On the 20th September, a vessel left Wilmington, N. C., for a port in this vicinity. The captain had paid three dollars at Wilmington, as a search-fee for fugitives; notwithstanding which, when six days out, a fugitive man was discovered on board. He had subsisted till that time on some crackers and cheese brought with him. On arriving at the entrance of Mystic river, the captain went ashore in a boat, to get an officer to take the fugitive in charge. On returning, the fugitive was missing, having jumped overboard and swam ashore. The captain then went to New London, six miles distant, to make efforts for his recapture, and saw the fugitive in a store. He took the negro prisoner, and led him to the U. S. Custom House, and brought

him before Collector Mather, U. S. Commissioner. Judge Brandegee, of the Police Court, hearing of the case, went to the Custom House. Ascertaining that there was no claimant of the fugitive present, and no legal papers in the case, Judge B. asked the man if he wished to remain there or go free. The man expressed his strong desire to leave immediately. 'Go, then,' said the Judge. The Custom House officials attempted to stop him, but the crowd being large, their efforts were unavailing, and the man was seen there no more." — *New London Chronicle*.

*Chicago, Illinois.* Two fugitives from Missouri were closely pursued, and traced to a house on Madison street. While the house was watched, the two were taken out at a rear passage, seereted, and ultimately helped on their way. They were a man about 30 years of age, an intelligent mulatto, and his wife, about 19 years of age, quite light colored. They had been pursued nearly two weeks, and \$700 offered for their capture. — *Chicago Democrat*, Oct., 1858.

\* *Lowell, Mass.* A man named Keyes brought two colored women, mother and daughter, to Lowell; the mother had been, in all but form, the wife of Jesse Cornwell, a Mississippi planter, and the daughter was his daughter. They had been left in Keyes's care, by Cornwell, on his death-bed. Cornwell charged him to take the two women to a free State, and there see them comfortably located. For this special service, Keyes was directed to take \$5000, cash, \$4000 of which were to be equally divided between the mother and daughter, and \$1000 to be retained by Keyes for his own services. Instead of faithfully performing this last dying request of his friend, Keyes, as alleged and consistently testified by his victims, immediately on the death of Cornwell, took the mother and daughter, and hired them out at \$100 a year for six years, when he finally brought them to the North, arriving in Lowell in May, 1858. Here they remained in Keyes's family under strict surveillance. Sometime in October, the two women appeared before Isaac Morse, Esq., and told their story and entered a complaint. Keyes was arrested and held to bail in the sum of \$6000. Keyes claimed that Cornwell *gave* him the women,—a very improbable sto-



ry, of which no evidence whatever existed. — *Lowell Vox Populi*.

☞ A compromise was made between the parties, the women consenting to it, on account of the difficulty of getting evidence from Mississippi, and because of their own want of means to prosecute the case. Keyes obligated himself to provide an annuity for them, and gave them a small tenement in Lowell.

CAPT. HORACE BELL, of Harrison County, Indiana, (whose father and brother were kidnapped by Kentuckians, lodged in Brandenburg jail, and kept there for nine months or more, and who were taken from the jail by two other sons, of whom Horace was one, as already related in these pages,) was seized in the street of New Albany, by several men, hurried across the river into Kentucky, and lodged in an interior jail, in Mead's County. The citizens of Harrison County being extremely excited by this outrage, and there being every reason to believe that serious difficulties would arise, Capt. Bell was released on bail, and returned to New Albany, October 29th. [Fuller particulars in *Standard*, Nov. 6 and 13, 1858.] — *New Albany Tribune; Ledger; &c.*

*Harrisburg, Pa.* "A young colored man, named Weaver, disappeared from Harrisburg some weeks ago, and has not been heard of since. There is a strong suspicion that he was kidnapped. The business of abducting colored persons and carrying them into slave States seems to have become quite common, and is said to be practised to a considerable extent in York, Dauphin, and Cumberland Counties." — *Standard*, Nov. 13, 1858.

*Lawrence, Kansas.* Two desperate attempts to kidnap two colored men, one a barber, named Charles Fisher, were made in Lawrence by a party from Missouri. One of the men was secured and carried some distance, but he managed to escape from a house, where he was confined in an upper room, during the night. Samuel Fry, a hackman, indicted as an accomplice, was released by Judge Elmore, on the ground that persons of African extraction are incapable of giving testimony. — *Lawrence Republican*, Nov. 11, 1858.

*Zanesville, Ohio.* A letter in the *Free South* gives an account of a hard and close chase after seven fugitives in that city, and of the colored people arming to defend their friends and themselves. — *Standard*, December 11, 1858.

*Boston, Dec. 28, 1858.* Brig W. Purrington, from Wilmington, N. C., was boarded by Officer Irish, with a writ of *habeas corpus* for a slave, alleged to be on board. The fugitive could not be found, however, and it was declared by the captain that, on the previous night (depth of winter!), he had leapt overboard and swam ashore, to Lovell's Island. For a more full account of this interesting case, see *Boston Bee* of Dec. 19th, and *Standard* of Jan. 8th, following.

*Ten Fugitives from Virginia* escaped in one company. They were pursued by a larger company of slaveholders, and overtaken in Pennsylvania, when a desperate conflict took place, one of the slaves interposing to save the life of his old master at the risk of his own; the slaves triumphed, and passed on through Northern Ohio into Canada. — *Painesville (Ohio) Telegraph*, December, 1858.

*Nebraska Territory.* Mr. S. F. Nuckolls came from Missouri to Nebraska, bringing slaves with him, and established himself at Omaha, opposite the Iowa shore. The slaves, finding free soil so near, thought they would venture over, and did so, — found friends, — were pursued from place to place, but succeeded in eluding pursuit. The outrages perpetrated in searching for these slaves exceed, if possible, in villainy and meanness, those recorded in most of the cases in this tract. Houses were entered, searched, torn down in revenge at their disappointment in not finding the slaves, — one boy was whipped almost to death, another boy was hanged and kept hanging till life was almost extinct, to "force a confession out of them." Canes and pistols were freely used, the slave-catchers declaring it their right to hunt for niggers wherever they thought fit. — *Omaha News*, Dec. 16, 1858; and *Chicago Journal*; in *Standard*, Feb. 5, 1859.


But the case had a sequel. In the *Chicago Press* of June 13, 1860, a year and a half after the occurrence of the above outrages, we find the following:—

"One R. S. Williams — of course a pestilent 'Abolitionist,


with just enough effrontery to maintain that he has rights that even nigger-catchers are bound to respect — seems not to have liked the proceedings of these marauders. He sued the would-be master, the owner of the flying chattels; and we see by an Iowa paper that he has recovered \$8000 damages, in full, we suppose, for the insults and injuries to which he and his family were subjected by the barbarous clan. That's good. We like it; and if the same discipline could be enforced in the Egyptian Counties of this State, Illinois would make a new and long approach to freedom. We commend the case to the consideration of our friends in the Southern tier, where the nigger-catchers do most abound." — *Chicago Press*, June 13.

CHARLES FISHER, at *Leavenworth, Kansas*. He was the same man upon whom an attempt to kidnap was made in Lawrence, Kansas, as already mentioned. He had got employment as barber, &c., at the Planter's Hotel, in Leavenworth. In the night, his sleeping-room was entered by two police-officers, who, revolver in hand, threatened him with instant death if he did not yield. They handcuffed him, but instead of taking him to prison, put him into a skiff and rowed him across to the Missouri side. The cries of the kidnaped man aroused several persons, who were told "it was only an Irishman, who had been arrested for fighting." The next night he escaped from his captors, handcuffed as he was, got into a skiff, and floated three miles down the river. In attempting to land, he got into deep water, and was near being drowned; but "with the last effort of his failing strength, succeeded in reaching Kansas soil," and returned to Leavenworth. "A large meeting was held to welcome him back, and it was agreed on all hands he was worthy of freedom." He was, however, re-arrested, on charge of being a fugitive, and committed to prison. An attempt was made to serve a writ of *habeas corpus*, which was repelled by the officers of the jail; a second attempt was more successful, and Fisher was taken by Deputy Sheriff Boyle to the house of Judge Gardner. The *Leavenworth Times* of January 15, 1859, from which the above is taken, says that Fisher was a free man from birth. The *Liberator* of September 2, 1859,

states that Charles Fisher was again entrapped, forced over into Missouri, and, after a cruel whipping, sold to the South.

[ An account of a remarkable interview had by J. MILLER McKIM, Esq., of Philadelphia, with the notorious slave-catcher, GEORGE F. ALBERTI, may be found in the *National Anti-Slavery Standard* of Feb. 19, 1859.]

THE DR. DOY CASE. *Lawrence, Kansas, Jan. 27, 1859.* A force of kidnappers, from Missouri mostly, but aided by certain residents in Kansas, carried off negroes from Oskaloosa, Kansas, to Western Missouri, as runaway slaves. Three white men, also, who were with the negroes, were carried off. These were Dr. John Doy, his son Charles Doy, and — Clough. These last were examined, and, in default of the high bail of \$5000, were committed to the county jail. None of these men had been to Missouri, and were in no sense “stealers” of the human property. A letter of Dr. Doy, in the *Leavenworth Times* of Feb. 14, (see also *Standard*, Feb. 26, 1859,) represents that, as he was conveying these negroes through Kansas, he and his party were set upon by ten or fifteen persons, fully armed and mounted, who, with pistols charged, captured and bound them. The principal actors in this outrage were Benjamin Wood, Mayor of Weston, Mo.; Fielding H. Lewis, Deputy Marshal at same place; Doctor Garvin, Postmaster at Lawrence, Kansas; Mr. Whitley (a Boston man), and two M’Gees, of Lawrence; and the notorious Jake Hurd, of Leecompton. They were brutally treated while in Platte County Jail. See Weston (Mo.) *Argus*, and Lawrence (K.) *Republican*. On trial, Charles Doy and Clough were released, but Dr. Doy was convicted. The Judge, however, granted him a new trial.

[ On the evening of the 23d of July following, a company of resolute men came to the jail, and, by a stratagem, effected an entrance; they then told the jailor they had come to release Doctor Doy; the jailor saw he was in their power, and yielded. Dr. Doy’s cell was opened, he came forth, and the whole party left before any alarm could be started. This bold act greatly exasperated the Platte County people, and a reward of \$1000 was offered by the Sheriff for Doy’s re-arrest, but without success.



*Boston, February 19, 1859.* A placard appeared in the streets, stating that Charles L. Hobson, of Richmond, Virginia, was in Boston, — named the hotel at which he was staying, — gave a very minute and certainly not “flattering” description of his personal appearance, and indicated the probable object of his visit, — the recovery of a slave who had fled from him. Said fugitive being in Boston, recognized the said Hobson one day in the street, accompanied by two neighbors, named Payne and Henderson. Hobson had offered, in Richmond, a large reward for the recovery of his *slave* — who was his own foster-brother. — D. Y.’s Boston letter in *Standard*, March 12, 1859.

THE UNITED STATES SUPREME COURT, early in March, 1859, gave a decision against the Supreme Court of Wisconsin, on account of its action in protecting SHERMAN M. BOOTH, who had aided in rescuing an alleged slave, Joshua Glover, from prison in Milwaukee, as already recorded in these pages. The United States Court unanimously decided that the whole course of the Wisconsin Court was totally illegal (!), and virtually revolutionary; that the Marshal had a right, and it was his duty, to resist by force any such interference on the part of the State powers (!!); and that the Fugitive Slave Act was clearly constitutional (!).

THE WISCONSIN SUPREME COURT immediately adopted several strong resolutions; among others, that it regarded the action of the U. S. Court “as an arbitrary act of power, unauthorized by the Constitution,” and is “without authority, void, and of no force.” — *Standard*, April 2, 1859.

In the autumn of 1859, the United States District Attorney appeared before the Supreme Court of Wisconsin, and made a motion that the mandate of the U. S. Supreme Court, (which reversed the decision of the Wisconsin Supreme Court, that the Fugitive Slave Law is unconstitutional,) be filed in the Wisconsin Court. Had this motion been granted by the Court, it would have, in effect, acknowledged itself in error in its previous decision, and submitted to the law as a constitutional one. The motion, however, failed, — Chief Justice Dixon favoring it, but Judge Cole dissenting, and Judge Paine (who had formerly been counsel in this case, arguing the law to be unconstitutional) being constrained to leave the matter in the hands of his colleagues.

SHERMAN M. BOOTH, the original defendant in this Wisconsin case, was re-arrested, March 1, 1860, by the U. S. Marshal for Wisconsin, in obedience to a process issued by the U. S. District Court, and imprisoned in the United States Custom House at Milwaukee. The Wisconsin Supreme Court refused to release him by *habeas corpus*. Mr. Booth brought a suit for false imprisonment against U. S. District Judge Miller, and the Marshal, J. H. Lewis.

In the *Standard* of July 14, 1860, may be found Mr. Booth's statement of his own case; written from his prison in the Custom House. About the middle of July, another application was made to the Wisconsin Supreme Court for Mr. Booth's release, which was refused, the Court being equally divided. (See *Standard*, August 11, 1860.)

On the 1st of August, (a day consecrated to *emancipation!*) Mr. Booth was taken out of his cell in the Custom House by a small band of resolute and armed men, while a portion of his guard were at dinner, and the officer left in charge locked up in his stead. Means had been provided for conveying Mr. Booth immediately out of town.—*Idem*.

On the 8th of October, 1860, Mr. Booth was re-arrested at Berlin, Wisconsin; he was rapidly taken to Milwaukee, and again incarcerated in his old cell in the Custom House.

Is the Slave Power always to be omnipotent in America?

*Southern Indiana.* About this time (March, 1859), two fugitive slaves were captured, and taken to Louisville, Ky., and thrown into prison. They made a desperate resistance, shooting one of their pursuers, and wounding him so badly as to make his recovery doubtful. One of the negroes was shot in the shoulder, and otherwise injured by blows. The slaves were said to be from South Carolina.

MASON BARBOUR, *near Columbus, Ohio*, 45 years of age, arrested as a fugitive, by U. S. Deputy Marshal Jacob K. Lowe,—brought to Cincinnati,—the needed papers obtained,—and then taken to Kentucky by Lowe, and delivered up to his *owner*, a Virginian named Absalom Ridgely, living about 20 miles from Wheeling.—*Cincinnati Press*, March 26, 1859.

LEWIS EARLY, *Cincinnati*. "In April, 1856, a negro named Lewis Early left the premises of George Killgore, of

Cabell County, Va., and came to Ohio, and has since been at work in this State, a part of the time for Mr. Robinson, a relative of Mr. Killgore's, residing in Ross County, in this State. On the 17th of January last, Mr. K. gave to his son, James Killgore, residing in Kentucky, a power of attorney to pursue and bring back the fugitive. With this view, a new warrant was procured from Commissioner Charles C. Brown, of this city, armed with which document, Deputy U. S. Marshal Manson, accompanied by Mr. Killgore and another party, proceeded to Ross County, and effected the arrest. The negro was found chopping wood for a farmer, in company with another colored man, who immediately mounted a horse and gave the alarm that Lewis had been kidnapped and was about being conveyed out of the State by force of arms.

"The party then started on foot for the nearest station. Arrived in Buckskin township, Ross County, they were met by a constable and a large posse of men, armed with a warrant issued by Robert Coyner, Justice of the Peace, charging that 'three strangers' had kidnapped a colored man named Lewis Early, and commanding the officer to bring said 'three strangers' before his tribunal at once.

"The Deputy Marshal had no idea of contending against a force so much superior, and, with his companions, immediately submitted to the authority of the warrant, and proceeded to the office of the Justice, where he found a crowd of several hundred persons assembled. Justice Coyner demanded by what authority they sought to convey to other parts the body of the said Lewis. The warrant issued by the U. S. Commissioner was exhibited, and its genuineness satisfactorily proven, when Justice Coyner stated to the crowd that he felt himself bound to recognize the broad seal of Uncle Sam, and as his was an inferior Court, he should dismiss the charge of kidnapping, and set the prisoners free. This was accordingly done, and the Marshal, with the negro, succeeded in reaching this city by the train on Saturday morning.

The case is now in course of examination before Commissioner Brown of Cincinnati. The testimony, as far as taken, tends to show that the negro had been emancipated by a man to whom Killgore some years since gave a bill of sale of him."—*Cincinnati Gazette*, March 29, 1859.

DANIEL WEBSTER, of *Harrisburg, Pa.*, April, 1859. "Assistant United States Marshal Jenkins, of Philadelphia, aided by Officer Taggart, attached to Recorder Even's office, and James Stewart, a police officer, all of Philadelphia, arrested a black man, about 35 years of age, near the Market-House, Harrisburg, on a charge of absconding from his master, a planter residing in the State of Virginia. He made a stout and vigorous resistance, and cried out lustily for help to save him, but no attempt was made to rescue him, notwithstanding there was a large crowd of people present attending market. The officers instantly took their prisoner down to the railroad, and got him into the Philadelphia railroad train, without molestation. Jenkins and the slave-owner had been here all the previous day on the look-out for Daniel Webster. He has a wife and two or three children, one of whom was buried last Sunday. He was a peaceable, honest, and industrious laboring man, and had been in the service of Senator Rutherford four or five years. This event has created great excitement, not only among the citizens of this borough, but also in the Legislature, where it immediately led to a warm debate.

On Monday, in Philadelphia, the case came up before U. S. Commissioner Longstreth. The excitement was very great, a large crowd being in attendance in and around the Commissioner's Office, among whom were many well-known anti-slavery ladies. The colored people were of course largely represented. The alleged fugitive was represented by Edward Hopper, W. S. Pierce and George H. Earle, and Benjamin H. Brewster, Esq., appeared on behalf of the claimant. Many technical and legal points were raised, and there was a good deal of sparring among counsel.

A long examination followed, continuing through the entire night, the ladies above-named sitting patiently all the while. The trial is very fully detailed in the *Standard* of April 16, 1859. From the report, as given in the *New York Tribune*, the following is selected :

J. H. Gulick objected to swearing on conscientious grounds, as he was a member of the Baptist Church. He said that the claimant in this case was his mother-in-law, and his wife one of her heirs. The cross-examination elicited the fact that the witness had been to Philadelphia, before the man was ar-



rested, and submitted his papers to the Commissioner, who advised him to get others, as under those he would be compelled to release the fugitive. New papers accordingly were procured, and then the witness went to Harrisburg. He says :

“I first saw Daniel in Harrisburg on the 22d of February; did not speak to him; did not wish to speak to him; I stopped at Harrisburg for a day or two, for the purpose of spying out Daniel; there was a rumor got up in Loudoun County in relation to Daniel's being in Harrisburg; I concluded to spend an afternoon in Harrisburg on my way North; I circulated around in the city, and while there I saw Daniel; I stepped away after recognizing him; did not want him to see me; I called on Radebo, a constable; he referred me to Snyder; I could not find Snyder; I then wrote to Mr. Rogers, my brother-in-law, telling him I had found Daniel, and if he wanted him, he might come after him; when I returned to Harrisburg, I commenced circulating around after him; was within one hundred yards of Daniel; I said a great many things to the people to stop any excitement; I said he was a burglar — at least, I intimated as much; I was much confused; I walked up to him, and discovering a scar, took hold of him.”

The counsel for the prisoner, Mr. Earle, reminding the Court that the witness was a church-member, and of so tender a conscience that he could not take an oath, called attention to this deliberate lie, declaring that the man was arrested for burglary.

On Tuesday, the evidence for defence was brought forward. One witness, an intelligent colored man, swore that he met Daniel in Baltimore as a free man in 1848, in Philadelphia in 1849, and in Harrisburg in June, 1853. His evidence was straightforward, and was not shaken by a rigid cross-examination.

On Wednesday, the testimony being all in, the Commissioner said his duty as an officer was a plain and simple one, laid down by law. At an early stage of the case, he was satisfied that it was intended more as a show case, but he believed in the largest liberty of speech. After explaining his connection with the case before the arrest of the fugitive, which was merely in accordance with law, he said there were three things to be proved by the claimant, to wit: debt of labor, the escape of the slave, and his identity. He reviewed the testimony on both sides, and believed that the two first points were satisfactorily proven. He disagreed with the counsel of the claimant on the matter of the time of the escape. It was material in this case, and in evidence, that the

claimant says that the escape was made in November, 1854, while it was proven that Daniel was in Harrisburg at least in the Winter of 1853, or the Spring of 1854. The power of attorney was also defective. In the point of the height of the negro, there was a difference of three inches. He confessed he was not satisfied with the identity. The prisoner was discharged.

The decision was greeted with immense applause. Daniel was carried on the shoulders of his friends through the streets amid a large crowd, intense excitement prevailing in the city. — *New York Tribune*, April 8, 1859.

COLUMBUS JONES escaped from Pensacola, Fla., in the brig *Roleson*, about the first of May, 1859. John Orlando, the mate, had the command of the vessel, which was bound for Boston, — the captain, Gorham Crowell, being at the time in Massachusetts. When some time at sea, Jones was discovered, and Orlando ordered him put in irons, and kept him twenty-four hours without food or water. On the voyage, he broke three sets of handcuffs, but was finally chained up in the caboose.

The brig arrived at Hyannis, Sunday, May 8th, and Orlando went on shore to communicate with Captain Crowell. During his absence, Jones got free from his chains, got into a passing boat, and had nearly reached the shore, when Crowell and Orlando, in another boat, intercepted him and took him back to the brig, representing that the people on shore were his enemies, and would return him at once to slavery.

A schooner named the *Elizabeth B.* lay at Hyannis, about to sail for Philadelphia. Crowell and Orlando applied to the captain of this schooner, Bacon by name, to go out of his course, and take Jones to Norfolk, Virginia, which Bacon agreed to do, it was said, for \$500. The schooner sailed next day, with the slave on board, and got away before the people of Hyannis had learned of the matter.

The *Roleson* then sailed for Boston, and on her arrival, Crowell and Orlando were arrested and taken before the Police Court. They waived an examination, and gave bail for their appearance at the September term of the Superior Court to be held in Barnstable County.

Subsequently, the Grand Jury of Barnstable County returned bills of indictment against Crowell, Orlando, and

Bacon, and J. W. Baker, of Boston, owner of the brig. Caleb Cushing was retained as senior counsel for these men.

The trial came on at Barnstable, Nov. 15th, and lasted several days. But it suffices to say that the kidnappers were enabled to break through all the meshes of the law, and, notwithstanding the cruel act they had done on the very shores of Massachusetts, — an act abhorrent to every humane heart, — to get off free and clear, on mere legal technicalities! The shameless and craven doctrines laid down in the trial by Caleb Cushing are especially to be remembered. — See *Liberator*, June 24, Sept. 9 and 16, and Dec. 2, 1859.

JACKSON; *Zanesville, Ohio*. The emboldened men-stealers have again polluted the soil of Ohio, and borne off another victim. Jackson, the fugitive seized at Zanesville, had resided in Belmont County, Ohio, for the last three years. A few days ago, a miscreant named Honeycutt decoyed Jackson, through the agency of another negro, to Zanesville, where he was betrayed into the hands of Deputy U. S. Marshal Cox, who manacled him and bore him before U. S. Commissioner Cochran. The U. S. Commissioner immediately heard the case in his office, with the door locked, and remanded the negro to slavery. This secrecy added to the excitement, and after the prisoner was committed to jail, a writ of *habeas corpus* was obtained and served on the Sheriff, and the case was brought before Judge Marsh. After discussion by counsel, the Judge ordered the irons to be removed, and declared the prisoner at liberty. The *Courier* says:

“No sooner were these words out of the mouth of the Judge, than Mr. Cox, whose posse surrounded the negro, pounced upon him, declaring him his prisoner, &c., and calling on everybody present to aid him in keeping possession of him, &c. He was ironed and taken through the back door of the Court House to Fourth street, where a hack was in waiting, placed in it, and conveyed to the depot for the purpose of taking the train then nearly due for Wheeling — guarded by a large force of special deputies, all armed with loaded and cocked revolvers and other paraphernalia appropriate to their delectable occupation. A large number of blacks had preceded the carriage to the depot, and on its arrival there, an assault was made, with a view of rescuing the prisoner.

Many of the assailants fought bravely, but they were speedily dispersed — the bystanders, without reference to political preferences, voluntarily aiding the officers in maintaining possession of the fugitive. In the affray, every weapon that could be secured was brought into requisition, and clubs and stones were freely used on both sides, and some three or four shots were fired by the officers, but without serious results.”

After the excitement at the depot, a writ of *habeas corpus* was served on the Marshal.

The *Cleveland Leader* says, — “The fugitive was held by the Marshal and his posse until the next morning, when he was placed on board a train and conveyed back to slavery, thus saving the Union!” The *Courier* remarks :

“The only practical result of the proceeding, aside from sending a human being into life-long bondage, was the disgust inspired in the bosom of all intelligent and well-disposed people for an institution which required such disgraceful proceedings to sustain it, and to transform those who, for a paltry pittance became its willing creatures, into

“ — fixed figures for the hand of scorn  
To point its slow, unmoving finger at.”

— *New York Tribune*, May 10, 1859.

☞ For his action in the above case, Marshal Cox (said to be the father of Hon. S. S. Cox, M. C. from Ohio,) was expelled from the Baptist Church in Zanesville, Ohio, to which he belonged.

*Five colored boys* missing from Detroit, and supposed to have been enticed away by a lame white man, also suddenly missing. One of the boys was a son of William Jones, who is in the employ of the city. June, 1859. — *Detroit Advertiser*.

*Free Man Imprisoned as a Fugitive.* A colored man residing near Ottaway, Illinois, started for Pike's Peak in Kansas, being employed for that purpose by Mr. Aaron Daniels. Passing up the Missouri river, he was arrested and thrown into jail at St. Joseph's, Mo., as a fugitive from slavery; and unless redeemed by friends, was to be sold to pay the jail fees. June, 1859. — *Ottawa Republican*.



EDMUND DAY, of *Salem, Ohio*. This young colored man, a son of Ellis Day, of Salem, Ohio, is "well known to most of our citizens, and was free-born," says the *Salem Republican*. Being in Cincinnati, and on board the steamer Glendale, he was seized by the mate of the steamer and two other men, on the pretence that he was a fugitive slave. He was thrown into the bottom of a skiff, held down by violence, and nearly choked; then taken to Covington jail. The next morning, he was taken by a Cincinnati officer back to that city, and efforts were made by his friends to commence a suit for kidnapping. June, 1859. — *Cincinnati Gazette*.

*Mount Holly Springs, Penn.* A respectable colored man was kidnapped at this place, and carried off into Maryland. June, 1859.

AGNES ROBINSON, and child *Mary*, were arrested in Washington city, charged with being fugitives from slavery in Maryland. They were claimed by one David Witmer, whose counsel was John H. McCutchen, and were ordered to be given into Witmer's custody by Judge Merrick. — *Washington States*, June 24, 1859.

See, also, article from *Intelligencer*, in *Standard*, July 9, 1859.

☞ On a trial in Washington County, Md., it was decided that she was a free woman, the case being tried by jury. — *Standard*, Jan. 21, 1860.

THE ANDERSONS, AND SCOTT; *Chicago*. The cool and deliberate villainy displayed in the conspiracy for abducting these men has its parallel only with pirates and friends of the Fugitive Slave Law.

Washington Anderson, 21 years of age, James Anderson, his brother, 18, and Henry Scott, "articles of personal property belonging to D. M. Frost, of St. Louis," left that city and came to Chicago to reside, — the last named having a brother in that city. Rewards for their apprehension, in all amounting to \$2500, were offered. These rewards coming to the knowledge of two men, who had once been employed by the city as "detectives," they formed a scheme to entrap the fugitives and deliver them back, all three, into slavery.

These men were Charles Noyes and Charles W. Smith. They bribed a colored man, named Turner, and brought from St. Louis a boy, named Charles Oertman, who knew the fugitives and could identify them. Through Turner, Noyes and Smith got access to the Andersons and Scott, and commenced operations. Noyes pretended to be the owner of a large farm in the western part of the State, and desired to engage all three men to work for him; he offered tempting wages, and Smith, as his friend, was loud in praise of the many advantages they would enjoy. To make the thing work more smoothly, the colored men were taken round to various agricultural stores, where tools of various kinds, seeds, &c., were examined and bought, the men being consulted as to the best kinds, and allowed to select each his own hoe, rake, axe, seythe, &c., they appearing much pleased at the confidence placed in them. Thus influenced, they agreed to accompany Noyes, and went to his rooms, where Turner (acting as his servant) prepared a meal for them, and congratulated them on their good prospects. Meantime, Noyes and Smith hired an entire second-class car through to St. Louis, on the Illinois Central Railroad, for \$150; and on the same night, the kidnappers took their victims on board the cars, bound for St. Louis. So quietly and skilfully had the thing been executed, that no suspicion had been aroused, nor were any inquiries started, until a private telegraphic despatch brought word that three fugitive slaves from Chicago had been landed on Bloody Island, opposite St. Louis. Subsequently, a colored woman arrived from St. Louis, who declared the three men to be the two Andersons and Scott, who were well known to her, that they were left on Bloody Island, and were there "cruelly whipped."

A few days later, Noyes and Smith returned to Chicago, and almost immediately, the former was offering for sale in the street a draft on St. Louis for \$2350, — the price of blood! He soon obtained the money. But by this time the plot so craftily laid had been pretty thoroughly sifted and exposed. Turner, in great fear, had got himself placed in prison for safety from the vengeance of the colored people and others. Warrants were sworn out against Noyes, Smith, Turner, and Oertman. Smith and Oertman were soon arrested, Turner was already locked up, but Noyes, the leading

spirit and special villain of the plot, "was unfortunately and shamefully allowed to escape capture, carrying with him the \$2300." Officers of reputed vigilance pursued him. Before Justice Milliken, Smith waived an examination, and gave bonds in \$3000 to appear at the Recorder's Court in August. Turner and Oertman, in default of bail, were committed to jail. The Illinois statute makes the offence in question KIDNAPPING, and the penalty imprisonment not less than one year nor more than seven years. But "the Democratic lawyers" of Chicago contended that, these being fugitive slaves, "there is no crime in taking them back to servitude." — *Chicago Press*, July 21, and *Journal*, July 22, 1859.

D. M. Frost, in a letter to the *Chicago Times*, pronounces the story of the "cruel whipping" entirely false. The whole letter may be found in the *Standard*, Aug. 27, 1859.

*Zanesville, Ohio.* Slave-hunters from Parkersburg, Va., sought a victim, or victims, in this neighborhood, but their "prey had escaped them." August, 1859.—*Zanesville Courier*.

*A Negro Man arrests a White Man as a Fugitive.* Near Edwardsville, Ill., on the Springfield road, one Isaac Dickson (a carpenter and white) was met by a negro, named William Brown, who presented a pistol at Dickson's head, and ordered him to yield. Brown, with the aid of a white man named Samuel Cobine, marched Dickson back to Edwardsville, and there informed him that he was arrested as a runaway slave, for whom a reward of \$200 had been offered. Fortunately for Dickson, he was known to persons in E., on whose evidence he was released. The negro had been previously active in the work of capturing and returning fugitives. — *Edwardsville Journal*, August, 1859.

*Cincinnati, Ohio,* August, 1859. A negro boy legally free, and a resident of Cincinnati, was taken on Saturday evening, Aug. 27th, in the street, by two city officers, Slater and Leonard, and locked up in an engine house in Sixth street. He told them he was a slave, from Kentucky, and wished to be returned to his master. After a time, they came and took him to the river side, made a signal, and soon a skiff appeared, with a man in it, who proved to be Deputy U. S. Marshal

Butts, of Kentucky. The boy was placed in the skiff, accompanied by Butts and Slater, and rowed across the river, and placed in Covington jail. It afterwards appeared that the whole was a trap laid for the two officers, who had fallen into it; of which, being informed, they were greatly alarmed, and did not rest until the boy was brought back to Cincinnati. — *Cincinnati Gazette*, Aug. 30, 1859.

OLIVER ANDERSON, a colored man residing near Chillicothe, Ohio, was dragged from his own house on the night of October 12, 1859, torn from his family, and hurried off to Kentucky. The kidnappers were a Kentuckian and two Ohio negro-hunters. The Kentuckian claimed the negro as his slave; and in order to get away without molestation, he was put in the bottom of a wagon and covered with hay, while the claimant suffered himself to be handcuffed by his fellow kidnappers, who represented that he was a counterfeiter they were taking to Kentucky on a requisition from the Governor. The *Columbus State Journal* says :

“The kidnappers of Anderson were brought to trial, in Chillicothe, and were last week acquitted, on the principle of the decision of the Supreme Court in the Prigg case: That ‘the master of a fugitive slave has the Constitutional right to pursue his slave into any State of the Union, and to recapture him, and to return him thence to the State whence he escaped, without process of law, State or National, and that he may call assistance, and use all necessary force on the slave, or other persons attempting to rescue the slave,’ and any law which interferes with these rights is void.

“It is practically established, therefore, that any Southerner may come here, fix upon a ‘likely negro boy,’ or handsome girl, and summoning a force of ruffians to his assistance, may tear asunder all the ties of home and kindred, and carry unmolested his victim into hopeless slavery. It is not necessary that he should have any claim to his human prey under the atrocious fictions of Southern law. Let him say: ‘This is my slave. Help me, you; and, you, stand back!’ If the colored freeman resist, he shall be overpowered. If a white freeman interfere to save him, he may be shot down.”

The *Anti-Slavery Bugle* of Jan. 21, 1860, gives the following additional intelligence :



“Oliver Anderson, the negro who was kidnapped at Chillicothe, on the night of October 12, 1859, and carried into Kentucky slavery, has demonstrated a problem in triunes. Oliver was unlawfully, infernally, and Deputy-United-States-Marshally dragged from his family and thrust into the bondage of negro slavery. But Oliver knew a thing or two, and instructed two fellow-slaves (one, his brother) in the knowledge, and one frosty night, the trio set their peepers upon the North Star, and their locomotive agents into action, and made tracks for Ohio. They reached the U. G. R. R. in good time, and were rushed through on the express train, getting to Columbus Friday morning. Don't start, brother Lowe! even your keen scent for human blood will avail nothing — the quarry is in Canada. This ought to be quite satisfactory to the managers of the U. G. R. R — two hundred per cent. on the original investment, and expenses paid by the kidnappers.”

[The ever-memorable seizure of Harper's Ferry Armory, and town, in Virginia, by the brave and self-sacrificing Captain JOHN BROWN, and his little company, in behalf of the enslaved, took place on the night of the 15th of October, 1859.]

HENRY SEATON, a colored man, was seized in Cleveland, by Deputy U. S. Marshal Manson, mainly through the agency of a spy and traitor named George Hartman. The *Cleveland Leader* (Nov. 1859) states that Hartman stayed in the jail during Wednesday night, not caring to trust himself outside. The jail was watched by a party of negroes, who would have given him a rough reception if he had ventured out. Yesterday morning, about 9 o'clock, he left the jail as stealthily as possible, in the hope of getting to the New England House, where he boarded. Sharp eyes, however, saw him, and he was compelled to take refuge in Andrew's Saloon on Seneca street. This not being permanent quarters, he endeavored to escape through the back yard, but was caught by Andrew's big dog, which would have speedily disabled him, if he had not been called off. Hartman soon made his escape from here and succeeded in reaching the New England House, though closely followed by incensed negroes. Here he armed himself, and suffered no further molestation. He probably left the city upon the 7.40 Columbus train last evening.

The negro was hurried to Cincinnati, immediately taken before U. S. Commissioner Brown, and before it was known outside the court-room what was transpiring, the man was a captive on the slave soil of Kentucky. — *Cincinnati Gazette*, Nov. 12, 1859.

*Kidnapping at Columbus, Ohio.* “A mulatto man was seized at the railroad depot yesterday morning, forced on board the 8.40 train for Cincinnati, and carried off. The seizure was made by Deputy Marshal Jacob Lowe, who also holds the office of Deputy Sheriff of Franklin County, and Robert Mitchell, Constable of this city, and a number of helpers. No warrant or authority of any kind was shown. They told the bystanders that he had been robbing somebody. Although the man was seized by as many as could find a place to take hold, being a powerful man, he threw them off, and it was only after a contest that lasted, we are credibly informed, half or three quarters of an hour, that they succeeded in subduing him so as to force him into the cars; during the struggle, Deputy Lowe taking every available chance to hit him on the head with a heavy cane.

A colored man named Henry Alfred relates the following circumstances: — “He and Rice lived at Mount Gilead. A man by the name of D. C. Watson, who had been here several days, engaged Rice and himself to come to Columbus to be employed in a refreshment saloon that he was going to set up. They started together on Thursday for Columbus. The colored men stayed over night at Delaware, where Rice had relatives; but Watson came on to Columbus, and met them with the gang when they arrived in the morning. Alfred was not seized, but was roughly handled to prevent his interference. People at Xenia, where the train was due at 12 o'clock, were informed of the matter by telegraph, and we are advised that officers got on the cars there with a writ of *habeas corpus*, but were carried off.

“Alfred states that Rice had lived in the neighborhood of Mt. Gilead near eight years, and has a wife and one child there. Incidents like this among us leave no room for indignation or horror at John Brown's invasion.” — *Columbus Journal*, Autumn of 1859. Also, see *Liberator*, Nov. 18.

*Kidnapping Case, and Suit at Law.* "Our readers will remember the case of a Marylander named Myers, who kidnapped some colored men at Carlisle, in this State, and carried them into Maryland, and who was afterwards arrested on this side of the Pennsylvania line and held to answer. At the November term of the Cumberland County Court, he was indicted for kidnapping, and put upon his trial.

"The three men arrested at or near Carlisle by Myers, who is a professional slave-catcher, were arrested upon the pretence that they were fugitive slaves, and were delivered to those who claimed to be their owners. Myers, after delivering them up, was enticed over the line, near which he resides, by a flaming handbill offering large rewards for more fugitives, and was there arrested by the Sheriff of Cumberland County. It was a part of the plea of the defence that he was enticed over by 'fraud and deception.'

"Upon the trial, which came off last week, it was proved and admitted that one of the negroes was the slave of Hoffman, of Frederick County, and that Myers was duly authorized to capture him; that he did so, and restored him to his owner. It was also proved and admitted that the two other slaves were manumitted in 1854 by the will of their owner, but that in February, 1858, the Orphans' Court of Frederick County, under the law of Maryland, passed an order directing the executor to sell them for a term of years to pay debts, and that shortly after the passage of such order, the negroes ran away; that Myers was duly authorized to take them, which he did, and restored them to their owner.

"The Court held, and so instructed the jury, that the question for them to try was whether in fact and in law the negroes were slaves when they escaped from Maryland; that it was proved that they were manumitted under rule; that if afterwards they went at large with the assent of the executor, such going at large amounted to an assent to their legacy of freedom, which made them entitled to their freedom in Maryland, on the authority of *Fenwick vs. Chapman*, and that therefore the defendant was guilty of kidnapping; that the order and decree of the Orphans' Court was conclusive evidence only that the negroes were ordered to be sold, but not that they were slaves, or that the court had any right to pass any such order. If the negroes were free, the decree would not make them slaves.

“The jury was out for some time, but finally rendered a verdict of guilty. The conviction renders Myers liable to confinement in the penitentiary for not less than five nor more than twelve years, and a fine of not less than \$600 for each negro kidnapped. He was convicted of taking *two*.

“The court and jury having decided that these negroes were free from the time of their arrest, the question arises, will the Governor of Pennsylvania demand their surrender as kidnapped citizens of this State? If they were white, he undoubtedly would.

“The Maryland papers talk of taking this case up on a writ of error to the U. S. Supreme Court; but we do not see, exactly, how it is to be done. In the meantime, Myers will go to the penitentiary, where he ought to have been long ago. Whether the ruling of the court shall turn out to be good or bad law, the justice of Myers’ sentence cannot fairly be questioned. The penitentiary is the right place for him and all of his tribe.” — *Pittsburg Gazette*; in *Bugle*, Dec. 3, 1859.

At Chicago, January, 1860, “the Grand Jury of the United States District Court indicted eight citizens of Ottawa, Illinois, under the Fugitive Slave Law, for participating in the rescue of JIM, claimed as a slave, before Judge Catron.” — *Standard*, Jan. 7, 1860.

The *Chicago Press and Tribune*, of Feb. 29, 1860, (see *Standard*, March 10,) adds that Dr. Stout and brother, and John Hossack, (who were among the number indicted,) were arrested and lodged in jail in Chicago. Afterwards, E. W. Chamberlain, Henry King, and Claudius B. King, all of Ottawa, were brought to Chicago and imprisoned. Their trial did not come on until October, when they were convicted of the “crime” of helping a man to his freedom, says the *Chicago Congregational Herald*, of Oct. 11th, 1860. John Hossack was sentenced to ten days’ imprisonment, and fined \$100. This carried with it costs of prosecution, said to be \$591 more. Dr. Stout was sentenced to ten days’ imprisonment, and fined \$50; his costs were \$802.21. C. B. King’s sentence was one day’s imprisonment and \$10 fine and costs. Mr. Hossack and Dr. Stout were to lie in Cook County jail until fines and costs were paid. Dr. Stout was wholly unable to pay the amount for which he was held, and Mr. Hos-



sack, though having some property as a farmer, has a large family to support. Mr. Hossack, on being asked by Judge Drummond if he had aught to say why sentence should not be pronounced upon him, addressed the Court in a very noble and truly Christian manner, taking the high ground of moral and religious obligation. His speech is published as one of the tracts of the AMERICAN ANTI-SLAVERY SOCIETY, in the same series with this tract. Mayor Wentworth, of Chicago, took an active interest in the case of Messrs. Hossack and Stout, and before long the whole amount necessary to pay their obligations was raised, and they were liberated.

JAMES LEWES, son of Abner Lewes, of Masten's Corner, Del., was caught in a lonely place, at dark, on his return home to his employer's, (Wm. Minner's,) by a man named Lemuel C. Morris, and kidnapped into Maryland. Here Morris tried to sell the boy to a Mr. Fountain. Mr. F., suspecting all was not right, told Morris to return in a day or two, when he should have his money or the boy. Inquiry being made, Fountain was persuaded of the boy's having been kidnapped, and wrote a note to his employer. The boy was returned, and Morris, who came for his money, was arrested and put in jail at Dover. — *Milford (Del.) News*, January, 1860.

*Free Man Sold as a Slave.* "The following particulars concerning the selling into slavery of a free negro were yesterday related to us by a legal gentleman, in whose hands the matter has been placed for the prosecution of the offending parties. Some time since, a telegraphic despatch was received by a detective officer of this city, [St. Louis,] requesting him to arrest and retain in custody a negro acting in the capacity of cook on board a steamboat plying between this city and Cincinnati. The despatch set forth that he (the negro) was a runaway slave, the property of a gentleman named Overton, residing about a hundred miles from this city. The officer fulfilled the orders, and placed the supposed runaway in jail. A couple of days after this, Mr. Overton came here and *identified* the negro as a slave of his; and afterwards placed him in the hands of a slave-trader, who disposed of him to a Southern gentleman named Wiseman, for a very round sum of money. Wiseman took the negro to New Or-

leans, and there sold him for \$3000. Shortly after this last transaction, it was ascertained that the negro was in reality a *free man*. He was born a slave in North Carolina. He afterwards moved, with his master, to Mobile, where he was emancipated.

“After his emancipation, he moved to Ohio, and engaged himself as cook on board a river steamboat. He left his free papers in Ohio, not dreaming, as he says, that any person would claim him as a slave. By some means, his emancipator heard of his enslavement, and immediately interested himself in his behalf. His free papers were taken to New Orleans, and by due form of law, he was declared a free man. Prosecution has already been commenced against some parties in New Orleans for being concerned in the selling of the free negro, and in a short time, suit will be brought against individuals in this State for the same offence. A legally gotten up warrantee deed was given to Mr. Wiseman, stating the negro to be a slave for life, and the same kind of instrument was produced by the gentleman who purchased him in New Orleans, as proof that he (the purchaser) had committed *no crime*.” — *Missouri Democrat*, Jan., 1860. See also *Anti-Slavery Bugle*, Jan. 14.

*New York City, January, 1860.* A recently-arrived fugitive, weak from confinement and insufficient food on board a vessel, was found by a policeman in the street, who, supposing him intoxicated, took him to a station-house. Here the man imprudently confessed that he was a fugitive from slavery. Officer Terhune took him before Justice Brennan on a complaint of drunkenness, and then hurried to U. S. Marshal Rynders to inform him of the new slave case. As speedily as might be, Marshal R. sent a note to the Justice, desiring him to hold the prisoner, as he was a fugitive slave. But, alas! some friendly persons had just been before the Justice and paid the man's fine on the charge of drunkenness, whereupon he was discharged, and thus narrowly escaped the net spread for him.

“In consequence of this occurrence,” says the *National Anti-Slavery Standard* of Jan. 28, 1860, “a Republican member of the Board of Police Commissioners introduced in that body a resolution to forbid policemen from engaging in

the business of slave-catching. It was voted down, however, (!) so that the police, provided for this city [New York] by a Republican Legislature, is liable henceforth to be employed as an agency for the arrest of fugitive slaves. (!) ”

*Iowa City.* “ A miserable apology for a man, answering to the name of Curtis, was arrested in Iowa City on a charge of kidnapping. It was satisfactorily proved that he had undertaken to carry into Missouri, and there sell, *two free colored girls*. He was held in \$1000 bail to answer the charge. These attempts at kidnapping are becoming common in the West.” — *Standard*, Feb. 18, 1860.

Curtis compromised the case in Court, agreeing to adopt the two girls, give them his name, and educate them. — *Iowa City Republican*; in *Standard*, March 10, 1860.

*Lawrence, Kansas.* The *Lawrence Republican*, Feb. 16, 1860, details the circumstances of an attempt of “ a pack of human hounds,” — one of them being the infamous Jake Hurd, — to kidnap a woman living at Mr. Monteith’s, in Lawrence. A sharp contest took place, resulting in the utter discomfiture of the “ hounds.” — See *Standard*, March 3, 1860.

*Springfield, Illinois.* A fugitive slave who was arrested in Springfield, and taken upon the cars for St. Louis by a Deputy U. S. Marshal and assistants, attempted to kill one of his captors, but failed. — *Standard*, March 3, 1860.

*Kidnapping a Free Man in Pennsylvania.* On the night of the second of March, 1860, a free colored man by the name of John Brown, residing in one of the tenant houses of J. Williams Thorne, Sadsbury Township, Lancaster Co., Pa., was kidnapped.

Four men entered his house at 10 o’clock at night, and commanded him to go with them, on a charge of robbing a store. No warrant was shown. Two of them gave their names as Gilmer Hull and Frank Wilson, neighbors well known by him, who assured him that no harm should come to him, but that they would return him the following evening. Being thus deceived, and naturally of a quiet, easy disposition, he permitted himself to be taken by the ruffians to a carriage, a few rods distant, without making any resistance or giving the least alarm.

Pursuit was made as soon as the alarm was given, and they were followed to the Mount Vernon Hotel, where it was ascertained that a carriage had passed, driving at full speed. Here the pursuit was given up, and nothing, up to the present writing, has been heard from them.

John Brown is a man of upwards of thirty years of age, large size and very dark, and is positively known to be a free man, having been raised near Downingtown, but has resided for many years in this vicinity.

Two arrests have been made, in the persons of Gilmer Hull and Frank Wilson, residing in the neighborhood, as aiding in the kidnapping. A hearing was had to-day before 'Squire Slocum, of Christiana, which resulted in the identification of the former by the wife of the victim. He was sent forthwith to Lancaster jail, in default of the required bail (six thousand dollars). Wilson was released. — *Standard*, March 10, 1860.

After several days' absence, Brown returned home. His story agrees with the foregoing in every essential particular. He further states that his captors said they should take him to Lancaster. Wilson said he would bail him and bring him back on the next day. He states that they took him out into the woods and put him into a carriage. Frank Wilson, with two other men, got in the carriage, and after going a short distance, Wilson got out. Before putting him in, they tied him. One of the men said he was his master, and would take him to Virginia; they told him if he did not keep quiet, they would blow him through, and pointed pistols at him. Edward Mackey got into the carriage after Wilson got out, and they drove him (Brown) to McCall's Ferry, where they kept him tied in a garret, at Fisher's tavern, all the next day. Brown says he told Fisher he was a free man. Fisher replied, "Never mind, they won't hurt you."

In the evening, about 7 or 8 o'clock, Fisher came up into the garret and told the men who had Brown they might bring him down, "he had got the people all out of the bar-room." They then took him across the river and on to Baltimore, in the same carriage they had started with. After reaching Baltimore, he was lodged in a jail, and left there for six or seven hours; he was then moved to another jail, where the keepers asked where he was from. He told them



he was raised in Chester County, Pa., by a man named John Baldwin, and that he was a free negro, never having been a slave. The keeper then said he would have nothing to do with him, unless they could identify him as a slave.

After he had been some time in this jail, a man by the name of Wm. Bond came in, who had been acquainted with Brown, and at once recognized him. Bond told the keepers of this jail, or slave-pen, that Brown was a free man, and prevailed upon them to let him go. They sent with him the following written statement :

“BALTIMORE, March 5, 1860.

The bearer of this, John Brown, is supposed to be a free man, brought here by some men, and offered for sale as a slave, and we, believing him to have been kidnapped, send him back to Lancaster County, where he says he came from.

JOSEPH S. DONOVAN.”

Hull, Wilson and Mackey have been arrested. — *Lancaster Express*.

Hull was bound over in the sum of \$5000 to take his trial for kidnapping. Fisher, also, the tavern-keeper, was bound over in \$3000 to appear for trial at the April term. — *Lancaster Union*, March 21, 1860.

☞ In the following autumn, the barn of Mr. Thorne (the employer of the colored man in the above case, and who had been active in bringing his kidnappers to justice) was set on fire and destroyed, and it was with great difficulty that his house was saved from the flames. There were fresh tracks of horse and man near Mr. Thorne's barn, which, being followed, led to the house of Wilson, one of the indicted kidnappers, who was thereupon arrested on a charge of incendiarism.

Hull and Wilson were convicted of the crime of kidnapping, and sentenced each to pay a fine of \$200, (half to go to John Brown, and the balance to the county,) and to undergo imprisonment in the Lancaster County prison for the term of five years. — *Standard*, Dec. 15, 1860.

MOSES HORNER returned to slavery from Philadelphia, April, 1860. Is this the same case of which the *Anti-Slavery Buzle* of April 7, 1860, thus speaks? —

“A fugitive slave who was captured in Harrisburg was brought before Judge Cadwallader, of Philadelphia, for trial,

and by him adjudged guilty of being held to service or labor in Virginia, under the laws thereof, and accordingly remanded. An ineffectual attempt was made to rescue him; but instead of giving to the poor fellow the liberty which the Declaration of Independence says belongs to him, ten of the attempted rescuers were arrested, and committed to prison. This will furnish business to the U. S. Courts, and add another to the many illustrations our history furnishes of the kind of blessings the North derives from her ill-assorted union with slaveholders and despots. We shall learn the lesson in time; and though it may require many a flogging to beat it into our brains, the South is no whit inclined to spoil us by sparing the rod."

☞ *In the famous LEMMON CASE*, (recorded in the earlier pages of this tract,) a decision was reached in the New York Court of Appeals, in April, 1860, affirming the decision of the Court below, whereby Jonathan Lemmon, of Virginia, was declared *not* entitled to bring his slaves into the State of New York, and hold them in slavery there, while on his way from one slave State to another. Five Judges concurred in this opinion, — Denio, Wright, Wells, Bacon, Davies; — while three Judges dissented, viz. — Clark, Selden, Comstock.

ALLEN GRAFF and JOSIAH HAY were arrested in New York city, and with much seerecy brought before U. S. Commissioner Betts, who ordered them into the custody of their claimants, two men from Frederiek County, Maryland. Hay, on being brought up, appeared very much overcome; he sat, with his head leaning down on his breast, weeping constantly; Graff seemed indifferent. — *Standard*, May 5, 1860.

CHARLES NALLE, claimed as the slave of B. W. Hansborough, of Culpepper County, Virginia, and to have escaped thence in 1858, was arrested in Troy, N. Y., April 27th, 1860, and taken before U. S. Commissioner Miles Beach. The examination was very brief. Nalle was remanded to his owner, and the necessary papers handed to the Marshal. But some exciting scenes followed. An immense crowd collected around the office, and at length Nalle, in charge of officers, came forth. A fight ensued, the result of which was

that Nalle was reseued, through greatly bruised and his clothes nearly rent from his person. For a full and detailed account, see the *Troy papers*, April 28th, &c., and the *Standard*, May 5th, 1860. In this reseue, a colored woman was prominent, very active and persevering, until success crowned their efforts, — a woman known among the colored people extensively as “Moses,” because she has led so many of their number out of worse than Egyptian bondage into the goodly land of freedom.

An effort was made in Troy to raise \$1000, to be paid to the “owner” of Nalle. The *Troy Arena*, of May 1st, said that \$500 was immediately subscribed. The sum needed was obtained, and Nalle returned to Troy a free man.

*New Albany, Indiana.* Marshal Akers went on board several steamers to search for an alleged fugitive. On board the *Baltic*, he found a man named Tom Bishop, whom he arrested as the slave of a Mr. Miller, living about five miles from Louisville, Ky. He is said to have acknowledged himself a slave, and to have declared his determination to run-away again. He was taken to Kentucky without any “disturbancee.” — *New Albany Ledger*, April 30, 1860.

*Aurora, Illinois.* Two colored men at this place were arrested by officers, without warrant or papers of any kind, and on the bare suspicion that they were fugitives from slavery, in the hope that a reward would be offered. “They were taken to Lawrenceburg, to be placed in the county jail, but the jail officers refused to recognize the authority of the captors. They were then carried back to Aurora, and there threatened and abused until the indignation of the community against the men who had arrested them began to be expressed in such unmistakeable terms that they let their prisoners go. The latter had not passed the corporation limits, however, before they were pursued by a rowdy mob, against whom they bravely defended themselves, levelling a number of their assailants to the ground. Being at last overcome, they were bound with cords, and horribly beaten with brass knuckles. Soon after, their master (a Baptist preacher of Boone County, Kentucky) arrived, but was so shocked at the treatment his men had received, that he refused to give any reward to their captors, and said “he had much rather the runaways

had gone to Canada than received such inhuman abuse." — *Cincinnati Commercial*, May 10, 1860.

*Audacious Attempt to Kidnap a Free Man.* "A bold attempt to kidnap a free negro and carry him across the river for the purpose of selling him into servitude was made yesterday afternoon, at the river landing, but very fortunately the ruse of the miscreant who made the effort proved unsuccessful.

"The name of the man is Jeremiah Johnson, and of the negro, James Upson. Johnson met Upson at the landing, and asked him if he wished a situation on the river. Upson said that he did, and accompanied Johnson to the Walnut street ferry landing. Johnson then said that the ferry-boat was the craft that wished to engage a hand; but the negro, too wide awake to trust his person upon that boat, demurred to going on board, at which Johnson seized him by the neck, and, pointing a revolver in his face, told him that if he made the slightest resistance, or refused to board the boat, he would blow his brains out. This gentle admonition to the negro, who hesitated not a second between liberty and death, was, however, disregarded, and, shrieking at the top of his voice, he soon gathered about him a large crowd. Johnson affirmed to the crowd that the negro was a fugitive, and offered twenty dollars to any one who would help to place him on the ferry-boat and secure his transit across the river. The negro, during all this, was begging piteously to be rescued, and stated that he was not a fugitive, nor had he ever been a slave. At this juncture, two gentlemen passed along the levee in a carriage, one of whom shouted to Johnson to let the negro go, whereupon Johnson called them d—d abolitionists, with other insulting language. The gentleman to whom Johnson's words were especially directed immediately jumped from the carriage, and, seizing the would-be kidnapper by the hair, pulled him to the ground, and administered a severe beating. Officers Colby, Chumley and Broekington here arrived, and, releasing Johnson from the fury of the insulted gentleman, conveyed him to the Hammond street station-house. The negro Upson is well known in this city.

"Against Johnson there seems to be the most positive case. He will be taken before the Police Court this morning for preliminary examination." — *Cincinnati Gazette*, May 29.



*Slave-Hunter Attacked by Negroes.* "On Monday night last, the usually quiet borough of Blairsville, Pennsylvania, was the scene of a disgraceful riot, caused by the appearance of a Virginian in that place, in search of fugitive slaves. It appears that six slaves had left their masters in Hampshire County, Virginia, two of whom had first broken open the store of their master, and helped themselves to some ready-made clothing; two others had each stolen a good rifle-gun, and one of these had helped himself to a suit of his master's clothes. R. H. Patterson, of Springfield, Va., who has been constable for a number of years, together with another person whose name is not given, were despatched after the fugitives, and traced them to a point near Johnstown, in Cambria County. Mr. Patterson received a despatch from Ebensburgh, stating that the fugitives had made their way to Blairsville, and he arrived there on Monday, stopped at the Market House, and made such exploration about town as satisfied him that the fugitives were not in that place, and intended leaving for Johnstown on Tuesday morning. On Monday night, near 10 o'clock, on coming down street to his hotel, in company with another person, and when not far distant from it, he was attacked by a band of negroes, who asked him a question or two about his business, but almost instantly knocked him down. He escaped with his life with great difficulty."

*JAMES WAGGONER, a Free Man, sold as a Slave.* "About six months ago, a colored man named Waggoner was carried across the river from Cincinnati, and found his way into the Newport (Ky.) jail, as a fugitive from labor. About the same time, two men were arrested and committed to the same jail upon the charge of kidnapping Waggoner. When these men were brought up for trial, no one appeared against them, and they were discharged. Waggoner remained in jail, however. No one claimed his service, but the law requires that he shall prove his freedom. This he has not done, and hence he is to be sold on Monday next to the highest bidder. If a man commits murder, or is arrested upon the charge of murder, the State is required to prove him guilty, failing in which, the prisoner is set at liberty; but if a negro is charged with the crime of being a slave, he is required to prove that he is a freeman, failing in which, he is sold at auction and con-

signed to slavery for life! Waggoner, it appears, has worked in this city. His parents reside in Buntam, Clermont County, Ohio. They have visited him, and recognized him as their son. But, being black, their testimony is worthless in a slave State. To prevent the sale, the right of Waggoner to freedom must be established by the evidence of white citizens; and, even then, it will require two or three hundred dollars to get him out of the net that the avaricious officials of Kentucky have thrown around him. It is hardly possible that the citizens of Kentucky will countenance this impending outrage; but, however this may be, the friends of humanity should see that Waggoner does not lose his freedom, if two or three hundred dollars will save him from the auction-block."

*The Consummation.* "James Waggoner has been sold into slavery, with what attendant circumstances of disregard to law, unfairness and cheating generally, a full account in our local columns will show. If any one of our readers can read that account and be unmoved to anger and detestation, he possesses a temperament which nothing could excite. Here is a free man, a man born of parents legally freed and residing as free in Ohio, kidnaped, kept in jail six months, and finally sold for jail fees, while his kidnapers were allowed to escape. Of the disgraceful alacrity to enslave a human being, which certain individuals in Newport have manifested, we cannot trust ourselves to speak.

"Not only has a grievous and irreparable wrong been done to Waggoner, but the honor of the great State of Kentucky, in whose name the wrong was committed, has been sullied, and the dignity of the State of Ohio insulted; for an Ohioan has been made a slave by tricks which would disgrace a 'shyster' before the lowest of human tribunals, the Tombs Police Court in New York."—*Cincinnati Gazette*.

Fuller particulars may be found in the *Standard*, June 23, 1850. On his trial before the Newport Mayor, although the evidence of his being a free man was of the strongest character, he was declared to be a slave. He was immediately hurried off to a neighboring town and sold to Dr. J. Q. A. Foster, of Newport, for \$700, on his note, with an endorser, said to be irresponsible. Waggoner was sent to Lexington, Ky., and placed for sale in the "negro-pens of that city."

Efforts were made to save Waggoner from the terrible pit

into which he had fallen; and not without success, though the obstacles were neither few nor small. His suit for freedom came up before the Circuit Court in Newport, Ky., on the 15th, and it was clearly established that the alleged fugitive was born in 1840, in Brown County, Ohio, of free parents. The Court took time to consider its decision whether the free citizen of that State shall be again permitted to enjoy the liberty slavery has for nearly a year defrauded him of.

*Later.* "The Kentucky Court declared James Waggoner a free man—free to go where he pleased. Yet only two months since, he was sold in Kentucky on the auction-block as a slave! How is he to obtain justice for the wrongs done to him by the accursed institution of human slavery?"—*Cleveland Leader*, August, 1860.

*Kidnapping at Washington, Fayette County, Ohio, June 27, 1860.* A negro man, named JOHN MARSHALL, was kidnapped from this place by three "gentlemen" who came by the midnight train from Cincinnati; they seized the negro early in the morning, and bore him away by railroad, without calling on any officers or authorities of the place. Marshall had lived five years in Washington, and, though once a slave, had been emancipated, and then removed to Brown County, Ohio. He was about 28 years of age. In August, says the *Cincinnati Commercial*, river Policemen Colby and Chunley arrested two brothers named James and Thomas Heise, on a charge of being concerned in the abduction of Marshall.

*New York Citizen carried into Slavery.* GEORGE ARMSTRONG, a free colored man, born in Jefferson County, New York, left that neighborhood about three weeks since, in the employ of a man named Benjamin. Nothing more was heard from George, until his sister received a letter, on the 5th inst., from Carusi & Miller, lawyers of Washington city, saying that George was in jail there as a fugitive slave. Governor Morgan at once despatched an agent to Washington, with authority to act in the case. — *Albany Evening Journal*, July 7, 1860.

*Man Kidnapped in Southern Illinois.* "An advertisement in the Jonesboro' *Gazette* brings to our notice the last kidnapping case in Egypt. It announces that a colored man,

‘weighing 190 pounds,’ is in the custody of the *postmaster* of Dongola, Union County, Ill. The said negro is embellished with cuts which may have been made with a knife or whip, and several gunshot wounds adorn his person — the latest one having been inflicted by his captor, the postmaster aforesaid! The advertisement states that he was apprehended by Mr. Postmaster and carried to Cape Girardeau, Missouri, for the purpose of finding his ‘owner,’ but no person appearing to claim him, he was brought back to Dongola. While on the way to the latter place, he attempted to escape from his captor, but was brought to by the prompt use of a *shot gun!*” — *Chicago Press and Tribune*, July 19.

*More Illinois Freeman Kidnapped at Clifton.* So interesting is the account which follows, and so remarkable and so fortunate the experience of one of the victims, that it is given unabridged, notwithstanding its length. The slaveholder’s heart shall yet be reached, and the last may yet be among the first.

Southern Illinois has been for a long time the hunting-ground of the men-stealers, and it is stated that within the past ten years, scores, perhaps hundreds, of freemen have been kidnapped. The law is powerless to punish the villains, or to bring the captives back. There are dozens of counties in which no man of color is safe, and there are men who live by making negroes their prey. The *Chicago Tribune* says “there is hope in the future,” and gives the following interesting account of the recent kidnapping case at Clifton, Illinois.

On Sunday, June 3d, 1860, three colored men, living in or near Clifton — a village near Ashkum, a station on the Illinois Central road about sixty miles from Chicago — were enticed by seven or eight whites into a country store or grocery, and when there, were pounced upon by their armed decoys, now turned assailants, and under threats of instant death from revolvers pointed at their breasts, were compelled to submit to the commands of those who by force and fraud had overpowered them. They were instantly hurried off to Ashkum, and their captors, having timed their movements to correspond with the motions of the down train, thrust their prey, still guarded by an array of pistols and bowie knives, into the cars, and bore the poor men off. All this was accom-



plished without a process of any sort — by brute force alone, illegally and diabolically. The indignation of the quiet community in which this occurred was thoroughly aroused by the outrage; but all parties — the wronged and the wrong doers — were gone — hid in a slave State, under the shadow of the institution that justifies all such atrocities, and everybody despaired of being able to bring the captives back, or the scoundrels to the punishment that they had richly earned.

The kidnapped men were carried to St. Louis as fast as steam could convey them, jealously guarded all the way. Arrived there, they were thrust into a negro-pen, which still disgraces that free soil city, and the work, with a view to the profits of the great crime, was commenced. In answer to the inquiry directed to each, "Who is your master?" one averred that he was then, and always had been, a free man; another refused to answer; while the third, the man Jim, said that he had been the property of Aime Pernard, a farmer near Carondelet, seven miles from the city. The man who claimed to be free and his silent fellow-prisoner were tied up and cruelly flogged, the one to refresh his recollection of the servitude that his captors suspected, and the other to open his mouth to a confession which he would not make. Whipping proving of no avail, other forms of cruelty, hunger the most potent, were tried, but with no better success. At last, both of these men — one torn ruthlessly from his wife and children, and the other from a neighborhood in which his industry had made him respected, and each from a life of freedom and enjoyment — were sent South and sold. They were prisoners of war, and as such, in this time of peace, were compelled to submit to the captors' will. In a State which permits the buying and selling of men and women, and accounts it patriotism, what could they do? Poor, friendless, and black, adjudged to have no rights that white men are bound to respect, what could they do? The tide that has overwhelmed four millions of their kind has overborne them. They sunk into the great vortex, never to be heard of more. A "nigger funeral" — perchance of some unfortunate creature who has died under the lash for his repeated attempts to regain freedom, or of one whom a rifle shot sent into the swamp had killed, or of a man prematurely worn out by labor, and the whip, hunger, and the branding iron — will close

the earthly career of each. There is a hereafter. "Blessed are the poor in spirit, for theirs is the kingdom of heaven; blessed are they that mourn, for they shall be comforted!"

While this whipping, shipping and selling was going on, Aime Pernard, the owner of Jim, was visited by one of the kidnappers. He went with offers to buy Jim, running — buy the chances of a capture, after five years of absence. One hundred dollars was the sum named for this fugitive piece of flesh and blood. But it was indignantly refused. The sum was doubled, trebled, quadrupled, and at last multiplied by ten; but all temptations failed to get them a legal title to their prey. They served this purpose, however. The owner's suspicions were aroused by the amount offered by the scoundrels, and their unconcealed eagerness to effect a trade. On Saturday, a week after the capture, he sent a negro woman into St. Louis — the woman being the mother of Jim — to make the inquiries that the case seemed to demand. Her mother's instinct led her to the right place. Admitted to the pen, she recognized her son, learned from his lips his suffering and danger; and then with such speed as she could command, hurried back to the master's house. Her story sent him into the city and to the slave-pen direct. Jim's story was repeated with such emphasis and particularity that every drop of that master's blood tingled in his veins. His haggard appearance, his wound and marks of stripes, attested to the master's sight the truth of the words that fell upon his ears. He called the keeper of the place, commanded the humane treatment of his charge, and left with the promise he would return and relieve him of his charge. This was on Sunday morning. Bright and early on the day following, Aime Pernard appeared again at the prison gate. To pay the sum (\$100) allowed by the law of the State to the captors of a fugitive, the jail fees, amounting to \$35 more, and to rig Jim out in a new suit which his master had brought along, was but a half hour's work. When done, the two went back to Carondelet, Jim yet doubtful of his fate. But after a day or two, his case was talked over between his master and himself; and when we state the result, we afford proof of Jim's eloquence and the generosity and nobleness of the master's heart. Jim's free papers were made out, his stock of money was considerably increased, a ticket to Clifton

was put in his hand, and walking by the side of his late master, now protector and friend, the two crossed the Mississippi into Illinois. Here, seating him in the Northern train, the master, with tears flowing down his cheeks and a warm pressure of the hand, bade Jim good bye, and invoked for him God's blessing to speed him on the way!

On Wednesday evening, Jim made his appearance suddenly and without warning at Clifton, whence he had been carried off. He was waving his free paper over his head. A little crowd collected around him, and he briefly related his adventures, and the kindness of that master. A gentleman harnessed a horse to take him to the farm where he had been employed, and another, with rare consideration, rode off to warn Jim's wife of his return and coming. "Niggers have no feeling; it don't hurt 'em to have their domestic life made the plaything of white men's cupidity and lust," say the man-sellers. That strong woman's cry of joy as she clasped her husband in her arms; her devout thanksgiving to God that her life was not left all dark; her breaking down under the flood of emotion which the glad event aroused; her sobs and plaints, interrupted only by unuttered prayers to the Father of white and black alike; the deep feeling Jim displayed; that delicious joy ennobled by the new consciousness of freedom and security in the possession of a wife and home, — these, leaving not a dry eye in that little crowd of lookers-on, disprove the slander. And to-day, the relation of the scene at that meeting, even in Clifton, where it is a thrice-told tale, brings tears from eyes that are unused to weep.

There is not much to add to this narrative. The ladies of Clifton, moved by the rare generosity of Aime Pernard, united in a letter thanking him in warm terms for what he had done, and inviting him to pay them a visit at his earliest convenience, that they might in person point out to him the evidence of the good he had done.

Mr. Pernard's reply to the ladies was a very honorable and noble one, which, but for its length, would have been inserted here.

*High-handed Outrage on a Free Man in Philadelphia.*  
The following is taken from the *Philadelphia North American* of Monday, July 30, 1860:—

"On Friday afternoon last, three men arrived in this city



from Georgetown, D. C. They exhibited a power of attorney to the U. S. Marshal, and announced that they were authorized to undertake the rendition to servitude of one Ben Hurd, a slave who had escaped to Philadelphia from one Joshua Bateman, of Georgetown, his lawful owner.

“ A warrant was obtained from Judge Cadwallader for the capture of the alleged runaway, and on Saturday morning, Deputy Marshals Sharkey and Jenkins, in company with the three negro-hunters, started in pursuit of the concealed fugitive. Supposing, very naturally, that the runaway had obtained employment as a waiter in one of the hotels, they started upon a tour of discovery among the various hotels. They had almost given up the search, when, between 8 and 9 A. M. on Saturday, in passing up Fifth street, near Market, a stalwart colored man, driving a dray towards them, burst upon their delighted view. A shout of exultation went up from the Georgetown men, as they hastily examined the negro. ‘ That’s the rascal ! ’ said one. ‘ The very nigger ! ’ exclaimed the other. ‘ Catch the runaway, Mr. Marshal ! ’ cried the third ; and without another word, Messrs. Sharkey and Jenkins seized the horse by the head. The ‘ nigger ’ was taken by the leg and the coat collar, and lifted off his dray in a very decided hurry. His wrists were then placed in nippers, and, long before the poor fellow precisely understood what all the proceedings meant, he was hustled into the Marshal’s office, at Fifth and Chestnut streets.

A crowd collected, and not a few persons, commiserating the condition of the black man, as they looked at his pinioned hands and rent garments, wanted to know upon what charge the arrest was made, and what was meant by the whole business. The prisoner very naturally united in the request, and demanded to know why he had been assaulted and imprisoned. At this juncture, several citizens came voluntarily forward and informed the officers that they had made a mistake ; that the man in their custody, so far from being a fugitive from labor, had been a resident of Philadelphia for many years. When confronted with the outraged man, the Georgetown men were obliged to yield their point, and with shamed faces acknowledged that the present prisoner WAS NOT THEIR MAN !!

“ Of course, after this, the prisoner was discharged. His



name is James Valentine, who came from a free parentage in Salem, N. J., is now fifty years of age, and has lived in this city since 1826. He has driven a dray for the last twenty-six years, has made some property, and resides in his own house in Whitehall street. We understand that Valentine will bring a suit against the Marshals for the assault upon him — a suit whose burden has been thrown upon the Marshals, the Georgetowners having shaken the dust from their shoes and vacated the city. The Simon-pure Ben Hurd by this time has probably started for Canada, and the representatives of Mr. Bateman may as well give up his capture as a bad job.”

On the foregoing case, the Philadelphia correspondent of the *Anti-Slavery Standard* thus remarks :

“ It was another *Adam Gibson* case. The bloodhounds of the law mistook their man. Happily, the slave-master was not entirely devoid of honesty ; otherwise, the poor fellow might to-day be in the pen of a Southern slave-trader.

“ This circumstance illustrates anew the atrocity of the Fugitive Slave Bill. No man is safe under its operation. Our most respectable citizens, if their skins be dark, are liable, like James Valentine, to be seized, manacled, and dragged before heartless officials, with little hope of deliverance, except it be found in the tender mercies of the slaveholder. For since *Judge Cadwallader* has taken the place of *Commissioner Ingraham*, and *Jenkins* and *Sharkey* have undertaken to do the work of *George Alberti*, the captured black man has but little to hope for from our Philadelphia officials.

“ We had hoped that our city had seen an end to slave-catching, but since the accession of *Cadwallader* to the bench, and owing, perhaps, to the ease with which a slave-warrant may now be obtained, the infamous business seems to have acquired a new lease of existence.

“ Steps have been taken to bring the perpetrators of this outrage to justice, which I trust will prove successful. They should be prosecuted to the uttermost.” — *Standard*, August 4, 1860.

*Stealing Free Negroes in Maryland, &c.* This barbarism of slavery appears to be carried on quite extensively by Virginia dealers in human flesh about Alexandria. We learn by

the *Baltimore Clipper* that recently ten free negroes, seven men, and three women, were unlawfully abducted from the State of Maryland and taken to Alexandria. Five of the men and three women were sold to go South, and being helpless and friendless, were carried off into life servitude. The Mayor of Alexandria, hearing of the outrage, sent a detective to the negro jails of the city, and found two of the abducted men, who had been left at the establishment of Price, Burch & Co., for safe keeping. Proceedings were instituted, and the two free men were returned to Baltimore. Of course, the kidnappers go free of proper punishment in Virginia. — *Cleveland Leader*, August, 1860.

*Virginia Law, Chivalry, and Dignity!* The following illustrates too clearly the kidnapping and man-stealing spirit engendered by the Fugitive Slave Law to be omitted here :

*Over Eleven Hundred Free Negroes for Sale.* “On Thursday, in front of the Court House, eleven hundred and ninety-three free negroes will be offered for sale, for a sufficient time to enable them by their allowance per diem to pay their taxes. Some of these negroes are indebted as much as \$25 to the city, and as they generally sell for ten cents a day, their value will no doubt be made out of them. All of them are lazy rascals, showing conclusively that their freedom is a drawback upon them, and proving how worthless is the race, if unguided by the hand of the white man. The sale is to commence at ten o'clock.”—*Petersburg (Va.) Express*.

*The Petersburg (Va.) Free Negro Sale.* The *Petersburg Express* says :—“The decisive measures of the officers of the tax regime brought all free negroedom up standing. Out of the entire number who were to be sold for their taxes, only one hundred and forty-nine were disposed of; three hundred and fifty came forward and paid their taxes, and the rest found no purchasers. The sales varied from ten to twenty-five cents per diem, the purchaser to own the negro until his wages, at such rates, should pay his delinquent taxes, and thus free him from bondage. There were many who came to pay up at the eleventh hour, who were sold to themselves at as high as one dollar a day.”

*More Virginia Chivalry, with a Clerical Sample!* Some five years ago, Mr. Duval, of Chesterfield, missed one of his

likeliest negro men, and though repeated endeavors were made to discover his whereabouts, he still remained at large. A few days ago, Mr. Duval learned that he would probably capture the runaway by a strict alert in or about Richmond, and pursuing this course, with the assistance of some of the Richmond police, he succeeded. Yesterday morning, when he was about to take him from that city, and had arrived at the Petersburg depot, the negro broke away and fought with terrific fury against his master and the police officers who accompanied him. He was finally subdued, handcuffed and safely placed on board the train. At the half-way station, Mr. Duval left the cars with his negro, and placing him in a buggy, drove towards home. They had not proceeded far before the negro succeeded in getting one of the handcuffs off, and assailed his master with desperation, evidently with the intention to kill or seriously injure him. But Mr. Duval being a resolute man, of firm calibre, and a quick eye, met the assault, and for upwards of half an hour the master and slave scuffled and fought in the buggy. They proceeded thus for about half a mile, the fight growing more fearful as they continued, when they were met by the Rev. Charles T. Friend. This circumstance was fortunate for Duval, who would no doubt have been finally overpowered. He called to Mr. Friend to assist him. In a short time, the negro was overpowered and tied firmly with ropes and spare reins; but the giant strength of the refractory slave had rather increased than diminished, and he snapped the ropes that were twisted about his arms like so much twine, and again offered a fearful resistance. They were now without any other immediate means of securing him, although they quickly succeeded in overpowering him. Fortunately, Mrs. Friend, who witnessed the scene with firmness and without fear, having in her carriage fifteen yards of cotton cloth, which she had purchased, suggested that that would answer for a rope, and at once producing it, folded it, with her husband's aid, to sufficient size for the purpose, and with it the negro was tied beyond all possibility of escape. He was then taken safely home. Both Mr. Duval's and the negro's clothing was almost completely stripped from them, such had been the fight. — *Petersburg (Va.) Express*, August, 1860.

A pretty business for a Reverend and a Reverend's wife to

engage in, says the *Anti-Slavery Bugle* of August 25. A professed ambassador of Christ catching negroes! A woman tying up fugitive slaves!

*Kidnapping on a Large Scale in Kansas.* So long as the Fugitive Slave Law exists, practices and deeds of darkness like the following (the account of which, though requiring space to record, must not be omitted) will continue both to abound and to increase. Into what a depth of heathenism and barbarity has the nation sunk! "For cold-blooded atrocity and diabolical cruelty," says the Lawrence (K.) *Republican*, "the cases here narrated by a reliable correspondent at Wyandot stand preëminent."

WYANDOT, K. T., August 4, 1860.

EDITOR REPUBLICAN :

DEAR SIR, — A deep sense of duty impels me to make a few suggestions, and give some information, touching the present condition of our Territory — especially the Missouri border — relative to a class of human beings, created in God's own image, who are so unfortunate as to be even suspected of being of African descent.

Within the last few weeks, our county has been made the theatre for the transaction of some of the boldest, most revolting and tragic scenes that have ever occurred in our midst — the principal actors in which are men living in our own midst, some of them holding both United States and Territorial offices. Not long since, a man by the name of Hope, with scarcely a drop of African blood running in his veins, and never a slave, was most brutally kidnapped, in open day, from Joe Armstrong's — a Delaware Indian, living just on the edge of the prairie, about twelve miles west of our city. Poor Hope was lashed to a horse and hurried to the Kaw bottoms, whipped until his back was one mass of gore, and when night came, was hurried off to Missouri, and finally wound up in the St. Joseph jail, and soon was sold for twelve hundred dollars to a "Southern trader," destined to perpetual bondage. This same Hope was kidnapped two years ago, and placed in the jail at Independence, from whence he was taken by a writ of *habeas corpus*, through the exertions of Judge Wright — since which time, the St. Joseph jail has be-



come the slave mart for the use of all the devils incarnate that desire to rob, murder, kidnap or steal.

A few weeks since, two negroes were decoyed from a German boarding-house in Wyandot, by false pretences, and taken to Kansas City — the perpetrators stating on their return that they were slaves, and that their masters gave them two hundred and fifty dollars for their recovery. It turns out, however, that these two men were never slaves, but that just before reaching Kansas City, they were inhumanly whipped, to make them state who were their owners, which they failed to do — the negroes choosing to die under the torturing strap, rather than own to a *lie*. (I may as well state here, lest I forget it, that the method pursued by all these *fiends of hell* in the shape of kidnappers, is to whip their unfortunate victims on their bare backs, while their hands and feet are heavily loaded down with irons, and their mouths gagged, until they acknowledge that they are slaves, and state who were their masters — no matter who — some name must be selected. There are very few who can refrain, while under this exquisite torture, and when a horrible death seems certain at the hands of their hardened tormentors, from speaking some name. After this, the weak and bleeding victim is hurried off to Missouri — first to the *St. Jo. jail*, thence by “traders” to the blackness and darkness of Southern bondage.) From the Kaw bottoms, where these men were whipped, they were taken to their pretended master in Kansas City, who turned out to be the notorious Jake Hurd. Thence they were taken to the St. Joseph jail, where, ten days ago, Jake Hurd was still trying to sell them into Southern slavery; and unless ere this some *Doy rescuers* have liberated them, they have gone to the dank, lone ree swamps of the South.

On the 18th of July, a man by the name of C. W. Jones — with straight hair, not having a drop of African blood in him, and never a slave, his ancestors having been all white, excepting one of his great grandfathers, four generations back, who came from and was a native of the island of Madagascar, but on arriving in this country, married a white English woman — this man Jones was living with his mother, sister, brother, and two of his own little light-haired girls, at Charles Armstrong's (a Delaware Indian living near Joe Armstrong's, spoken of above). They had taken some land to cultivate,

and were gaining an honest living in peace and contentment. Late in the evening of the 18th ult., four men stopped at Armstrong's for the night. Armstrong was gone. About midnight, these men desired to leave. Jones assisted them in preparing their horses and wagon, and just as he was turning to ask Mrs. Armstrong the amount of their bill, he was seized, choked, gagged and pounded until he was senseless, from which condition he awoke, finding himself in the laps of two of his captors, driving with all speed on the open prairie, in the two-horse wagon, while the other two rode on horseback. The first sounds he heard were the voices of these wretches bewailing their loss, fearing that their booty was dead. He also found himself secured with heavy iron handcuffs. To be brief, this Jones was taken that night to within two miles of this place, into the Kaw bottoms, to an empty log cabin. The next morning, a young Indian, passing with his gun in pursuit of squirrels, found *Samuel Forsyth*, Ex-Sheriff of Wyandot County, now Deputy U. S. Marshal, and one of the County Commissioners of this county, watching at the door of the cabin, and poor Jones, manacled and sore, prostrate within. Soon, Louis M. Cox, a resident of this place, appears. They state to the young Indian that "the nigger" was a horse thief, and that they caught him stealing Lowe's horse; and after exciting the Indian's sympathies against the pretended thief, they hire him for a dollar to watch him, while they go away. They now take Jones away further into the deep, lone woods, into a dark ravine, beneath a fallen tree, where no human eye could find him, and there chain him with a heavy chain and lock to a tree — leaving directions to blow his brains out, if he moves or speaks. Honest Indian, never suspecting wrong, obeys with all fidelity. About noon, his captors return with two fresh recruits, who take him away, saying they are going to Leavenworth to try him; and the Indian goes home, being told never to say a word about the matter. The nigger-stealers hurry poor Jones into a still deeper and darker solitude, where they lay bare his back, and tell him that they will whip him "to death, unless he owns up to having a master." They lay Jones upon his face on the ground, and with a pistol belt whip and beat him until they are exhausted themselves; then rest, and whip him again — but no master's name comes from the lips of the

helpless mass of living gore before them. With curses they now stoop to feel his pulse, and ask who owned his father? Jones in feeble tones answers, "My father was always free." Again the dripping scourge falls upon the quivering flesh. "Who, now, owned your father, you d——d lying nigger? Who was his father?" With a broken voice, expecting soon to die, poor Jones whispers, "Drury Jennins was my father's father." (Drury Jennins, a white man of Tennessee, was Jones's grandfather, and never a slave.) Tired with their exercise, they now cover the clotted back with the poor man's clothes, and wait for darkness to hide them from the eye of man, (but the Eye that slumbereth not, nor sleepeth, was watching them). As soon as it was safe, the party proceeded down through Wyandot, to just above the Kansas ferry — avoiding all the public streets — where they set across the Kansas river, and thence on to Kansas City, Mo. — Jones being bareheaded all this time, save going through this city, when Cox lent him his hat, for fear some one would meet them and notice poor Jones's head, which had been closely sheared. From Kansas City, Jones was taken by one of the party in a two-horse buggy to the *jail in St. Joseph*. Here Jones found Jake Hurd and kindred spirits. He remained in jail several days, being daily examined by traders, to whom he told his story, and constantly inquired for pen, ink and paper, showing that he was educated. The traders, after examining him, would exclaim that they "*wanted a little nigger blood in the slaves they bought!*" In a few days, it becoming evident that no money could be made out of Jones, Messrs. Cox and Forsyth, who had been hanging around St. Joseph for a day or two, made their appearance before Jones, telling him they were *mistaken in their man*, and that he could go, desiring to take him back. Jones, however, preferred being his own conductor, fearing that foul play was intended, inasmuch as he was *strongly advised by them that it would be much better for him not to go back into the Territory*. Jones, however, managed to arrive in a few days in Quindaro, and soon made an affidavit which brought Messrs. Cox and Forsyth before Justices Chadwick and Duncan, of Quindaro, where proof as positive as Holy Writ was shown against said Forsyth and Cox — showing that from first to last they were the prime movers in this diabolical outrage. After hearing the evi-

dence of Jones, Gen. A. C. Davis, counsel for defence, for his clients waived any further examination, and gave bonds for their appearance before the next District Court.

But the scene does not close here. Poor Jones must not be left to tell his story to the world. Immediately after the Court adjourned, Mr. Davis swore out a writ against Jones, stating that about the 18th of July, said Jones passed counterfeit money; and Jones is hurried off to Wyandot, to wait an examination before P. S. Post, acting as U. S. Commissioner. On the next day, at the hour for trial, half a dozen of our best lawyers appeared as counsel for the prisoner; but no witnesses could be found for the prosecution. Something must be done, else Jones would again be at large, and tell of his wrongs. Mr. Attorney-General Davis makes an affidavit for a continuance, on the ground that one James Lester, to whom said Jones gave a counterfeit gold dollar, was in Missouri, and other evidence was absent. A continuance was granted until this date, and Mr. Jones was let out on one hundred dollars bail. At the appointed hour, three witnesses made their appearance, and were duly sworn, to wit: Louis M. Cox, James Lester, and Cornelius Sager. The moment James Lester and Cornelius Sager were seen by Mr. Jones, they were recognized as being the men who assisted Cox and Forsyth when he was cruelly whipped, and Lester as the man who took him in a buggy from Kansas City to the St. Joseph jail. These were the men that Gen. Davis had for witnesses, to swear poor Jones into criminal bondage—the same men having failed to kidnap him into the bondage of slavery. Cox and Lester swore positively to taking a counterfeit two-dollar-and-a-half gold piece and two counterfeit half-dollar pieces from Jones on the 19th of July; but on cross-examination, swore that this was done while Jones was their prisoner, handcuffed, and away alone near the log cabin in the Kaw bottoms. Sager took alarm, and left secretly before his turn for swearing came. Immediately after Lester had told his story, he ran to the Kansas river, sprang into a boat evidently prepared for him, and kept loose by a little boy, and shoved out into the stream. Officer Sawyer, who had writs for both Lester and Sager, for kidnapping Jones, was in close pursuit, but supposed Lester was going to the ferry, and thus lost sight of him until he (Lester) was well under way. Tak-



ing another boat, with three men, he however commenced the chase. Sawyer rapidly gained upon the brigand thief, and when nearly half a mile down the Missouri river — into which Lester had rowed, hoping to gain the Missouri State line — the officer's boat came within a few feet of the kidnapper's. At this time, the brigand, being heavily armed, threatened to blow out the brains of the man that pulled the next oar. The man at the oars — there being but one pair — instantly dropped them, and fled to the back part of the boat, and no power could induce either of his two companions to raise a finger in further pursuit. The brave Sawyer, whose mettle has been tried before, and never fails, sprang to the oar and pulled with all his might and main; but the current was swift, and the boat large and heavily laden, in comparison with Lester's light skiff, and the time lost by the cowardly refusal of the rower to continue his efforts, before the officer could get the boat under way again, was so great that the brigand thief was within the jurisdiction of Kansas City, his Missouri home, before he could be overtaken, and thus was lost. It is to be hoped, however, for her credit as well as safety, that Kansas City will rid herself of the numerous Jake Hurds, Tobe Owens, Jim Lesters, and a large lot more of kindred pimps that now make that city their head-quarters. It is ascertained beyond a doubt that there exists in that city, and in various parts of Kansas Territory, a large and dangerous band of men — many of them holding high positions in community — who are banded together for the purpose of kidnapping free men, and selling them into slavery; of stealing slaves, and selling them still further South; and of keeping them in confinement until a large reward is offered, and then taking them back and obtaining the reward. A portion of them make counterfeiting their business, while still another enrich their purses by stealing horses. No community in Kansas or Missouri is safe from these villains.

Too much credit cannot be given to those of our lawyers who dared to do right, and perform the duty of defending Jones against the last attempt, by fraud and perjury, to place him where he could have no contact with the world, and to throw around an innocent and harmless man the garb of the criminal — thus hoping to blast his character, and relieve others from the dark load of guilt and crime they now carry on their shoulders.

Mr. Post, after listening patiently to the evidence and pleas of counsel, decided very promptly that no evidence of crime had been shown on the part of Mr. Jones, and the prisoner was instantly discharged, to the entire satisfaction of every honest man who heard the evidence, and knew the facts in the case.

Yours, for justice, \*

*Minneapolis, Minnesota.* Extract of a letter from a friend in Minneapolis (Minnesota), dated Aug. 20th, 1860 :

“ One week ago yesterday, a slave was set free in this place. She is still in safe hands, and probably will not be retaken without the shedding of blood. The many slaveholders, and their base and servile panders, who are here at this time, will, undoubtedly, make an effort to kidnap her, if they can learn her whereabouts. There is great excitement here in regard to the matter, and violence is threatened. A forcible but unsuccessful attempt was made to kidnap the released slave the night after her freedom was decreed.” — *Liberator*.

*Attempted Kidnapping at Cincinnati, Sept. 1860.* A mulatto of Cincinnati, named A. W. Thompson, in company with James Franklin, a blind white man of Columbia, South Carolina, have been arrested at Memphis, Tennessee, for attempting to sell a free negro into bondage. The *Memphis Enquirer* says :

“ James Franklin is said to be a man of means, living in Columbia, S. C., and a little fast in his expenditures for a blind man. It is supposed that the wily Cincinnati free negro conceived the idea of selling his dusky-hued brother into slavery, and then inveigled Franklin into it. Fortunately, they are all in jail, and the guilty party will be made to suffer the full penalty of the law.”

*Fugitive Slave Remanded — Collision between U. S. Officers and the People. Cincinnati, Sept. 23d, 1860.* On Thursday last, the U. S. Marshal, with two Deputies and eight or ten men, went to Iberia, Monroe County, in this State, to arrest three slaves, brothers, who ran away from Germantown, Ky., about four months since. One was captured by the Marshal, and after an examination by the Commissioner, Newhall, was remanded to the custody of his former master.

One of the Deputies, in attempting to capture another negro, was set upon by the crowd, who tore off his clothing, and took away his warrant and money, and threatened to hang or shoot him; but after cropping his hair, they allowed him to depart without the negro. The other Deputy was fired upon while attempting to arrest the third negro, and returning the fire, shot the fingers off the hand of one of the rioters, but was obliged to leave without the negro. — *Boston Transcript*.

Subsequently, the Rev. George Gordon, James Hammond, Ashbury Parker, Calvin Rowland, Joseph T. Baldwin, E. D. Ashbury, and Jonathan McLarew, were indicted by the Grand Jury of the United States Circuit Court of Northern Ohio, for obstructing the United States Marshal and his Deputies, at Iberia, Monroe County, on the 20th of September last, in their efforts to secure, by legal process, a fugitive slave. The same parties are also indicted for assaulting the owners of the negro and their assistants, with a view to prevent the reclamation of the slave, under the Fugitive Slave Law.

United States Marshal Johnson, assisted by Deputies White and Given, spent two days in and about Iberia, in searching for persons indicted by the Grand Jury of the United States Court, as the rescuers in the above case. They arrested three persons, — Archibald Brownlee, Robert McLaren, and Hiram Dunn. Rev. George Gordon, who also had been indicted, had been compelled to flee, it was said, to Canada. Messrs. Brownlee and McLaren gave bonds, in \$2000 each, to appear at the March term (1861) of the Court. Mr. Dunn was incarcerated in Cleveland jail. The *Cleveland National Democrat* (!) exults in the arrest of these men, as of persons who had committed some aggravated wickedness.

*Kidnapping Free Persons in Galena, Illinois.* Another case of kidnapping has occurred in Illinois. On the 28th ultimo, a person representing himself as the agent of parties in Canada, went to Galena to hire men and women to work on a farm and in a hotel in Southern Iowa, expressing his preference for colored persons. He succeeded in engaging Johnny Boyd, a free mulatto, his wife, a colored girl fourteen years old, and the party took with them a small white



child two or three years old. Boyd was subsequently found murdered, his body lying by the road-side. The circumstances attending his departure from Galena leave no other belief than that he was enticed away with the intention of enslaving him, and that, becoming suspicious of the intentions of his employer, he was put to death to make sure of the others of the party. The citizens have offered a reward of \$500 for the apprehension of the kidnapper and murderer.

*A Slave Remanded to his Master.* *Ex parte* application of David Gibbs in the matter of a *habeas corpus* issued to try the question of freedom of the boy Henson, about twelve years of age, and alleged to be illegally deprived of his liberty.

Lewis Bruce, in answer to the writ, stated that he was the owner of the boy, and was taking him from Virginia, his former residence, to Missouri; that the boat on which he was travelling had stopped at Cincinnati Landing, and tied up to the shore against his wishes.

Jolliffe argued the case for applicant, claiming that the boy was found within our jurisdiction, and, as slavery could not exist in Ohio under her Constitution and laws, he must be declared free.

Judge Gholson (elected last year by the Republicans) announced the decision, (the other members of the Court, Judges Carter, Mallon and Collins, concurring,) and held that although the jurisdiction of our Courts extended for many purposes to boats on the Ohio river, the citizens of Virginia and other States bordering on the south had a right to the free navigation of the river; that the stopping of boats and tying up at the Landing was a necessary *incident* to the right of free navigation, and as such rested on a higher basis than the mere jurisdiction of the river.

In the course of the decision, it was remarked that, while we should carefully maintain our own rights, yet the Courts must also see to it that the rights of our neighbors were not infringed. The Sheriff was directed to return the boy to his owner on the boat. — *Cincinnati Enquirer*, October, 1860.

*Six Negroes Kidnapped near Sandusky.* The Sandusky (Ohio) *Register* of the 15th October, 1860, says that on Friday evening, at about 9 o'clock, two cabins situated on the



"Mills lot," a little south of the Castalia road, about three miles from Sandusky, were surprised by a party of some ten or fifteen kidnapers, and Mr. Marshall and wife, and Mr. Hutchins, wife (a free woman) and two children were taken from their homes, dragged to the railroad, and put on board the night train for Cincinnati, which left Sandusky at ten, P. M. The neighbors were aroused and went to Castalia station to stop the party, but could not find them in the cars. After the cars started, it was discovered that a dark car was attached, and that the kidnapers and their victims had entered that car at Venice siding, near where the assault had been committed. The *Register* says: —

"There were found evidences of pretty severe scuffling about the cabins. Some report that blood was found, and that the course of the party could be traced by blood along the way.

"The children were each about six months old, and were born in Ohio. These persons first came here in December last, as we are told, and some time during the winter rented 30 acres of wild land for five years, put up cabins, and moved on to it in March last. In the spring, they cleared seven acres and put out crops, and the cultivated land is now covered with a fine crop of corn, etc., sufficient for their winter's supply."

The *Cincinnati Gazette* says that the seizure was made by "Deputy United States Marshal Manson and seven aids," — and that the "four fugitive slaves and two free children were all sent, with the help of a U. S. Commissioner, into slavery in Mason County, Ky., whence the four adults had escaped."

*Slave-Hunting in Illinois.* In Chicago, the other day, a negro woman named Eliza, who had escaped from slavery in the Territory of Nebraska a short time before, was arrested as a fugitive slave. The United States Marshal, in taking the woman to jail, was stopped in the street by an excited crowd, and was compelled to give the woman to the city police, who lodged her in the Armory for safe keeping. The next morning, a Justice issued his warrant against her for a breach of the peace, and she was taken out of the Armory by the Sheriff of the County, and while he was on the way with her to the office of the magistrate, she was rescued by a

company of people of her own color and carried off — the wise ones only know whither. The Justice who issued the warrant, the Sheriff who executed it, and seven other persons, have been indicted in the United States District Court for violating the accursed Fugitive Slave Law. Thus is the “irrepressible conflict” kept up! — *Standard*, November 24, 1860.

The *Chicago Tribune* thus speaks of this case: —

“*The Great Case.* The arrest of nine of the alleged rescuers of the negro woman Eliza, who is claimed under the Dred Scot decision as a slave by a citizen of Nebraska, whence she escaped, already excites much interest among the members of the bar in this city. The *Times and Herald*, with indecent haste and upon its own motion, has already tried the case, given the opinion of the Judge, sentenced the prisoners, and restored the serenity of the public mind. We beg our sapient contemporary to observe that its eagerness to impose fines, visit with imprisonment, and settle grave questions of law, is not likely to be gratified. The men under indictment will make a struggle in the Courts, and long before their trials are concluded, the attention of the nation will be devoted to them. That journal will find that the guarantees of freedom in the Territories will not be readily given up.

*Gross Act of Kidnapping a Free Man.* While the South is clamoring for the repeal of Northern Personal Liberty Laws, the North is constantly reminded, by outrages committed upon unoffending persons within her borders, that the freedom of the citizen cannot be too carefully guarded. A notable case in point is that of the colored man, John Thomas, kidnapped the other day in this city, confined in the United States Grand Jury room, and conveyed to Virginia without any warrant or process whatever! This man, who, by the act of his master in sending him into a free State, is no longer a slave, but a free man, is boldly seized and borne off to slavery. At the last advices, the man was in custody, at Richmond, awaiting the arrival of his late master from Kentucky. This is a case of which Marshal Rynders, District Attorney Roosevelt, and all the United States Commissioners, deny all knowledge. And yet the man was kept a prisoner, without a warrant, in the Grand Jury room of the

building which they occupy, and, as we learn, when the *habeas corpus* was applied for in his behalf, was hurried out of the State by one of the Assistant United States Marshals. This act is in flagrant violation of the law of this State. Whether the kidnapped man be free or slave, his abductor has committed a crime punishable by imprisonment in Sing Sing. — *New York Tribune.*

The following is the report of the proceedings on the *habeas corpus* before Judge Mullin:—

“Mr. Vail went to the place designated by John Thomas (the United States Grand Jury room in Chambers street.) It appears that John had contrived to notify Mr. Vail by dropping a note from the window on Reade street, telling a boy where to take it.

“Upon Mr. Vail’s arrival, he found John in charge of a person, but whether he was a Marshal’s assistant or not is not known. Another person was in the room, and he showed Mr. Vail a power of attorney duly executed in Louisville, and authorizing him to act in behalf of Mr. Winter, the master. John begged his employer to endeavor to purchase him, and, with the hope of gaining time, Mr. Vail consented. A writ of *habeas corpus* was obtained from Judge Ingraham, sitting at the Supreme Court Chambers, and it was served upon Marshal Rynders.

This morning, Nov. 21st, that officer appeared before Judge Mullin, and said that he was ready to make a return to a writ of *habeas corpus* issued to him, and in accordance with its directions, he had brought with him the person named in the writ (pointing to a colored man in the rear of the courtroom.)

A young gentleman from Capron & Lake’s office appeared as representing the interest of John Thomas. He stated that the return was unsatisfactory, inasmuch as the person produced here was not the one mentioned in the petition—it was a different person altogether.

Marshal Rynders—His name is John Thomas, and he is in my custody.

The counsel replied that the coincidence was extraordinary as well as convenient, but the person sought had not been produced.

Marshal Rynders—I have no other man by that name in my custody.

Judge Mullin — Then, sir, you will have to make a return to that effect.

Marshal Rynders — I have so stated.

Judge Mullin — It is right that the return should be made in writing.

Deputy Marshal Thompson then made the required addition to the return.

The return being satisfactory, the counsel could not press the matter further, and the parties left the court-room.

The day following these proceedings, a despatch from Richmond announced the arrival in that city of the fugitive John Thomas, in the custody of two of Marshal Rynders's deputies. He was put in prison to await the orders of his master at St. Louis. It is said, we presume with truth, that he was carried off without any legal process whatever. Having been sent to a free State by his master, he was not a fugitive from service, according to the provision of the United States Constitution; and if his case had been brought before a Commissioner, and properly argued, he must have been discharged as a free man. It is a clear case of kidnapping, but we doubt very much whether the kidnappers will ever be brought to justice. — *Standard*, Dec. 1, 1860.

*Another Kidnapping Attempt in New York.* A colored boy named William Percival, 14 years old, recently arrived here in the schooner Napoleon from Trinidad. He says that the captain of the schooner, D. D. Sirmont, (a native of Charleston,) induced him to leave his parents and ship as cabin boy. Learning that the schooner was bound for Charleston, he was afraid of being sold as a slave, and therefore ran away from the boarding-house where the captain had placed him. The captain employed a police officer to hunt him up, but when, after arresting him, the officer heard his story, he called the attention of the Superintendent to the matter, and the boy was finally placed under the care of the British Consul, to be sent to his parents in Trinidad. There is too much reason to believe that Capt. Sirmont meant to consign the boy to a life of slavery. The mate of the schooner told the police officer that William had been indentured to the captain, who had bound himself in \$500 to return him; but the captain did not present the indenture, as he would probably have



done if he had possessed such a paper. The boy's story is doubtless true, and if so, he has had a narrow escape from a doom worse than death.— *Standard*, Dec. 15, 1860.

*Another Fugitive Slave Surrendered.* A negro man who had run away from a plantation near Louisville, Tenn., eight months ago, was taken into custody at Cincinnati, a few days since, and delivered to the claimant on showing proof that he was a slave. The *Gazette* of that city remarks:—

“In this case, the anxious politicians of the country may see with what alacrity the Fugitive Slave Law is executed by the citizens of Ohio. This case is a fair illustration of the majority that have occurred during the past three years, as, during this time, not a colored person arrested on a warrant of a United States Commissioner has been set free again or rescued.”— *Boston Traveller*, Dec. 29, 1860.

☞ This statement of the *Cincinnati Gazette* might be made, with truth, vastly stronger. In the whole period of ten years since the Fugitive Slave Law was enacted, the number of persons arrested as fugitives, and set free, or rescued, is so insignificant as barely to form a feature in the case; while the number of ACTUALLY FREE PERSONS, STOLEN, KIDNAPPED from the Northern States, and, in utter defiance of law and justice alike, HURRIED INTO SLAVERY, is to be reckoned by hundreds. The slaveholders have ever been the aggressors, the usurpers, the bold and reckless violators of compacts; and have ever practised the policy of calling attention away from past outrage, by inaugurating some new one to throw the former into shadow. The North has been disgracefully, servilely, basely compliant to the Fugitive Slave Law and its iniquitous provisions, and is utterly without excuse for her shame.

Here we close, for the present, the record of the Fugitive Slave Law, as its history has been daily writing itself in our country's annals. Enactment of hell! which has marked every step of its progress over the land by suffering and by crimes,—crimes of the bloodiest dye, sufferings which can never fully be told; which is tracked by the dripping blood

of its victims, by their terrors and by their despair; against which, and against that Wicked Nation which enacted it, and which suffers it still to stand as their LAW, the cries of the poor go up continually into the ears of God, — cries of bitterest anguish, mingled with fiercest execrations — thousands of Rachels weeping for their children, and will not be comforted, because they *are not*.

No one can fail to observe how numerous the cases of KIDNAPPING FREE PERSONS become in the latter half of this tract. The number of persons thus seized and carried into slavery, and the brutality and murderous spirit of those engaged in the work, are startling and fearful. The Fugitive Slave Law has built up a regular NORTHERN SLAVE TRADE; and it threatens to victimize every person in whom a suspicion of African blood exists; and it assuredly will not stop with them, as many well authenticated cases already prove.

Judge LEAVITT, of Cincinnati, in his charge to the jury, in the case of Wm. M. Connelly, (May, 1858,) said that “Christian charity was not within the meaning or intent of the Fugitive Slave Law, and it would not, therefore, answer as a defence for violating the law.” “This is an admission,” says the *New York Independent*, “which shows the infamous nature of that law in a clearer light than any of its enemies have ever depicted it.” Does it not also show the counterfeit character of that which extensively passes for piety and Christianity in this country? Judge Leavitt is a member, in good standing, of the Presbyterian Church, and is reputed a very pious man; yet is constantly engaged in enforcing the Fugitive Law, whose character and intent he describes as above.

Reader, is your patriotism of the kind which believes, with the supporters of old despotisms, that the Sovereign Power can do no wrong? Consider the long record which has been laid before you, and say if your country has not enacted a most wicked, cruel and shameful law, which merits only the condemnation and abhorrence of every heart. Consider that this law was aimed at the life, liberty and happiness of the poorest and least-privileged portion of our people — a class whom the laws should befriend, protect, and raise up. What is the true character of a law, whose working, whose fruits are such as this mere outline of its history shows? Is it fit

that such deeds and such a law should have your sanction and support? Will you remain in a moment's doubt whether to be a friend or a foe to such a law? Will you countenance or support the man, in the Church or in the State, who is not its open and out-spoken opponent? Will you not, rather, yourself trample it under foot, as alike the disgrace of your country, the foe of humanity, and the foe of God, and nobly join, with heart and hand, every honest man who seeks to load with the opprobrium they deserve, the law itself, and every one that justifies and upholds it?

For, interpret the Constitution as we may, delude ourselves as we please with the idea that because a law is such, it is therefore right and binding on us, we cannot, in conscience or in common sense, escape from the conclusion that the FUGITIVE SLAVE LAW is a most *wicked law*, a crying shame to our land, a monstrous deformity in our social system, which must surely draw down upon us, as a people, the heaviest retributions of a righteous, a justly-offended, a long-suffering God. The proofs lie before us in this tract, with overwhelming force of demonstration, that this LAW corrupts the fountains of individual character, and poisons the stream of our national life; that it demoralizes our public men and sears the conscience of all concerned in administering it, hardening the heart of the educated judge, and rendering more brutal the lowest tipstaff on whom it devolves to enforce it; that it offers a bounty upon every act of inhuman daring, and drives the better-disposed to prevarication and stratagem to evade its cruel demands; altogether a curse and a disgrace to us as a nation, and deserving not to live another hour. Let every honest heart freely execrate it, and let it be consigned speedily to an infamous and eternal grave! In the words of DANIEL WEBSTER, uttered in his better days, concerning the Slave Trade, "It is not fit that the land should bear the shame longer." Let us at once and for ever disown it, as no law to us, and wash our hands of all complicity in this blasphemous defiance of Heaven, this heartless insult to whatever is honorable and good in man!

In this tract, no mention is made of that great company of slaves who, flying from their intolerable wrongs and burdens, are overtaken before reaching the Free States — (alas, that we should mock ourselves with this empty name of *free!*) —

and carried back into a more remote and hopeless slavery; nor of the thousands who, having fled in former years, and established themselves in industry and comfort in the Northern States, are compelled again to become fugitives, leaving their homes behind them, into a still more Northern land, where, under British law, they find at last a resting-place and protection; nor to any great extent of the numerous cases of white citizens, prosecuted, fined, harassed in every way, for the *crime* of giving shelter and succor to the hunted wanderers. To have included these — all emphatically *victims* of the Fugitive Slave Law — would swell our tract into a large volume. What a testimony against our land and our people is given by their accumulated weight! EVERY LIVING MAN AND WOMAN IS GUILTY OF THIS GREAT SIN, WHO EITHER BY APOLOGY OR BY SILENCE LENDS IT THE LEAST SUPPORT.



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This Tract is for sale and to be obtained at the Anti-Slavery Offices, 5 Beekman Street, New York; 107 North Fifth Street, Philadelphia; 15 Steuben Street, Albany; and 221 Washington Street, Boston. Price --- 12 cts. single; \$10 per hundred.



TRIBUTE

OF

WILLIAM ELLERY CHANNING

TO THE

AMERICAN ABOLITIONISTS,

FOR THEIR VINDICATION OF

FREEDOM OF SPEECH.

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“Living, I shall assert the right of FREE DISCUSSION; dying, I shall assert it; and should I leave no other inheritance to my children, by the blessing of God, I will leave them the inheritance of FREE PRINCIPLES, and the example of a manly and independent defence of them.” — DANIEL WEBSTER.

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NEW YORK:

PUBLISHED BY THE AMERICAN ANTI-SLAVERY SOCIETY.

1861.

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IN a speech delivered in Niblo's Garden, New York, in 1837, DANIEL WEBSTER said, with an emphasis which elicited from the vast assembly almost deafening cheers—"On the general question of Slavery, a great portion of the community is already strongly excited. The question has not only attracted attention as a question of politics, but it has struck a far deeper chord. IT HAS ARRESTED THE RELIGIOUS FEELING OF THE COUNTRY; IT HAS TAKEN STRONG HOLD OF THE CONSCIENCES OF MEN. *He is a rash man indeed, little conversant with human nature, and especially has he a very erroneous estimate of the character of the people of this country, who supposes that a feeling of this kind is to be trifled with or despised.* IT WILL ASSUREDLY CAUSE ITSELF TO BE RESPECTED. It may be reasoned with; . . . but, to coerce it into silence—to endeavor to restrain its free expression—to seek to compress and confine it, warm as it is, and more heated as such endeavors would inevitably render it—should all this be attempted, I KNOW NOTHING IN THE CONSTITUTION, OR IN THE UNION ITSELF, WHICH WOULD NOT BE ENDANGERED BY THE EXPLOSION WHICH MIGHT FOLLOW."

This estimate of the spirit which animates and controls the Anti-Slavery movement is justified by all the facts connected with the rise and progress of that movement.

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## CHANNING'S TRIBUTE TO THE ABOLITIONISTS.

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It is not my purpose to speak of the Abolitionists as Abolitionists. They now stand before the world in another character, and to this I shall give my present attention. Of their merits and demerits as Abolitionists, I have formerly spoken. In my short work on Slavery, I have expressed my fervent attachment to the great end to which they are pledged, and at the same time my disapprobation, to a certain extent, of their spirit and measures. I have no disposition to travel over this ground again. Had the Abolitionists been left to pursue their object with the freedom which is guaranteed to them by our civil institutions; had they been resisted only by those weapons of reason, rebuke, reprobation, which the laws allow, I should have no inducement to speak of them again, either in praise or censure. But the violence of their adversaries has driven them to a new position. Abolitionism forms an era in our history, if we consider the means by which it has been opposed. Deliberate, systematic efforts have been made, not here or there, but far and wide, to wrest from its adherents that liberty of speech and the press, which our fathers asserted unto blood, and which our National and State Governments are pledged to protect as our most sacred right. Its most conspicuous advocates have been hunted and stoned, its meetings scattered, its presses broken up, and nothing but the patience, constancy and intrepidity of its members has saved it from extinction. The Abolitionists, then, not only appear in the character of the champions of the colored race. *In their persons, the most sacred rights of the white man and the free man have been assailed. They are sufferers for the liberty of thought, speech, and the press; and, in maintaining this liberty amid insult and violence,*

*they deserve a place among its most honorable defenders. In this character I shall now speak of them.*

In regard to the methods adopted by the Abolitionists of promoting emancipation, I might find much to censure; but *when I regard their firm, fearless assertion of the rights of free discussion, of speech and the press, I look on them with unmixed respect. I see nothing to blame, and much to admire.* To them has been committed the most important bulwark of liberty, and *they have acquitted themselves of the trust like men and Christians.* No violence has driven them from their post. Whilst, in obedience to conscience, they have refrained from opposing force to force, they have still persevered amidst menace and insult, in bearing their testimony against wrong, in giving utterance to their deep convictions. *Of such men, I do not hesitate to say, that they have rendered to freedom a more essential service than any body of men among us.* The defenders of freedom are not those who claim and exercise rights which no one assails, or who win shouts of applause by well-turned compliments to liberty in the days of her triumph. *They are those who stand up for rights which mobs, conspiracies, or single tyrants put in jeopardy; who contend for liberty in that particular form which is threatened at the moment by the many or the few. To the Abolitionists this honor belongs.* The first systematic effort to strip the citizen of freedom of speech, they have met with invincible resolution. *From my heart I thank them. I am myself their debtor. I am not sure that I should this moment write in safety, had they shrunk from the conflict, had they shut their lips, imposed silence on their presses, and hid themselves before their ferocious assailants.* I know not where these outrages would have stopped, had they not met resistance from their first destined victims. The newspaper press, with a few exceptions, uttered no genuine indignant rebuke of the wrong-doers, but *rather countenanced, by its gentle censures, the reign of Force.* The mass of the people looked supinely on this new tyranny, under which a portion of their fellow-citizens seemed to be sinking. A tone of denunciation was beginning to proscribe *all* discussion of slavery; and had the spirit of violence, which selected associations as its first object, succeeded in this preparatory enterprise, it might have been easily turned against any and every individual who might presume to agitate the un-



welcome subject. It is hard to say to what outrage the fettered press of the country might not have been reconciled. *I thank the Abolitionists that, in this evil day, they were true to the rights which the multitude were ready to betray.* Their purpose to suffer, to die, rather than surrender their dearest liberties, taught the lawless that they had a foe to contend with, whom it was not safe to press, whilst, like all manly appeals, it called forth reflection and sympathy in the better portion of the community. *In the name of freedom and humanity, I thank them.* Through their courage, the violence, which might have furnished a precedent fatal to freedom, is to become, I trust, a warning to the lawless of the folly as well as crime of attempting to crush opinion by force.

Of all powers, the last to be intrusted to the multitude of men is that of determining what questions shall be discussed. *The greatest truths are often the most unpopular and exasperating;* and were they to be denied discussion, till the many should be ready to accept them, they would never establish themselves in the general mind. *The progress of society depends on nothing more than on the exposure of time-sanctioned abuses,* which cannot be touched without offending multitudes, than on the promulgation of principles, which are in advance of public sentiment and practice, and which are consequently at war with the habits, prejudices, and immediate interests of large classes of the community. Of consequence, the multitude, if once allowed to dictate or proscribe subjects of discussion, would strike society with spiritual blindness and death. The world is to be carried forward by truth, which at first offends, which wins its way by degrees, which the many hate, and would rejoice to crush. *The right of free discussion is, therefore, to be guarded by the friends of mankind with peculiar jealousy.* It is at once the most sacred and most endangered of all our rights. *He who would rob his neighbor of it should have a mark set on him as the worst enemy of freedom.*

I do not know that our history contains a page more disgraceful to us as freemen, than that which records the violences against the Abolitionists. As a people, we are chargeable with other and worse misdeeds, but *none so flagrantly opposed to the spirit of liberty, the very spirit of our institutions,* and of which we make our chief boast. Who, let me

ask, are the men whose offences are so aggravated, that they must be denied the protection of the laws, and be given up to the worst passions of the multitude? Are they profligate in principle and life, teachers of impious or servile doctrines, the enemies of God and their race? I speak not from vague rumor, but from better means of knowledge, when I say, that *a body of men and women, more blameless than the Abolitionists in their various relations, or more disposed to adopt a rigid construction of the Christian precepts, cannot be found among us.* Of their judiciousness and wisdom, I do not speak; but *I believe they yield to no party in moral worth.* Their great crime, and one which, in this land of liberty, is to be punished above all crimes, is this, that they carry the doctrine of human equality to its full extent, that they plead vehemently for the oppressed, that they assail wrong-doing, however sanctioned by opinion or intrenched behind wealth and power, that their zeal for human rights is without measure, that they associate themselves fervently with the Christians and philanthropists of other countries *against the worst relic of barbarous times.* Such is the offence against which mobs are arrayed, and which is counted so flagrant, that a summary justice, too indignant to wait for the tardy process of tribunals, must take the punishment into its own hands.

How strange, in a free country, that the men from whom the liberty of speech is to be torn, are those who use it in pleading for freedom, who devote themselves to the vindication of human rights! What a spectacle is presented to the world by a republic, in which sentence of proscription is passed on citizens who labor, by addressing men's consciences, to enforce the truth, that slavery is the greatest of wrongs! Through the civilized world, the best and greatest men are bearing joint witness against slavery. Christians of all denominations and conditions, rich and poor, learned and ignorant, are bound in a holy league against this most degrading form of oppression. But in free America, the language which despots tolerate must not be heard. One would think that freemen might be pardoned, if the view of fellow-creatures stripped of all human rights should move them to vehemence of speech. But whilst, on all other subjects, the deeply-stirred feelings may overflow in earnest remonstrance, *on slavery, the freeman must speak in whispers, or pay the penalty of persecution for the natural utterance of strong emotion.*

I am aware that the outrages on the Abolitionists are justified or palliated by various considerations; nor is this surprising; for *when did violence ever want excuse?* It is said that Abolitionism tends to stir up insurrection at the South, and to dissolve the Union. Of all pretences for resorting to lawless force, the most dangerous is the *tendency* of measures or opinions. Almost all men see ruinous tendencies in whatever opposes their particular interests or views. All the political parties which have convulsed our country have seen tendencies to national destruction in the principles of their opponents. So infinite are the connections and consequences of human affairs, that nothing can be done in which some dangerous tendency may not be detected. - There is a tendency in arguments against any old establishment to unsettle all institutions, because all hang together. There is a tendency in the laying bare of deep-rooted abuses to throw a community into a storm. Liberty tends to licentiousness, government to despotism. Exclude all enterprises which *may* have evil results, and human life will stagnate. Wise men are not easily deterred by difficulties and perils from a course of action which promises great good. Especially when justice and humanity cry aloud for the removal of an enormous social evil, it is unworthy of men and Christians to let the imagination run riot among possible dangers, instead of rousing every energy of mind to study how the evil may be taken away, and the perils which accompany beneficial changes may be escaped.

As to the charge brought against the Abolitionists, of stirring up insurrection at the South, I have never met the shadow of a proof that this nefarious project was meditated by a single member of their body. The accusation is repelled by their characters and principles, as well as by facts; nor can I easily conceive of a sane man giving it belief. As to the "tendency" of their measures to this result, it is such only as we have seen to belong to all human affairs, and such as may easily be guarded against. The truth is, that any exposition of slavery, no matter from whom it may come, may chance to favor revolt. It may chance to fall into the hands of a fanatic, who may think himself summoned by Heaven to remove violently this great wrong; or it may happen to reach the hut of some intelligent, daring slave, who may think himself called to be the avenger of his race. All



things are possible. A casual, innocent remark in conversation may put wild projects into the unbalanced or disordered mind of some hearer. *Must we then live in perpetual silence?* Do such chances make it our duty to shut our lips on the subject of an enormous wrong, and never to send from the press a reprobation of the evil? The truth is, that the great danger to the slaveholder comes from slavery itself, from the silent innovations of time, from political conflicts and convulsions, and not from the writings of strangers. I readily grant that the Abolitionists, in consequence of their number and their systematic and public efforts, are more likely to be heard of by the slave, than a solitary individual who espouses his cause. But when I consider how steadily they have condemned the resort to force on the part of the oppressed; when I consider what power the master possesses of excluding incendiary influences, if such are threatened from abroad; when I remember that, during the late unparalleled excitement at the South, not a symptom of revolt appeared; and when to all this I add the strongly manifested purpose of the Free States to put forth their power, if required, for the suppression of insurrection, it seems to me that none but the most delicate nerves can be disturbed by the movements of the Abolitionists. Can any man, who has a sense of character, affect to believe that the tendency of Abolitionism to stir up a servile war is so palpable and resistless as to require the immediate application of force for its suppression, as to demand the substitution of mobs for the action of law, as to justify the violation of the most sacred right of the citizen?

As to the other charge, that the measures of the Abolitionists endanger our National Union, and must therefore be put down by any and every means, it is weaker than the former. *Against whom has not this charge been hurled? What party among us has not been loaded with this reproach?* Do not we at the North almost unanimously believe that the spirit and measures of nullification have a direct and immediate tendency to dissolve the Union? But are we therefore authorized to silence the nullifier by violence? Should a leader of that party travel among us, is he to be mobbed? Let me further ask, how is it that the Abolitionists endanger the Union? The only reply which I have heard is, that they exasperate the South. *And is it a crime to exasperate men? Who,*



*then, so criminal as the Founder and primitive teachers of our faith?* Have we yet to learn that, in cases of exasperation, the blame is as apt to lie with those who take, as with those who occasion, offence? How strange the doctrine, that men are to be proscribed for uttering language which gives offence, are to be outlawed for putting their neighbors into a passion! Let it also be considered that the Abolitionists are not the only people who exasperate the South. *Can the calmest book be written on slavery, without producing the same effect?* Can the Chief Justice of Massachusetts expound the Constitution and laws of that Commonwealth according to their free spirit, and of course in opposition to slavery, without awakening indignation? Is not the doctrine, that Congress has the right of putting an end to slavery in the District of Columbia *denounced as fiercely as the writings and harangues of Abolitionists?* Where, then, shall mobs stop, if the crime of exasperating the South is so heinous as to deserve their vengeance? If the philanthropist and Christian must be silenced on the subject of slavery, lest they wound the sensitive ears of the South, *ought the judge and legislator to be spared?* Who does not see that these apologies for lawless force, if they have any validity, will bring every good man under its iron sway?

In these remarks, you learn my abhorrence of the violence offered to the Abolitionists, and my admiration of the spirit they have opposed to it. May they vindicate to the end, the rights which in their persons have been outraged!

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We have those whose opposition to Abolitionism has been wicked, and merits reprobation. Such are to be found in all classes, forming indeed a minority in each, yet numerous enough to deserve attention, and to do much harm. Such are to be found in what is called the highest class of society, that is, *among the rich and fashionable*; and the cause is obvious. *The rich and fashionable belong to the same caste with the slaveholder*; and men are apt to sympathize with their own caste more readily than with those beneath them. The slave is too low, too vulgar, to awaken interest in those who abhor vulgarity more than oppression or crime, and who found all their self-admiration on the rank they occupy in the social scale. Far be it from me to charge on the rich and fashionable, as a class, this moral degradation; but among them are

the worshippers of high degree, who would think their dignity soiled by touching the cause of a menial, degraded race, and who load its advocates with ridicule and scorn.

Then, *in the commercial class*, there are unworthy opposers of Abolitionism. There are those whose interests rouse them to withstand every movement which may offend the South. They have profitable connections with the slaveholder, which must not be endangered by expressions of sympathy with the slave. Gain is their god, and they sacrifice on this altar, without compunction, the rights and happiness of their fellow-creatures. To such, the philanthropy which would break every chain is fanaticism, or a pretence. Nothing in their own souls helps them to comprehend the fervor of men who feel for the wronged, and who hazard property and life in exposing the wrong. This, however, cannot surprise us. Our present civilization is characterized and tainted by a devouring greediness of wealth; and a cause which asserts right against wealth must stir up bitter opposition, especially in cities where this divinity is most adored. Every large city will furnish those who would sooner rivet the chain on the slave than lose a commission, or retrench an expenditure. I would on no account intimate that such men constitute the majority of the commercial class. I rejoice to know that a more honorable spirit prevails in the community which falls more immediately under my notice. Still, the passion for gain is everywhere sapping pure and generous feeling, and everywhere raises up bitter foes against any reform which may threaten to turn aside a stream of wealth. I sometimes feel as if a great social revolution were necessary to break up our present mercenary civilization, in order that Christianity, now repelled by the almost universal worldliness, may come into new contact with the soul, and may reconstruct society, after its own pure and disinterested principles.

In another class, which contains many excellent people, may also be found unworthy opposers of all anti-slavery movements. *I refer to the conservative class*, to those who are tremblingly alive to the spirit of innovation now abroad in the world, who have little or no faith in human progress, who are anxious to secure what is now gained rather than to gain more, to whom that watchword of the times, Reform, sounds like a knell. Among these are to be found individuals, who, from no benevolent interest in society, but simply

because they have drawn high prizes in the lottery of life, are unwilling that the most enormous abuses should be touched, lest the established order of things, so propitious to themselves, should be disturbed. *A palsying, petrifying order, keeping things as they are, seems to them the ideal of a perfect community,* and they have no patience with the rude cry of reformers for the restoration of human beings to their long-lost rights.

I will only add the politicians, as another class which has furnished selfish assailants of Abolitionism. Among our politicians are men, who regard public life as a charmed circle, into which moral principle must not enter, who know no law but expediency, who are prepared to kiss the feet of the South for Southern votes, and *who stand ready to echo all the vituperations of the slaveholder* against the active enemies of slavery in the Free States.

For these various descriptions of selfish opponents of Abolitionism, I make no apology. - Let them be visited with just rebuke.

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I lay down no rule for others, which I do not feel to be binding on myself. What I should do in the hour of peril may be uncertain; but what I ought to do is plain. What I desire to do is known to the Searcher of all hearts. It is my earnest desire that prosperity may not unnerve me, that no suffering may shake my constancy in a cause which my heart approves. I sometimes indeed fear for myself when I think of untried persecutions. I know not what weaknesses the presence of great danger may call forth. But in my most deliberate moments, I see nothing worth living for but the divine virtue which endures and surrenders all things for truth, duty, and mankind. I look on reproach, poverty, persecution, and death, as light evils compared with unfaithfulness to pure and generous principles, to the spirit of Christ, and to the will of God. With these impressions, I ought not to be deterred by self-distrust, or by my distance from danger, from summoning and cheering others to conflict with evil. Christianity, as I regard it, is designed throughout to fortify us for this warfare. Its great lesson is self-sacrifice. Its distinguishing spirit is Divine Philanthropy suffering on the cross. The Cross, the Cross, this is the badge and standard of our religion. *I honor all who bear it.* I look with scorn on the selfish greatness of this world, and with pity on the most



gifted and prosperous in the struggle for office and power ; but I look with reverence on the obscurest man who suffers for the right, who is true to a good but persecuted cause.

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In another view, the North sustains relation to slavery. Slavery is our near neighbor ; and *not a few among us grow hardened to it by familiarity. It perverts our moral sense.* We cannot hold intimate connection, national union, with a region where so great an abuse is legalized, and yet escape contamination. To say nothing of friendly, domestic intercourse, *our commercial relations with the Slave States give to not a few a pecuniary interest in the institution.* THE SLAVE IS MORTGAGED TO THE NORTHERN MERCHANT. The slaves' toil is the Northern merchant's wealth, for it produces the great staple on which all the commercial dealings of the country turn. As our merchants and manufacturers cast their eyes southward, what do they see? *Cotton, Cotton, nothing but Cotton.* This fills the whole horizon of the South. What care they for the poor human tools by whom it is reared? Their sympathies are with the man with whom they deal, who trusts them and is trusted by them, and not with the bondmen, by whose sweat they thrive. What change do they desire in a system so gainful? *Under these various influences, the moral feeling of the North in regard to slavery is more or less palsied.* Men call it in vague language an evil, just as they call religion a good ; in both cases giving assent to a lifeless form of words, which they forget whilst they utter them, and which have no power over their lives.

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But, it is said, the South is passionate, and threatens to secede, *if we agitate this subject of slavery.* Is this no cause of alarm? To this argument, I would offer two answers. First, the South, passionate as it may be, is not insane. Does not the South know, that, in abandoning us on the ground of slavery, it would take the surest step towards converting the Free States to intense and overwhelming abolitionism? Would not slavery become from that moment the grand distinctive idea of the Southern Republic? And would not its Northern rival, by instinct and necessity, found itself on the antagonist principle? In such an event, there would be no need of anti-slavery societies, of abolition agitations, to convert the North. The blow that would sever the Union for



this cause, would produce an instantaneous explosion to shake the whole land. The moral sentiment against slavery, *now kept down by the interests and duties which grow out of union, would burst its fetters*, and be reinforced by the whole strength of the patriotic principle, as well as by all the prejudices and local passions which would follow disunion. Does not the South see that our exemption from the taint of slavery would, in this case, become our main boast? that we should cast the reproach of this institution into her teeth, in very different language from what is now used? that what is now tolerated in sister States, would be intensely hated in separate, rival communities? Let disunion on this ground take place, and then the North may become truly dangerous to the South.

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I have now considered the objections to the free discussion of slavery at the North. This discussion is safe; still more, *it is a duty, and must go on*; and, under this and other influences, *the anti-slavery spirit must spread, and must prevail*. Mr. Clay's speech will but aid the movement. The anti-slavery spirit may triumph slowly, but triumph it must and will. It may be thought, that, from my own showing, the success of this cause is not so sure as its friends are accustomed to boast. But, notwithstanding all the obstacles which I have frankly stated, anti-slavery principles have made great progress, have become deep convictions in many souls, within a few years; and the impulse, far from being spent, continually gains strength. There are those who hope that the present movement is a temporary fanaticism. We are even told, that a distinguished Senator from the South, on the close of Mr. Clay's speech, repaid this effort for slavery with unbounded applause, and declared that "Abolitionism was now down." But such men have not studied our times. Strange, that in an age when great principles are stirring the human soul, and when the mass of men, who have hitherto slept, are waking up to thought, it should be imagined that an individual, a name, a breath, can arrest the grand forward movements of society. When will statesmen learn, that there are higher powers than political motives, interests and intrigues? When will they learn the might which dwells in truth? When will they learn, that the great moral and religious Ideas, which have now seized on and are working in men's souls, are the most efficient, durable forces, which

are acting in the world? When will they learn, that the past and present are not the future, but that the changes already wrought in society are only forerunners, signs, and springs of mightier revolutions? \* \* \*

In the great conflict between the Oriental and the Western World, which was decided at Thermopylæ and Marathon; in the last great conflict between Polytheism and Theism, begun by Jesus Christ, and carried on by his followers; in the Reformation of Luther; in the American Revolution; in these grandest epochs of history, what was it which won the victory? What were the mighty, all-prevailing powers? Not political management, not self-interest, not the lower principles of human nature; but the principles of freedom and religion, moral power, moral enthusiasm, the divine aspirations of the human soul. Great thoughts and great emotions have a place in human history, which no historian has hitherto given them, and the future is to be more determined by these than the past. The anti-slavery spirit is not, then, to die under the breath of an orator. *As easily might that breath blow out the sun.* \* \* \*

Allow me to say a few words on a topic which has given me many painful thoughts, the more painful, because so few have seemed to share my feelings. I refer to that gross outrage on rights and liberty, the burning of the Hall of Freedom in Philadelphia. I have felt this the more, *because this Hall was erected for free discussion, was dedicated to Liberty of Speech.* Undoubtedly, it was especially designed to give the Abolitionists a chance of being heard; but it was also intended to give the same privilege to others, who, *in consequence of having adopted unpopular opinions,* might be excluded from the places commonly devoted to public meetings. This building was associated with the dearest right of an intelligent, spiritual being, that of communicating thought, and receiving such communication in return,—more intimately associated with it than any other edifice in the country. And this was stormed by a mob; a peaceful assemblage was driven from its walls; and afterwards it was levelled to the earth by fire.

Various circumstances conspired to take this out of the class of common crimes. It was not the act of the coarse, passionate multitude. It was not done in a transport of fury. The incendiaries proceeded leisurely in their work, and dis-

tinctly understood that they were executing the wish and purpose of a great majority of the people. Passionate outbreaks may be forgiven. An act performed by the reckless few does not alarm us, because we know that a moral force subsists in the community to counteract it. But when individuals, to whom we look for a restraining moral power, undertake deliberately the work of the reckless and violent, then the outrage on law and right wears a singularly dark and menacing aspect. Such a community may well feel the foundations of social order tottering beneath them. After the mob of Philadelphia, who wonders at the mob of Harrisburg?

Another aggravation of this act was, that the blameless character of those who had erected and were occupying the Hall of Freedom was distinctly understood. The assemblage thronging this edifice was not made up of profligates, of the false, the lawless, the profane. On that occasion were met together citizens of Philadelphia and visitors from other cities and States, who were second to none in purity of life; and they had convened in obedience to what they believed, however erroneously, the will of God, and to accomplish what seemed to them a great work of justice and humanity. I doubt whether, at that hour, there were collected in any other single spot of the land, so many good and upright men and women, so many sincere friends of the race. In that crowd was John G. Whittier, a man whose genius and virtues would do honor to any city, whose poetry bursts from the soul with the fire and indignant energy of an ancient prophet, and whose noble simplicity of character is said to be the delight of all who know him. In that crowd was Lucretia Mott, that beautiful example of womanhood. Who that has heard the tones of her voice, and looked on the mild radiance of her benign and intelligent countenance, can endure the thought, that such a woman was driven by a mob from a spot to which she had gone, as she religiously believed, on a mission of Christian sympathy? There were many others, worthy associates of those whom I have named, *religious men, prepared to suffer in the cause of humanity, devoted women, whose hearts were burdened with the infinite indignities heaped on their sex by slavery.* SUCH WERE THE PEOPLE WHO WERE DENIED THE PROTECTION OF THE LAWS; *denied the privilege granted to the most profligate political party, and even*



to a meeting of Atheists; treated as outcasts, as the refuse and offscouring of the world. *In them was revived the experience of the first witnesses to the Christian faith.* Happily, Christianity has not wholly failed to improve society. At first, the disciple himself was destroyed; now only his edifice; and this is certainly some progress of the world.

And what was the mighty cause of this outrage? A general reply is, that the Abolitionists were fanatics. Be it so. Is fanaticism a justification of this summary justice? *What more common than this fever in our churches? How does it infect whole sects! What more common in our political meetings?* Must the walls within which fanatics meet be purged by desolating fire? Will not then the whole land be lighted by the flames? Shall I be told, that the fanaticism of Abolitionists is of peculiar atrocity? that they are marked, set apart, by the monstrousness of their doctrines? These doctrines are, *the brotherhood of the human race, and the right of every human being to his own person, and to the protection of equal laws.* Such are the heresies that must be burned out with fire, and buried under the ruins of the temple where they are preached! Undoubtedly, there may be crimes, so unnatural, so terrible to a community, that a people may be forgiven, if, deeming the usual forms of justice too slow, they assume the perilous office of inflicting speedy punishment. But that the processes of law, that the chartered rights of a free people, should be set aside, to punish men *who come together to protest against the greatest wrong in the land,* and whose fanaticism consists in the excess of their *zeal for the oppressed*—this is a doctrine *which puts to shame the dark ages,* and which cannot long keep its ground in our own.

This outrage, if viewed in its political aspects, deserves severe reprobation. Mob-law, in this country, ought always to be frowned down. It is an invasion of the fundamental principle of our institutions, of the sovereignty of the people, and the more dangerous, because it seems to the multitude to be an assertion of the principle which it overthrows. The sovereignty of the people has here but one mode of manifestation, and that is, the laws. It can express itself in no other way; and, consequently, a mob, in forcibly suspending the laws, and in substituting its own will for that which the legitimate organs of the people have proclaimed, *usurps, for*



*a time, the sovereignty of the State, and is virtually rebellion.* In a despotism, the laws are of less moment than in a free country, because in the former there is a force above the laws, an irresistible will, which has at its disposal a subservient soldiery and summary punishments, to maintain something like order in the State. But in a republic there is nothing higher than the laws; and, in shaking the authority of these, the whole social edifice is shaken. Reverence for the laws is the essential spirit, the guardian power, of a free State. Take this away, and no physical force can take its place. The force is in the excited multitude, and, in proportion as it is roused against law, it prepares the way, and constitutes a demand for a more regular, despotic power, which, bad as it is, is better than the tyranny of crowds. There is, indeed, as I have intimated, one case where popular commotion does, comparatively, little harm. I mean, that which is excited by some daring crime, which the laws sternly forbid, and which sends an electric thrill of horror through a virtuous community. In such a case, the public without law do the work of law, and enforce those natural, eternal principles of right, on which all legislation should rest. Even this violence, however, is dangerous. But, be it ever so blameless, who can bring under this head the outrage offered to Abolitionists, men who had broken no law, and *whose distinction was, that they had planted themselves on the ground of natural and everlasting right?*

This outrage against the Abolitionists made little impression on the country at large. It was pronounced wrong, of course; but, then, we were told that the Abolitionists were so imprudent, so fierce, so given to denunciation, so intolerant towards all who differ from them, that they had no great claim to sympathy! Everywhere the excesses of the Abolitionists are used to palliate the persecution which they suffer. But are they the only intolerant people in the country? Is there a single political party, which does not deal as freely in denunciation? Is there a religious sect, which has not its measure of bitterness? I ask, as before, *if fierce denunciation is to be visited with flames, where will the conflagration stop?* \* \* \*

We must endure enthusiasm with its excesses, or sink into a lifeless monotony. These excesses we ought to rebuke and discourage; but we must not hunt them down as the greatest

crimes. We must take heed, lest in our war against rashness, we quench all the generous sentiments of human nature. It is natural to desire that evils should be removed gently, imperceptibly, without agitation; and the more of this quiet process, the better. But it is not ordinarily by such processes that the mysterious providence of God purifies society. Religion and freedom have made their way through struggles and storms. Established evils naturally oppose an iron front to reform; and the spirit of reform, gathering new vehemence from opposition, pours itself forth in passionate efforts. Man is not good enough yet to join invincible courage, zeal, and struggle, with all-suffering meekness. But must conflict with evil cease, because it will be marred with human imperfection? Must the burning spirit lock up its sympathies with suffering humanity, because not sure of being always self-possessed? Do we forgive nothing to the warm-hearted? Should we not labor to temper and guide aright excessive zeal in a virtuous cause, instead of persecuting it as the worst of crimes? \* \* \*

Because I see among the Abolitionists somewhat to fear and blame, must I shut my eyes on more which I ought to commend? Must not men of pure and lofty aims be honored, because, like everything human, they are not free from fault? I respect the Abolitionists for maintaining great principles with courage and fervor, amidst scorn and violence. *Can men have a higher claim to respect?* In their body, amidst prejudiced, narrow-minded, conceited, self-seeking members, such as are found in all associations, *there is a large proportion of uncompromising, single-hearted friends of truth, right, and freedom; and such men are securities against the adoption of criminal ends or criminal means.* In their front rank, perhaps at their head, is Gerrit Smith; a man worthy of all honor for his overflowing munificence, for his calm yet invincible moral courage, for his Christian liberality, embracing men of every sect and name, and for his deep, active, inexhaustible sympathy with the sinful, suffering and oppressed. In their ranks may also be found our common friend, Charles Follen, that genuine man, that heroic spirit, whose love of freedom unites, in rare harmony, the old Roman force with Christian love, in whom we see the generous, rash enthusiasm of his youth, tempered by time and trial into a most sweet and winning virtue. I could name others,

honored and dear. I do not, for the sake of such, shut my eyes on the defects of the association; but that it should be selected for outrage and persecution *is a monstrous wrong, against which solemn testimony ought to be borne.*

There is one consolation attending persecution. It often exalts the spirit of the sufferer, and often covers with honor those whom it had destined to shame. Who made Socrates the most venerable name of antiquity? The men who mixed for him the cup of hemlock, and drove him as a criminal from the world which he had enlightened. Providence teaches us the doctrine of retribution very touchingly in the fact, that future ages guard with peculiar reverence the memories of men, *who, in their own times, were contemned, abhorred, hunted like wild beasts, and destroyed by fire or sword, for their fidelity to truth.* That the Abolitionists have grown strong under outrage, we know; and *in this I should rejoice, were their cause ever so bad; because persecution must be worse, and its defeat must be a good.* I wish that persecution, if not checked by principle, may be stayed, by seeing that it fights against itself, and builds up those whom it toils to destroy. How long the Abolitionists will be remembered, I know not; but *as long as they live in history, they will wear as a crown the sufferings which they have so firmly borne.* Posterity will be just to them; *nor can I doubt what doom posterity will pronounce on the mobs or single men who have labored to silence them by brutal force.* I should be glad to see them exchanging their array of affiliated societies for less conspicuous and artificial means of action. But let them not do this from subserviency to opinion, or in opposition to their sense of right. *Let them yield nothing to fear. Let them never be false to that great cause which they have fought for so manfully, Freedom of Speech.* Let them never give countenance to the doctrine, which all tyrants hold, that material power, physical pain, is mightier than the convictions of Reason, than the principle of Duty, than the love of God and mankind. *Sooner may they pine and perish in prisons, sooner bleed or be strangled by the executioner, than surrender their deliberate principles to lawless violence.* \* \* \*

The civilized world will heap just reproaches on a *free* nation, in which mobs pour forth their fury on the opposers of *slavery.* These mobs are, indeed, most dishonorable to us



as a people, because they have been too much the expression of public sentiment. Against this sentiment I feel bound to bear earnest and indignant testimony. The language which filled the country at the time of these disturbances was such as should never have passed the lips of freemen. Nothing was more common than to hear it said, "These mobs are bad, but they will put down *Anti-Slavery*." Why was it that these mobs ruled our largest city for several successive nights? Because there was a willingness that the anti-slavery movement should be put down by force. The mobs, considered in themselves, were of secondary importance. In the present low condition of society, every great city has materials for them. But the spirit of the community which gave them scope, and which wished them success, deserves the severest reprobation of the philanthropist and the Christian. The truth is, that, as a people, we are indifferent to the greatest of wrongs and calamities, that is, slavery, and therefore, whilst we can tolerate all other excesses, we cannot away with the excesses of the friends of emancipation. There is no sympathy with those who are wounded and stung with the injuries of the slave, and therefore we are willing that the dearest right of freemen, that of free discussion, should be wrested from them. It is this state of feeling in the community which is far more melancholy than a vulgar mob. It is impossible to read the newspapers of the country, without seeing the profound unconcern which pervades the country on the subject of slavery. In truth, New England has been disgraced by publications going to reconcile us to the evil. It is said, again and again, that we have no right to meddle with slavery at the South. What! is it meddling, to discuss a great question, one which involves the happiness of millions, and to spread abroad neglected truth? \* \* \* \*

The New England Anti-Slavery Society has celebrated its anniversary. Yesterday I was present at one of its meetings, and you may be gratified by some observations on its proceedings. \* \* \* My principal object in attending it was to judge for myself of the spirit of this Society. \* \*

The most gratifying circumstance at the meeting was a short address from a colored man. His complexion led me to think he was of pure African blood, and his diction, his countenance, his gestures, his thoughts, his whole bearing, must have convinced every hearer that the African is a man,



in the highest sense of that word. I felt that he was a partaker with me of that humanity for which I unceasingly thank my Creator. I felt on this occasion, as I perhaps never felt before, what an amount of intellectual and moral energy is crushed, is lost to the human race, by slavery. Among the two or three millions doomed by this system to brutal ignorance, and denied the means of developing their powers, how many men and women are there, who, under the culture and self-respect which belong to American freedom, would become blessings and ornaments to society, by their intelligence and virtue!

I was much struck, at this meeting, with the life which seemed to possess its members. Nothing was said or done mechanically. There was no forced zeal, no effort of the leaders to whip up the lagging spirit of the mass. It is easy, on entering a meeting, to tell at once whether it is a living or a dead one — whether people have come together from habit, from a cold sense of propriety or duty, or from a deep, irresistible impulse. You know by instinct whether you are surrounded by life or death. This body was alive. I am sure that, if the stirrers up of mobs could have looked into the souls of these Abolitionists, *they would have seen the infinite folly of attempting to put them down by such persecutions as they can bring to bear on them.* Nothing but the inquisition, the stake, the scaffold, nothing but extermination, can do the work. All other measures do but minister new life to the spirit which they are employed to subdue. Abolitionism has nothing to fear, but from indifference. The only policy which can avail against it, is to let it alone. The vehemence of the South has given it an importance and energy which the struggles of years could not have won for it.

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And has it come to this? Has Boston fallen so low? May not its citizens be trusted to come together to express the great principles of liberty, for which their fathers died? Are our fellow-citizens to be *murdered* in the act of defending their property, and of asserting the right of free discussion; and is it unsafe, in this metropolis, once the refuge of liberty, to express abhorrence of the deed? If such be our degradation, we ought to know the awful truth; and those among us who retain a portion of the spirit of our ancestors should set themselves to work to recover their degenerate posterity.

But I do not believe in this degeneracy. The people of Boston may be trusted. There is a moral soundness in this community on the great points involved in the petition which has been rejected. There is among us a deep abhorrence of the spirit of violence which is spreading through our land; and from this city ought to go forth a voice to awaken the whole country to its danger, to the growing peril of the substitution of lawless force for the authority of the laws.

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“The times are changed, and we change with them.” Are there no signs, is there nothing to make us fear, that the freedom of speech and the press, regarded as a *right* and a *principle*, is dying out of the hearts of this people? It is not a sufficient answer to say that the vast majority speak and publish their thoughts without danger. The question is, whether this freedom is distinctly and practically recognized as *every man's right*. Unless it stands on this ground, it is little more than a name; it has no permanent life. To refuse it to a minority, however small, is to loosen every man's hold of it, to violate its sacredness, to break up its foundation. A despotism too strong for fear, may, through its very strength, allow to the mass great liberty of utterance; but in conceding it as a privilege, and not *as a right*, and by withholding it at pleasure from offensive individuals, the despot betrays himself as truly as if he had put a seal on every man's lips. That State must not call itself free, in which any party, however small, cannot safely speak its mind; in which any party is exposed to violence for the exercise of a universal right; in which the laws, made to protect all, cannot be sustained against brute force. The freedom of speech and the press seems now to be sharing the lot of all great principles. History shows us that all great principles, however ardently espoused for a time, have a tendency to fade into traditions, to degenerate into a hollow cant, to become words of little import, and to remain for declamation, when their vital power is gone. At such a period, every good citizen is called to do what in him lies to restore their life and power. To some, it may be a disheartening thought, that the battle of liberty is never to end, that its first principles must be established anew, on the very spots where they seemed immovably fixed. But it is the law of our being, that no true good can be made sure without struggle; and it should cheer us to think, that to struggle for

the right is the noblest use of our powers, and the only means of happiness and perfection. \* \* \*

We are told, by the South, that slavery is no concern of ours, and, consequently, that the less we say of it, the better. What! shall the wrong-doer forbid lookers-on to speak, because the affair is a private one, in which others must not interfere? Whoever injures a man *binds all men to remonstrate, especially when the injured is too weak to speak in his own behalf.* Let none imagine, that, by seizing a fellow-creature and setting him apart as a chattel, they can sever his ties to God or man. Spiritual connections are not so easily broken. You may carry your victim never so far; you may seclude him on a plantation or in a cell; but you cannot transport him beyond the sphere of human brotherhood, or cut him off from his race. *The great bond of humanity is the last to be dissolved.* Other ties, those of family and civil society, are severed by death. This, founded as it is on what is immortal in our nature, has an everlasting sacredness, and is never broken; and *every man has a right, and, still more, is bound to lift up his voice against its violation.*

There are many whose testimony against slavery is very much diluted by the fact of its having been so long sanctioned, not only by usage, but by law, by public force, by the forms of civil authority. They bow before numbers and prescription. But in an age of inquiry and innovation, (when other institutions must make good their title to continuance,) it is a suspicious tenderness which fears to touch a heavy yoke, because it has grown by time into the necks of our fellow-creatures. Do we not know that unjust monopolies, cruel prejudices, barbarous punishments, oppressive institutions, have been upheld by law for ages? Majorities are prone to think that they can create right by vote, and can legalize gainful crimes by calling the forms of justice to their support. But *these conspiracies against humanity, these insults offered to the majesty and immutableness of truth and rectitude, are the last forms of wickedness to be spared.* Selfish men, by combining into a majority, cannot change tyranny into right. The whole earth may cry out, that this or that man was made to be owned and used as a chattel, or a brute, by his brother; but his birthright as a man, as a rational creature of God, cleaves to him untouched by the

clamor. Crimes, exalted into laws, become therefore the more odious; just as the false gods of heathenism, when set up of old on the altar of Jehovah, shocked his true worshippers the more by usurping so conspicuously the honors due to Him alone.

*It is important that we should, each of us, bear our conscientious testimony against slavery, not only to swell that tide of public opinion which is to sweep it away, but that we may save ourselves from sinking into silent, unsuspected acquiescence in the evil.* A constant resistance is needed to this downward tendency, as is proved by the tone of feeling in the Free States. What is more common among ourselves than a courteous, apologetic disapprobation of slavery, which differs little from taking its part? This is one of its worst influences. It taints the whole country. The existence, the perpetual presence of a great, prosperous, unrestrained system of wrong in a community, is one of the sorest trials to the moral sense of the people, and needs to be earnestly withstood. The idea of justice becomes unconsciously obscured in our minds. Our hearts become more or less seared to wrong. The South says, that slavery is nothing to us at the North. But, *through our trade*, we are brought into constant contact with it; we grow familiar with it; still more, we thrive by it; and the next step is easy, *to consent to the sacrifice of human beings by whom we prosper.* The dead know not their want of life; and so a people, whose moral sentiments are palsied by the interweaving of all their interests with a system of oppression, become degraded without suspecting it. In consequence of this connection with slave countries, the idea of Human Rights, that great idea of our age, and on which we profess to build our institutions, *is darkened, weakened, among us, so as to be to many little more than a sound.*



A R G U M E N T

O F

WENDELL PHILLIPS, ESQ.

AGAINST THE REPEAL OF THE

PERSONAL LIBERTY LAW,

BEFORE THE

COMMITTEE OF THE LEGISLATURE,

TUESDAY, JANUARY 29, 1861.

PHONOGRAPHIC REPORT BY J. M. W. YERRINTON.

B O S T O N :

PUBLISHED BY R. F. WALLCUT,

No. 221 WASHINGTON STREET.

1861.



## ARGUMENT.

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*Mr. Chairman, and Gentlemen of the Committee:*

What are we here to consider? It is the claim, or request, of some citizens of the Commonwealth, and some influences outside of it, that one of our statutes should be repealed. What is the cause of that request, and what is the statute? It is a statute to secure—so it is named—the personal liberty of individuals within the Commonwealth. Why do any persons ask its repeal? Because it is supposed to conflict with a statute of the United States, termed the Fugitive Slave Bill. What is that bill? It is a bill to carry out a clause of the Constitution of the United States, which says that persons bound to service or labor in one State, shall not be freed from that bond by escaping to another State, but shall be delivered up on claim.

What is the objection to this Fugitive Slave Bill, that men are so anxious to have it countervailed, resisted, curbed, by the laws of Massachusetts? It seems to me, there is where our investigation commences.

What is this Fugitive Slave Bill, and why do we hate it? For I am willing to allow, Mr. Chairman, at the outset, that I value this Personal Liberty Bill not only for the protection that it gives to the free natives of Massachusetts, but for the measure of protection that it gives to fugitive slaves within the Commonwealth. I claim that, with one limitation,—that of the Constitution of the United States,—Massachusetts has a right to protect every human being within her borders, slave whether he may have been previously, or not. I wish it, therefore, understood, at the outset, that it is no objection, in my mind, that this Personal Liberty Bill does cover certain liabilities and dangers of fugitive slaves. And again, Mr. Chairman, I wish to speak to you, to-day, as under the Constitution, as I would address persons sworn to support the Constitution of the United States. I repudiate that Constitution; but I come to address a Legislature which stands under that law, and, of course, I wish to offer them such arguments as they are authorized to consider. What is, then, the Fugitive Slave Bill? It is a bill, as you know, that puts a man on trial for something more valuable than life, not before a judge, but before an officer whom a judge appoints, and may remove to-morrow.

It says that his liberty may be sacrificed, on the affidavit of nobody knows whom, taken nobody knows where, before nobody knows what. No opportunity to cross-examine that witness, no opportunity, even, to know whether the apparent judge who signs the affidavit is a judge, whether the person who makes it is a living being, no means of cross-examination or scrutiny whatever. And on the faith of such a witness, and, if the Commissioner pleases, without any further proof, even of identity, a man is to be taken from a place where he has lived twenty years,—for aught you know, where he was born,—and carried away a thousand miles, or three thousand. Then he will have a trial somewhere, perhaps, if somebody permits.

It is not necessary to refer here to such a time-honored principle, for which we have fought for centuries, for which the Constitution of the United States contains a guarantee, as that a man on trial shall be confronted with his witnesses; that he shall be tried by due process of law, which every legal authority, from Coke down to Story, says means a jury. Beside that, witness Hancock and Adams, witness all the arguments of the Revolution, that he shall be tried in the vicinage where he is found, other things being equal. I say, this statute violates all these provisions. I need not go into argument upon this point. It is a statute that made the blood of the Christian world run cold.

Massachusetts having, in 1855, affirmed by the unanimous voice of her Legislature, that the Fugitive Slave Bill was unconstitutional—reasonably alarmed at the peril to which it exposed her citizens, puts on her statute book a law to curb it as far as possible. Now timid men say to the Commonwealth, "Take that law off." Well, gentlemen, do you know what you are curbing? We have had Simms cases and Burns cases, where men, without, I might almost say, even the form of a trial, without a tittle of what the common law calls evidence, have been carried down our most public streets, in express and contemptuous defiance of the wish of Massachusetts—of the spirit of her institutions, of all her history.

But that is not all, gentlemen. The slave Commissioner sits omnipotent, and his certificate is final. Nobody can overlook it. It admits no appeal. What does it mean? It means that the slave-hunter may take his slave man or woman, and do what with them? Do you know what he may do, Mr. Chairman? The slave-hunter left the city of Boston, in those cases, in three hours, "because he feared the people"; but it is not necessary he should leave in three hours—he may stay a reasonable time—twelve hours—twenty-four—the time necessary for the usual arrangements to quit a State. What may he do in that time, sir? Let me tell you what he may do. The Prigg case says—and that is the foundation case, on this



question—the Prigg case says, this Fugitive Slave clause “puts the right to service or labor on the same ground and to the same extent”—(please mark the phrase)—“*on the same ground and to the same extent*”—in every other State, as in the State from which the slave escapes.” That is, a Virginian comes to Boston, and when he puts his hand on the shoulder of his slave in this city, he has, identically, unqualifiedly, *the same right* to him that he has in Virginia. This is what Judge Story says—“ON THE SAME GROUND AND TO THE SAME EXTENT.”

Again, the Judge, speaking for the Supreme Court, asserts—“That any State law which interrupts, limits, delays, postpones the right of the owner to the immediate possession of the slave, and the immediate command of his service, operating, *pro tanto*, as a discharge, is unconstitutional.”

Observe, therefore, when Mr. Suttle takes Anthony Burns, or when Ira Taylor puts his hand on the shoulder of Ellen Craft, he will have the same right for those twelve hours in the Commonwealth of Massachusetts, to the same extent that he had in Georgia or in Richmond. Any law that “limits or postpones that right” is void. Suppose he had said to Ellen Craft, “This is my chamber, come and occupy it with me!” will you say that no law in the Commonwealth of Massachusetts can limit or postpone that Georgian right? And yet you do say so when you submit to the ruling of the Court in the Prigg case, and to the Fugitive Slave Bill.

Suppose he had taken Anthony Burns in front of the Revere House, and publicly whipped him,—so that it be moderate correction, and not endangering his life, which the law of Virginia allows, and which, according to the Prigg case, no law of Massachusetts has a right to limit or postpone,—do you submit to that? May he put his hand on man for punishment, and on woman for degradation, and is the Commonwealth of Massachusetts bound to stand by a fettered and silent witness? If so, then of such a group the slave is the only one who is not forever and unutterably degraded.

Do you say the Court will never sanction such acts, though their language does cover them? I reply, the whole history of this slave clause shows the contrary. The Courts have pushed it far beyond its original meaning, and allowed the slaveholder under it rights of which the fathers never dreamed. They have never showed any reluctance to put into relentless practice the harshest provisions of the Fugitive Slave Bill itself. Do you say the slave-limitter will never dare so to insult Boston? Why not? Has our city manifested any such persevering opposition to any demand of the Slave Power, however degrading to ourselves?

The *Daily Advertiser* said, in 1850, in two or three successive

articles, that the Fugitive Slave Bill could not be passed; and to-day that *Daily Advertiser* warns you to repeal every statute in opposition to it. The whole Commonwealth of Massachusetts scouted the idea that that bill could ever become a law. To-day, with one or two exceptions, the whole press of Boston warns you, implores you, not to touch a tittle or iota of that very statute! I tell you, if the slave-hunter chooses to use his slave, in the city of Boston, to the extent of his rights under the Prigg case, there is no police in Boston that will prevent it; nothing but a rebellion of Christian hearts can prevent it.

This, then, is the law, as the Supreme Court affirms it. I do not know, gentlemen, that the Commonwealth can curb or restrain it—can save herself from such dishonor; *but she can try*. This Personal Liberty Bill is, in one view, such an effort. In another view, it is an effort to save our free men from being enslaved under the heedless and cruel provisions of the Fugitive Slave Bill. I wish the Committee and the Commonwealth to understand, if we take from our statute-book this curb on the Fugitive Slave Bill, and Fugitive Slave Bill decisions, what we submit to, and how far we get down on our knees before the Slave Power. The Fugitive Slave Bill is, in fact, nothing less than making the slave law of the South the law of Massachusetts—that is its exact purpose and effect.

Massachusetts has placed this Personal Liberty Law on her statute-book. For what purpose? To hold and cover all the ground she possibly can, under the Constitution, against the ruthless demands of this last Fugitive Slave Bill. Ever since 1791, our history is full of protests by State Legislatures and State Courts against the slave clause, and the laws Congress has made under it. This last Bill exacts more than has ever been asked before. Laws, however carefully worded at first, have their operation qualified and limited by subsequent legislation and the construction of courts, as events require. This Bill has been recognized as law and held constitutional by the Supreme Court in one case. But courts often change their minds, and reverse their decisions. At any rate, perhaps the Court will, on more mature consideration, see reason to limit and restrain some of the broad provisions of this Bill. To afford means for this revision of the Court's opinion, to try whether some exceptions may not be allowed to the provisions of the Bill, and to prevent the possibility of a free man being confounded, by its carelessness, with the slave, Massachusetts enacts this Personal Liberty Law. It claims only what the common law has allowed her for centuries towards the protection of her free citizens. She will not without a struggle relinquish one tittle of such rights. If any provision conflicts with United States law, the proper courts will set it aside. But the very *question* of such conflict affords a fresh opportu-

nity of re-arguing the validity of the Fugitive Slave Bill, or of obtaining some qualification of its harshest features.

What is this Personal Liberty Bill? Its provisions are simply these: that in case a man is arrested under the Fugitive Slave Law, the Supreme Court may grant a *habeas corpus*. What is that? It is a command, substantially, that whoever holds a man in custody shall come before the court, and tell it why he holds him. If the court think the arrest illegal, on the face of it, they order the man to be discharged. If the court find facts stated, about which there is some dispute, they may summon a jury to decide such facts. This, gentlemen, is the substance of the whole Personal Liberty Law, and specially of the 19th, 20th and 21st sections, which are the only ones relied on to show that the law conflicts with the Fugitive Slave Bill.

Why, then, should such a statute be repealed?

In the first place, who asks us to repeal it? It is said South Carolina asks us; but she does not,—she has not asked any thing of the kind. Who does ask us to repeal it? Why, the Mayor and Aldermen of Boston,—a body which keeps every law, except those which protect liberty and hinder intemperance! I do not think their voices ought to be very potent in changing laws until they learn to obey them.

Other influences have been sent to Washington. Compromise fills the air. I desire to be respectful to every man, before the Commonwealth. One Slave Commissioner urges the Legislature, before another Committee, to compromise. He did so yesterday. I do not think he is to be taken as an indication of the moral sense of the Commonwealth of Massachusetts. I remember, gentlemen, that when Robespierre was pleading for his life against the National Convention, a voice cried, "The blood of Danton chokes you!" When George T. Curtis asks the Legislature of Massachusetts to compromise, the blood of Thomas Simms chokes his utterance. These, and others like them, are the counsellors of repeal.

Why do they ask us, in fact, to repeal? Our Personal Liberty Law is no new law, gentlemen. My esteemed friend, Mr. Sewall, referred to it as subsequent to 1850. So it is, technically; but Massachusetts has never been without a statute of this kind—never! Pardon me a moment, Mr. Chairman, while I look back to the history. We had this slave clause in '89, in '91; and certain men kidnapping a colored person in Pennsylvania, Governor Mifflin and George Washington had a correspondence together on the subject, which led to the enactment of the law of 1793. What did the States immediately begin to do? The States, by their courts and by their statutes, immediately began the effort to curb that power within the narrowest constitutional limits. If you trace the doctrine down

through Sargeant and Rawle, through Wendell and the whole of the New York Reports, through the statute-books of New Jersey and this State, you will find that every Commonwealth instantly indicated its purpose to uphold the Constitution, but not one iota more, not one. When, in 1836, our revisers dropped the personal replevin out of the statute-book, one of your Committee recollects, as well as I do, that the best lawyer of his age in the State, James C. Alvord, in an argument which has never been answered, replaced that statute, for the express and avowed purpose of curbing that law of 1793. That was in 1837. We come to '43. Then came the Latimer Bill; in 1850, the Joint Resolves of the Legislature; then the statutes of 1852, 1855 and 1858. It is an unbroken line of statutes. The evident intention of this Commonwealth, like her sisters, was to grasp every thing she could consistently with her loyalty to the Constitution.

Now, all we ask you to do to-day, gentlemen, is to follow in those same footsteps—not to turn back upon the course of sixty or seventy years. You talk of erasing this statute, but in fact you change the legislation of Massachusetts for sixty years; for that has been the essence of it—that a slave should have the protection of the common law. Our Constitution says that the Executive, Judicial and Legislative functions shall be kept separate. If your predecessors in these legislative halls have passed unconstitutional acts, it is the duty of the Judiciary, not yours, to set them aside. Who calls on you to sit in judgment on the constitutionality of the doings of sixty preceding Legislatures?

Again, gentlemen, before I proceed to give you some reasons why I think this statute should stand, let me refer to another consideration. It is said this Fugitive Slave Bill is constitutional. The Supreme Court of our State and of the United States say so. It is very true that our Supreme Court did say so, in the *Simms* case; but it said so, as my friends have shewn, not on reason, but simply on precedent. Chief Justice Shaw said, the law of '93 has been held constitutional; this law is very like it; therefore, this is constitutional. He assigned no reasons. As a precedent, therefore, this decision has that force, and no more. In 1858, the Supreme Court of the United States (in *Alleman vs. Booth*) decided this Fugitive Slave Law to be constitutional. Granted. How much shall we yield to a precedent? How far are we bound to yield to it? I do not go to the extreme length of the Democratic doctrine, and say that we shall yield nothing. You know our Democratic party have claimed almost the French law, that precedents are of no weight whatever. But I do claim this, that judicial decisions, on a new point, but once argued, made in troubled times, under grave suspicion of being influenced by political considerations, are not



final and conclusive. What does James Buchanan say—and certainly he may be considered some authority, southerlywise, on such a question as this—speaking of the banks—in 1811?

“Even if the judiciary *had* settled the question, I should never hold myself bound by their decision while acting in a legislative character. Unlike the Senator from Massachusetts (Mr. Bates), *I shall never consent to place the liberties of the people in the hands of any judicial tribunal.*”

“No man holds in higher esteem than I do the memory of Chief Justice Marshall; but *I should never have consented to make even him the final arbiter between the government and the people of this country on questions of constitutional liberty.*”

Sitting here as legislators, you are not bound by an unbroken line of precedents from the judicial bench. But here is only a single precedent—a late one—only two or three years old.

How does South Carolina herself behave in such a case? She is the State that is making the trouble on this occasion. Let me tell you a piece of her history. In 1820, she passed an act providing that any colored cooks or stewards of vessels coming into the State should be imprisoned during their stay, that the captain should pay their jail fees, and that if he did not, he should be liable to a thousand dollars fine, and the negro men, if they remained there, should be sold into slavery. Mr. Justice Johnson, of the Supreme Court, in 1823, ruled the law unconstitutional. Mr. John Quincy Adams, at the request of the British government, brought the unconstitutionality of the law to the notice of South Carolina. Did she repeal it? Not a bit of it. Massachusetts sent Hon. Samuel Hoar there, later down, to test the constitutionality of that law, and try the case; she mobbed him out of Charleston, and passed a law that if Massachusetts sent any body else to do the same thing, she would put him in the State Prison. And then she waited, with that law, a little modified, but unrepealed, essentially, on the statute-book, until 1856, when the Dred Scott decision is supposed to have made it constitutional. South Carolina kept an unconstitutional law which she valued for thirty years, until she brought the Supreme Court round to her opinion. In spite of foreign governments, in spite of sister States, in spite of the Supreme Court, she kept the statute there. She said, “I believe it constitutional; it is necessary for the safety and the police regulations of my State. I will wait, until the Supreme Court has opportunity, on argument, to revise or substantiate its position.” And she has conquered. Now, what do we ask? All we ask is—suppose the whole statute is held to be constitutional by the present Supreme Court—all we ask is, wait a year or two, and give us an opportunity for re-argument, and see if the Supreme Court mean maturely to adhere. That would be no offence. Even then we should be only following the course which the Southern States have universally followed in regard to the Supreme Court.

But they say "our law is not constitutional." The lawyers doubt; some are on one side, and some on another. Governor Andrew says it is not unconstitutional; Mr. Charles G. Loring, perhaps the highest authority, says it is not unconstitutional. With a single—and perhaps not even one—exception, Judge Thomas thinks it is not unconstitutional; and his decision is the more weighty, because on political grounds he thinks it should be repealed. Again, *no lawyer believes it to be unconstitutional, except on the ground that the Fugitive Slave Law is constitutional.* No man says it conflicts with the Constitution. All over the free States, this talk of unconstitutionality means that it conflicts with the Fugitive Slave Bill, and not with the clause of the Constitution.

That is the only point of Mr. Joel Parker. He is another person who asks us to repeal it—a person who said, in the *Journal*, day before yesterday, speaking of the Simms case,—in which a man was arrested by a lie, by a policeman of Boston, for theft, and when he was got into custody was turned over to the fugitive slave claimant—a falsehood that in any decent court would have vitiated the arrest,—and then tried, as you know, behind bayonets, and our Supreme Court crawling under a chain to its own room—Mr. Joel Parker says of that week, of the efforts of Charles G. Loring to make the Supreme Court issue its *habeas corpus*, of the unanswered and unanswerable argument of Robert Rantoul for the same purpose, he says "it was an amusing week." It is the only phrase he has for that black week—it was an amusing week!

But even he, in all his argument, has no basis for his objection to the Personal Liberty Law, except the constitutionality of the Fugitive Slave Bill. Now, on that should I say too much when I stand in front of Charles Sumner and Horace Mann and Robert Rantoul and Charles G. Loring, and Franklin Dexter,—the glories of the Suffolk Bar,—and two-thirds of the profession throughout the Free States—should I say too much if I said that no man whose voice was not angered by disappointment, corrupted by politics, or choked by bribes, ever held it constitutional?

But, putting that aside, gentlemen, look at the provision itself. Here it is. The man who is arrested as a fugitive slave shall have a right to trial by jury. How can a man be arrested as a fugitive slave? He can be arrested in three ways; first, the slave-hunter can come to the streets of Boston, and take him, as he would a stray horse, without warrant or officer, or asking leave or aid of any court. The Prigg case, and all the decisions say he may come, and take him where he can find him, put him in a carriage, and drive him out of the Commonwealth, and need not apply to anybody. That is the first method of arrest, undenied on all sides.

Now, as Mr. Charles G. Loring says, (I am using his argument,

as well as that of others,) if a man does that, of course the Supreme Court of Massachusetts has a right to issue its *habeas corpus*. There is no lawyer, anywhere, that denies it. This right of *manuception*, as it is called, seizing fugitive slaves as one does stray cattle, comes from the common law, and is wholly independent of statutes. Whoever avails himself of it is liable to the writ of *habeas corpus*; and the slave so arrested may have trial by jury. About this there is no dispute. So far, our Personal Liberty Bill is undoubtedly and unquestionably constitutional. But do slave-hunters often avail themselves of this right? In two-thirds of the cases. It is the existence of such a right that makes the kidnapping of negroes so easy and common.

This, then, is one case in which the law is undoubtedly constitutional,—if a man comes, puts his hand upon a slave, and, without appealing to anybody, tries to take him out of the State. It has been done in our harbor, four times, to my knowledge. It was done in the harbor of Cape Cod—you know it—the man carried the supposed slave away; and the parties indicted for assisting him were acquitted for want of jurisdiction. I know a case where the captain of a schooner from North Carolina, at our South Boston wharf, was keeping a black man in the hold of his vessel until he could get word to Boston, where there was a power of attorney for him (which had been sent on by mail) to act as the agent of the master; and had we not heard of it, and got on board the schooner, and taken him off, the man would never have touched Massachusetts soil, though he floated in Massachusetts water. Suppose the captain of that vessel had stood at the gangway and refused us entrance, would there have been no use in having Judge Bigelow's writ allowing us to go on board, and see who this captain was, and who was the man whom he was taking the responsibility of carrying back to North Carolina? We have had several of these cases in the harbor of Boston, and I regret to say that, in a majority of them, the black man has been carried back without the possibility of interference.

Then there is the *second* method of arrest. Suppose a man seizes his slave, with intent to carry him before a Commissioner. In another case, where a black man was rescued, I rejoice to say, by the interference of friends, the captain had got him in the hold of his vessel, and had sent to Mr. Hallett, for the purpose of having the papers prepared for carrying him away. But Mr. Hallett could not be found, and he was obliged to wait some twenty-four hours. Suppose that, during that time, or while the man was being carried up from the wharf, while there was neither warrant nor other process under the Fugitive Slave Bill, one of the Judges of the Supreme Court had issued this writ, would he not have had a right to do so?

Perfectly legal. Our statute, therefore, is undoubtedly and unquestionably constitutional in these two cases—and they apply largely.

A man cannot always get his papers before he finds his slave. He finds the man first, and gets him into safe custody. Usually, he bribes a policeman to arrest the fugitive as a thief, and hold him on that charge until the papers are properly certified; and I am glad to say that we have made this infamy of acting under the Fugitive Slave Bill so intolerable, that in some cases the master has to run from one Commissioner to another, for a long time, before he finds one ready to serve. During that long interval, (I hope the growing indignation of the community will make it longer and longer,) the provisions of our Liberty Law apply, and are in no conflict with the Constitution or the Fugitive Slave Bill.

We come now to still another case—the *third* method of getting fugitives back. The master has got the slave into the hands of Commissioner Curtis, and has obtained a certificate. You say, “Well, it is all done; there is the man, and there is the certificate.” How do you know it is finished? Are you sure the certificate is regular? It is a hideous statute. It will take its place above the code of Draco. It makes Jeffries a decent man in comparison. It says this certificate—of course, meaning this certificate, *if regular*—is unappealable; you cannot touch it; it is conclusive and final. But His Excellency has told you, in his address, that he knows of one case in Boston, in which the person claimed was sent back where the warrant against him did not purport to be issued by the proper officer. Suppose the Supreme Court had issued its *habeas*, and the Marshal had laid his papers on the desk of the Judges, and they had said—“Mr. Marshal, you meant to get a certificate, but you have not got one; let that man go”—is not that legal? Such cases are not rare. One of the first cases before the infamous Judge Grier in Philadelphia was so blunderingly conducted, that even Grier had to send the claimant out of court, and took the opportunity of instructing such hounds how to proceed in future. In Cincinnati, a Marshal persevered in arresting a fugitive on a warrant which a State Judge had just declared illegal; and in Buffalo, Judge Conkling, of the United States Court, discharged a man whom a Commissioner had surrendered, probably on this ground.

Again, gentlemen, there are many cases where we need to construe a law. And here I come to a point to which I ask the particular attention of the Committee. How do we ever curb statutes? By getting them construed. Under our doctrine of precedents, that is the only sheet-anchor of justice. When there comes a bad judicial precedent, as Gibbon says in his history, “the ingenuity of humane men is employed beneficially in undermining wicked laws.” The whole history of the English government is a history of that



undermining, if they could not directly contest, decisions. Here sits the man [SAMUEL E. SEWALL, Esq.] whose fame as a lawyer I would rather have than that of ten Chief Justices, for one single fact, and that is this. For fifty years in this Commonwealth, we so carelessly scrutinized the Constitution and that fugitive-slave clause, that whether a man had escaped or was brought to Boston, it did not matter; the District Court returned him all the same. Nobody put on his spectacles of humanity, and proved that the law said "*escaped*," not "*being brought into*." My friend Mr. Sewall, in opposition to the whole bar of Suffolk, started the point that the word "*escaping*" had a loophole large enough to save every slave that was brought into the Commonwealth. In the first case, I believe, the Court refused to sanction his distinction. But the Med case came very soon. By Mr. SEWALL'S side there stood ELLIS GRAY LORING, who almost at the same moment had adopted the idea, and sustained it with rare ability. And in defiance of the profession, and the first impression of the Bench itself, they carried their point, and established the Somerset case of Massachusetts—the Med case—Commonwealth vs. Aves. Who does not generously envy a man the look back upon such a life! That is one instance of an attempt to scrutinize laws, and oblige Courts to construe them.

To the same legal sagacity and sleepless vigilance, we owe another humane decision. Slaveholders were wont to bring here young slaves to wait on them, and in such cases the holders claimed that as quasi guardians they could carry the slaves back, the children themselves being too young to make their election between staying here and returning South. But, on argument, our Court held that Massachusetts, considering such children too young to make so momentous a choice, would *keep them here* under guardianship until, full-grown, they were fit to decide so great a question. Here is another instance of beneficent construction.

Let me mention yet another. My friend, (I am proud to call him so,) JAMES C. ALVORD, in the report to which I have referred, in 1837, makes an argument to show that no State officer has a right, or is bound, at any rate, to act under the statute of 1793. New Jersey, New York, and Pennsylvania had held the same argument. It remained in that unsettled state,—every body saying, "You can never change the statute of '93; Congress will not act; the Courts will not act." Do you know, gentlemen, that statute never got a judicial construction until the Prigg case, in 1842? It floated carelessly, and never went up to the Bench until fifty years after its enactment. The moment we got a case before the Supreme Court, they endorsed the argument of Mr. ALVORD. They held, a State officer is not bound to act; and some of the judges said he cannot act. We had conquered our point; the gain was great. You see

there would sometimes be only two judges authorized to act in the whole State, and the slave-hunter could not find them. His slave might be in Newburyport, and he must go a hundred miles to get an officer to help him. It was an immense gain. The Supreme Court cut off all the facilities that the master had in calling upon State officers to assist him; and when Judge Story came home with that decision,—I called it infamous then, as I call it now,—infamous enough to dim a reputation ten times as bright as that of Judge Story,—when he came here, he called it on this account “the safeguard of the fugitive slave.”

Now, just what the Abolitionists did with that statute of 93, just what my friend [Mr. SEWALL] did with the careless legislation of Massachusetts, which returned slaves brought here, as escaping fugitives, we want to do now. We want the opportunity of carrying up to the Supreme Court of the United States these doubtful questions. We want the opportunity of making the Supreme Court define itself; of appealing from the ignorant, hasty, heedless decisions of a slave Commissioner to the judicial Bench. Such an opportunity these sections of our Liberty Law give us. Without such a law, no matter how clear a law point may be—no matter how universal the opinion of lawyers that a fit judge would give relief in the case supposed, the Commissioner’s certificate is final, and admits no appeal. Let me illustrate my meaning, gentlemen. In doing so, I will suppose first a case which brings to my mind the saddest feature of the Prigg case. The saddest feature,—and that is saying a great deal, for no man who loved Judge Story, or wished to respect our Supreme Bench, could ever read that case without tears,—the saddest feature is one I noticed publicly years ago, and, so far as I know, RICHARD HILDRETH is the only one who has touched on it beside. By a decision of the Supreme Court of Pennsylvania, in the 2d of Sargeant and Rawle, 305, it was held that any child born of a fugitive slave in Pennsylvania, more than a year after the coming of the mother into the State, was free;—that if a fugitive slave was permitted, by the *lashes*, by the indifference of the master, to remain in the State, and a child was born to her after the lapse of a year, that child was a native of Pennsylvania; it never escaped from slavery, and therefore could not be returned. This Mr. Prigg took back Margaret Morgan, and two or three children, one of whom, it appeared by the statement of facts in the case, was born over a year after the escape of the mother into Pennsylvania; but you may read through the decisions of those seven judges—each one giving an opinion—and you will not find one word that alludes to that child! She is given up as though she were a piece of waste paper, not worth considering. No judge referred enough to the decisions of Pennsylvania to even detect or set

aside this principle. They never thought it worth while to try to see if the child could not be saved, nor even to notice it. She was given up unregarded like her mother's shawl or shoes. Not one of the judges of the United States Court, through the whole of these lengthened decisions, deemed the principle worth a line — not worth a word!

Now, gentlemen, I have here, among the very few cases I have collected, one where the slave had been a fugitive twenty-two years; another nineteen years; another sixteen years; another fourteen years; and another ten. In one case, the slave had two children; another had six. Now, suppose such a case in Massachusetts. Suppose a master lets his slave woman come here and live twenty years, and she has a family of children. Then Mr. George T. Curtis signs his certificate, and the mother and all her children are given up—as was done in a case tried before Judge Kane, in Philadelphia—with no line of the Supreme Court to authorize their being surrendered—do you mean to say that our Supreme Court may not issue the *habeas corpus*, and say to the Supreme Court of the United States, “This point is worth arguing; we want to know whether you really hold to that.” There is this overlooked point of the children born into a free State by the *laches* of the master. Is not that worth arguing? We claim of you, the Legislature of Massachusetts, that you give us the means of carrying up that point. Ought you not to give it to us? Probably there are hundreds of such children of fugitive slave women in New England. Are they not worth an effort to save them, natives of New England!

Again, as my friend Mr. Burt has said, there is the Med case. That case, which decided that a slave brought here was free, places Shaw's name by the side of Mansfield. So legislate that we may still further use it to curb the Fugitive Slave Bill, and its worth shall dazzle us blind to that slave-chain under which Judge Shaw once stooped to enter his own Court. That girl resides in this Commonwealth. Suppose George T. Curtis should receive an affidavit from Alabama or Mississippi of ownership; an affidavit of escape—with their view of the law that can be made technically; proof of identity—that is easy; and he issues his certificate authorizing the claimant to take her from the city of Boston. “She was mine in 1834,” says the certificate; “she left Mississippi; I can show you that she is the identical person.” “Yes; take her,” says the slave-hound Commissioner. Med takes the certificate, carries it before the Chief Justice of Massachusetts, and says, “On your record, it is shown that I was brought here; I did not escape. That certificate, formal as it is, is a lie, according to Massachusetts.” Has not Massachusetts a right to say—“This is a

hard statute; and, in 1858, the Supreme Court have said, generally, that it is constitutional; but here is a new point; we would like to know whether they mean to carry it to this extent; perhaps they do not; it is worth arguing."

What did Massachusetts do when grass grew in State street, under the embargo? The Supreme Court deemed it constitutional. She sent Sam Dexter to argue it. He argued it, was defeated, and we sat down to become bankrupt. But we were not going to be bankrupt until we had argued the question. Neither are we going to surrender Med until we have a chance to argue the point.

Whence came the famous Dred Scott case, gentlemen? The South made it up to settle the question of slavery in the Territories. What is the history of the well-known Lemmon case now pending? Mr. Lemmon, of Virginia, brought his slaves into the free State of New York. Judge Paine held them emancipated. Now the State of Virginia retains Mr. O'Connor, the head of the New York Bar, to contest the point, and is carrying it up through all its stages to the last appeal. Has not Massachusetts the same right? May she not do for liberty what Virginia does for slavery? Mr. Chairman, this is all we are asking you to do. What we want is, to save the opportunity of testing such questions as I have specified. If the arrest is made without a warrant, the *habeas corpus* is clearly constitutional. If with a warrant, even after a certificate, I have suggested a dozen cases where Massachusetts might legally and loyally bring a case before the Supreme Court, and have them construe the law. It is a new law as yet; and if we are going to compromise—if, as Mr. George T. Curtis would have us, we are to yield up every thing to South Carolina, and to exist hereafter as a dependency of that slaveholding dynasty and despotism—let us at least provide the material to know how heavy the chains are, and how they hang.

Do not say I am supposing impossible, or even improbable cases. Slaves free by law, in consequence of being brought into free States, have been claimed and surrendered in several instances—once in Cincinnati, twice in Pennsylvania.

Again, when Anson Burlingame was in this Legislature, four of your citizens were taken out of a vessel in one of the ports of Texas, and sold as slaves, to pay their jail fees. You will find the case stated in the Resolves of 1852; but I have no knowledge that anything was ever done for them; certainly, the men were not redeemed. Suppose that one of them should escape, and could show that he was born free, and under a law that nobody can say is constitutional, was sold in Texas. Do not say, now, I am supposing a case. I can cite you this very case in Delaware. It is a very striking one. The first that was known of him, he was heard calling for help from



the guards of the steamboat, on which he had made his escape from Savannah. On looking over the bows, he was seen, and drawn on board. He had been holding on to the ropes for several days, the water frequently sweeping over him. The provisions in his pocket were saturated with salt water, and dissolved to a pulp. This was in Delaware Bay. The captain ordered the vessel to be put into Newcastle, where the man was lodged in jail. He claimed to be a freeman, born in Philadelphia; and, brought even before a Delaware Judge, his claim was established, his freedom fully proved, and he was set free. That very man was re-arrested, under the Fugitive Slave Law, and surrendered by Commissioner Guthrie, and is now in the slave States. It appears he went from Philadelphia to Maryland to reside, contrary to the law of that State, was fined for the offence, and being unable to pay the fine, was sold as a slave for life! and on this showing the Commissioner sent him to Georgia, where he had been sold. Now, suppose that very case occurred in regard to one of our stewards from Texas—will you say that you do not want to keep in your statute-book the means of framing a question to be carried up to the Supreme Court, for its decision?

Then there is the case of a mistake of form. I referred, a moment ago, to one case of that character, mentioned by His Excellency in his Address. Suppose a certificate is not regular; and that is a case that has actually occurred, not only in the case cited by Gov. Andrew, as occurring in this Commonwealth, but in another case, in Ohio. A U. S. Marshal actually produced a certificate that was not regular; a State Judge set it aside as irregular. The Marshal arrested the man a second time on the same certificate, in defiance of the State authority; and I am ashamed to say that Judge McLean, when the Marshal was brought before him, on a claim for damages by the State authority, for defying the State, set him free. He actually defied the Judge on the bench who had noticed the mistake of form. Now, sir, in a case of that kind, is not the Supreme Court to issue its writ, and look into the papers, and see if they are correct? That is all. The *habeas corpus* should be kept alive for that purpose, if for no other.

Another case. When Anthony Burns was here, he was under a lease for a year. The year had not expired. The question was, whether his master or the temporary lessee had the right of claim. This is a nice question, I admit, but we want it settled. It is a nice question; but in that finest specimen of judicial eloquence, when Mortimer claimed his peerage, the Judge said, "In a case like this, of ancestral honors, I will take hold of a twig or a twine thread to uphold it." Will you not take hold even of the slightest twig for God's immortal soul? I know it is a difficult, a nice question, but

it is one that was raised; and if Edward Greeley Loring had been a Judge, and not a Commissioner, he would have allowed us to argue it.

Again: the United States Constitution says, "Any person held to service or labor in any *State*, under the laws thereof." Mark you, "in any STATE." The Supreme Court of the United States has ruled that the District of Columbia is not a State.

Now, as the District is not a State, if a slave escapes from the District, he does not escape from a State, and, consequently, he cannot be recovered. The Fugitive Slave Bill, in spite of this decision, says, "Any person held to service or labor in any State or Territory, or in the District," &c. Is that constitutional? It has never yet been so decided. Shall we the free States surrender so large and base a privilege without argument? Hold on to your Liberty Bill, which alone affords us the chance.

I am not dealing in technicalities, Mr. Chairman. When Judge Story came home from giving that decision in the Prigg case, in Charles Sumner's office, Mr. Sumner (he told me the anecdote the next week,) said to him, "How could you rule the act of '93 constitutional, when it does not give us the jury trial?" Said the Judge, "That point was not raised in the argument; or, if it was, it was not treated at any length. I should like to hear argument on that point. If another case arises, I hope it will be elaborately presented." Mr. Sumner made that statement to me the week after, as I have said; and you will find it preserved in Judge Story's Life, by his son. In the same spirit, we say that this decision in the case of *Ableman vs. Booth*, is a general decision. We want to preserve the mere power of narrowing that decision. It is the honorable policy of the State. Every atom of the bond, but not a hair's breadth beyond it!

Take another point. I have in this book cases of slaves who have escaped twenty-two years, nineteen, sixteen, fourteen, ten years. Why, gentlemen, if you let a piece of land in the city of Boston alone twenty years, you lose your title. If you let a note of hand alone six years, you lose your title. How long does slavery hold on to a man? Does time never bar it? Is there a principle of law which holds that titles are quiet for land after twenty years, and for a note of hand after six years, and no principle that quiets the title to a man? Are all the principles of the law to be sacrificed? We will not believe it till after further struggles.

In 1428, that law of Edward the Confessor, which made all fugitive slaves free who had resided one year and one day in London, unclaimed by their masters, was solemnly confirmed and extended to all cities, walled boroughs and castles in the realm. From that privilege, long enjoyed, London took the name of the "Free Chamber of the King." Shall we, in the nineteenth century, admit no such

principle as the Confessor established? Let a slave stay, unclaimed, twenty years, and still retain your merciless rights over him! This is a serious question of what the law calls *laches*—neglect. The law holds to the quieting of titles. Let us claim that element of it now.

Do not say, gentlemen, they are merely technical points. Suppose a man resides in Billerica twenty years, marries, and has children. He is a day laborer, and earns his six dollars a week. Of course, he does not lay up anything. Slavery swoops him up, and his children come upon the town. Has not Billerica something to say against the right of a master to let his slave live in the town twenty years, burden it with a family, and still have the right to come and take him?

Here is a man who escaped sixteen years ago. Suppose I have employed him as a mechanic. There is such a man in this very hall, a carpenter—a master-workman. Suppose I have employed him; he is in my debt; he has insured his life; I know if he lives he will pay me. I do not know he is a fugitive; I am not bound to know it. He has lived in my street ten years. Slavery comes and takes him, and my debt with him. Have I no claim for *laches*? He has been mixed up with the affairs of a town many years, and become possessed of the knowledge of facts vital to some suit of mine. On his testimony may turn some claim of mine to thousands of dollars. I found him an intelligent and faithful neighbor. I was not bound to know, could not know, he was a fugitive. His master, whose neglect has brought me into this position of trusting him, carries him away. Have we no right to claim that this neglect of years, perilling thus our interests, forfeits the master's rights? May not the point be raised? He has married. Having established a good character by years of diligence, he marries. Has the slaveholder such an unlimited right that he may make this wife—guilty of no neglect or imprudence in forming the relation—a widow? The slaveholder has been neglectful; she has not. Suppose we grant so horrid a supposition—absurdity—as that, legally, their rights, wife's and slaveholder's, are equal—which shall give way? Of course, he who has been guilty of *laches*. May we not raise the question? There are a thousand questions that can be raised. He has committed crime; he murdered my brother, or set fire to my house. He is in the State Prison. Can the master take him out, or can Massachusetts hold him? Shall George T. Curtis override the criminal law of Massachusetts, or shall he not? We want to put the question to Mr. Chief Justice Taney. You know, gentlemen, there was never a statute drawn that you could not drive the Worcester rail-train through it. How do we curb a statute? Why, by putting somebody forward who is able to raise these questions.

You may say, this is claiming a great deal. We mean to claim

a great deal—every thing that can possibly be gotten. I need not go further. I might cover half a dozen other points. I know slaves who have fled here, and then bought themselves. Some, meaning never to venture within a slave State, do not trouble themselves to comply with slave laws, and have their free papers certified and recorded in their county courts. Of such a man an unprincipled slaveholder might bring all the evidence of ownership, escape and identity before a Commissioner—and there being no evidence to the contrary which the Commissioner is bound, which, indeed, he is authorized to notice—such a man must be taken back.

Another case. I am telling you cases that have actually occurred—here is another. George, a negro man, was arrested in Washington, Indiana, and claimed by a Mr. Rice, of Kentucky, as his slave. Judge Clemens ordered his surrender under the Fugitive Slave Act. It was done, and Mr. Rice took him to Louisville, and there sold him to a slave-trader, who took him to Memphis, Tennessee. Here a man from Mississippi saw him, and said, "This is my slave; he is not Mr. Rice's"; brought the case before a court, and got him. Now, suppose before Mr. Rice left Washington, Indiana, with the certificate of the Judge, George had escaped and come to Massachusetts, and his claimant had followed and recaptured him, and the Mississippi man had seen him here, and said, "This is not your slave; he is mine." Mr. George T. Curtis might say, "He is not; you cannot prove title to him." He says, "He is; I owned him in Mississippi, and he escaped from me there." If a negro is to be enslaved, he may much prefer one master to another. Why hurry him to Texas at a day's notice, when he really belongs to Maryland? Let him have chance to get to his real home, if it must be a slave one. In the conflict, he may save his liberty. I know it is very improbable; but Judge Taney will die sometime, his Court will be reorganized, and we may get a decision that would do honor to Lord Holt or Lord Mansfield. My friend has alluded to the *Souerset* case, in England. Granville Sharpe worked ten years, in opposition to the whole bench and bar of England, before he subdued Lord Mansfield; but finally he came over to the opinion of the war-office clerk, Granville Sharpe, and immortalized himself by a decision that Granville Sharpe taught him.

I know slavery owns a great deal, but she does not own the State House; she cannot absolutely clean out the Commonwealth. There must be a pause somewhere—we only want to find out where it is. Therefore, I propose, in regard to this *habeas corpus*, even in regard to the man who has got George T. Curtis's certificate, that with it the Supreme Court shall have the right to raise questions that cannot be raised otherwise. We waited until 1842 before we could get the question properly before the Supreme Court on



that law of '93. This is the machinery to do it. Massachusetts has pledged herself for sixty years to just this class of legislation. You may think this is interfering with constitutional rights; but seeking to know and define one's legal rights is not disloyalty to the Constitution. To try suits on doubtful points is not unconstitutional. It is what the profession exists for. It is the only thing that justifies such a nuisance.

Who asks us to repeal this law? They say South Carolina asks it. If she does, I can only say, it used to be a principle, "When you ask equity, you must do equity. You must come into Court with clean hands." At this very moment, South Carolina has her statute-book covered with unconstitutional laws about our seamen. South Carolina complain of our Personal Liberty Bill! I undertake to say that the merchants of Boston have paid, in the harbor of Charleston, more unconstitutional jail fees than would buy all the slaves that ever escaped from South Carolina. South Carolina ask you to change your statute-book! I would like to see one member of this Legislature trust his person in the State of South Carolina to-day—one of them! Vote even for the repeal of this statute, take a certificate from Governor Andrew that you voted for it, with the broad seal of the State on it, go down there, and you will never come back—never—if they only know that you come from Massachusetts! And such is the State that comes into our High Court of Judicature, and asks you to repeal this Personal Liberty Bill!

After all, the objections to this Personal Liberty Bill as unconstitutional are based on the idea that you hold the Fugitive Slave Bill constitutional. If you do not, there is no need of a word of answer. If you do not, it is a hideous monster, which you are bound to have every possible weapon in your armory ready to resist. This machinery you are bound to provide for the protection of the fugitive on your soil. You must not say, Possibly the United States may interpose. We do not want possibilities; we are not bound to wait for the U. S. Government; Massachusetts, our own State, is bound herself to furnish means adequate to the protection of all on her soil. She may not trust that some other government will do it, and so herself omit it.

Then, gentlemen, who says the Fugitive Slave Bill is constitutional? Massachusetts solemnly says it is not. Who says it is? Well, the forefront of the argument is borne by a Professor at Cambridge. It seems a former Legislature refused to pay a large bill of his, and, in consequence, he took that side of the argument. By his side stand who? Nobody who could have an office in Massachusetts to-day;—no, not one. Who stands on the other side? Every great name of which we are proud. You may repeal

this law, but unless you shovel Massachusetts into the ocean, you cannot keep it repealed. It has been on the statute-book ever since 1784; it will go back there when you leave these halls. It cannot be hindered. It is not a momentary spasm. It is the inbred and imbedded purpose of the Commonwealth.

Who says that this law should be repealed? Republicans? How do you sit here, gentlemen? You sit here under an oath to the Constitution of the United States. Does one of you mean to obey that Fugitive Slave Bill? You are going to change that statute-book at the bidding of the Fugitive Slave Bill. Do you mean to obey it yourselves? Mr. Joel Parker, who thought the Simms case "amusing"—says, after he has finished his argument on the constitutionality of that Bill, if a man should ask him to aid in enforcing it,—what? *He won't do it!* Every man in this Legislature, Mr. Chairman, will say the same—you know it. Why will you say the same? Because you think the law good? You will say the same for one of two reasons: either because, like Charles Sumner, you do not believe there is a fugitive slave clause in the Constitution—some of you take that position—and if there is no fugitive slave clause, there is no Fugitive Slave Bill; or because, though admitting that the Courts declare it constitutional, personally you will never obey it. Those of you who take the first position, who say, "We came up here and swore to support the Constitution, believing that there is no fugitive slave clause"—by what right do you repeal that law—our only barrier against infamous usurpation? One half of you say that. The other half say—"The Courts say it is constitutional, and we cannot actually wipe it out, but personally we will never obey it." Then we claim of you, if personally you are ashamed to obey it, that, legislating, you shall give every kind of machinery possible under the Constitution to curb it, to make it as inoffensive as possible, to test it again and again, to carry it up again and again. What did the South do on the question of banks! They carried it up again and again, until they got the Supreme Court on their side.

One word more. The only other section of our Personal Liberty Law which is objected to is that which provides that if the party arrested as a fugitive slave is found not to be a slave, the person or persons arresting him shall be punished. Judge Thomas says that, perhaps, ought to be qualified, so as to read that if done dishonestly, it is criminal—still he does not think the clause unconstitutional. Mr. Loring does not think any change necessary; the word "presence" is sufficient, to meet Judge Thomas's objection. But look at it, Mr. Chairman. Men in our harbor are not bound to assist a master in arresting his fugitive; they do it for money. He usually bribes a policeman to take off his star, or a constable to drop his spe-

cial character, and get possession of the man somehow, and then bribes the rowdies of North street to come up and guard him. Or he goes down the harbor, and bribes a captain not to tell that a slave is on board his ship, and to carry him back without letting any one know. Within the sound of my voice lives a ship-owner (John H. Pearson) who kept an alleged fugitive in his ship several days, and sent him back without letting any one inquire whether he was a fugitive slave or not. Now, the law says—what? “Mr. Pearson, if you take that responsibility, you do it at your peril. If you defy the law of the Commonwealth, and hide a man in the hold of your ship, and undertake to settle whether he is a slave or not, you do it at your peril. If it turns out, by any providential good fortune, that it can be proved that the negro was not a slave, you shall suffer for it. You were not bound to keep him there. You might have set him in the streets of Boston, and let the law deal with him.” Massachusetts says to those ship-owners who volunteer to become kidnapers, “If you choose to keep a black man, by violence, in the hold of your ship, you take the responsibility. If it turns out he was not a slave, you shall be punished. Nobody asks you to take the responsibility.” Is not this fair? It is a horrible thing. It is taking a man whom Massachusetts holds to be free, and dooming him to slavery. That is worse than death. Whoever volunteers, with indecent haste, to make a man a slave, surely Massachusetts may say to him, “Sir, do it! take the responsibility! But if you do it, recollect this, that in 1784, seventy-five years ago, Massachusetts said, whoever assists in kidnapping a man from Massachusetts goes to the State Prison! She had a right to say it. Three of her citizens had just been kidnapped. She marked it then a crime. The only exception to that crime is the single isolated limit of the Fugitive Slave Bill. Mind you, that you get your feet on to it. It is on your own responsibility. Put your feet on that ‘marl’ of hell, for if you do not, Massachusetts sends you to the State Prison.” Has she not a right to say it? Is she not bound to say it? Nobody asks him to help—nothing but money. When a deed except in one single case is crime, when a man is not called or bound to do it, and when without due inquiry he hurries forward to volunteer it, the law may infer malice. More especially when the act is one in its nature base, one which every honorable, right-minded man spurns, one that inflicts endless woe on its victim. To go forward to such an act without absolute knowledge, is proof of that *crassa negligentia* which proves malice.

That is why I would keep that provision in the Law. It is to warn men whose hearts are caukered with gold, who would do anything for a dollar, that if they undertake to send a man into slavery, they must walk on the line—like the silken thread that, in Mahomet’s

fable, carries the believer safe over hell—they must walk on the line of the Fugitive Slave Bill; if they lose their foothold on that single thread, Massachusetts bids them beware of the State Prison.

I am sorry, Mr. Chairman, to have taken so much of your time; but we spent weeks and months to put that law of '43 on the statute-book. Forty thousand petitioners, if I remember right, asked for it. You are asked to repeal what has been the avowed purpose of the State for seventeen years, and its policy for seventy-five years. We have spent hours, years, life, in making Massachusetts stereotype that intention on her statute-book; at least, we have a right to remonstrate; at least, we have a right to say to our Legislature, Consider, before you undo what seventeen Legislatures have said was legal, and that they wished it done! You may repeal it, gentlemen; you may offer that holocaust to South Carolina; but, as Pascal said, when Louis XIV. thundered at the gates of their monastery, and his courades offered to compromise their principles—"You may compromise your principles; you will never save the Port Royal." So I say to you, gentlemen, you may disgrace Massachusetts by repealing this bill, but you will never save South Carolina.



THE  
LOYALTY AND DEVOTION  
OF  
COLORED AMERICANS  
IN THE  
REVOLUTION AND WAR OF 1812.

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BOSTON:  
PUBLISHED BY R. F. WALLCUT,  
No. 221 WASHINGTON STREET.  
1861.



## PATRIOTISM OF COLORED AMERICANS.

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AT a Mass Convention of the colored citizens of Ohio, held at Cleveland, Sept. 9th, 1852, the orator of the occasion, WILLIAM H. DAY, Esq., in the course of his address, said: —

“ ‘Of the services and sufferings of the colored soldiers of the Revolution,’ says one writer, ‘no attempt has, to our knowledge, been made to preserve a record.’ This is mainly true. Their history is not written. It lies upon the soil watered with their blood: who shall gather it? It rests with their bones in the charnel-house: who shall exhume it? Their bodies, wrapped in sacks, have dropped from the decks where trod a Decatur and a Barry, in a calm and silence broken only by the voice of the man of God — ‘We commit this body to the deep;’ and the plunge and the ripples passing, the sea has closed over their memory forever. Ah! we have waited on shore and have seen the circle of that ripple. We know, at least, where they went down; and so much, to-day, we come to record.

“ We have had in Ohio, until very recently, and if they are living, have here now, a few colored men who have thus connected us with the past. I have been told of one, recently, in the southern portion of the State.

“ Another, of whom we all know, has resided, for many years, near Urbana, Champagne county. He was invited to, and expected at, this meeting. Father Stanup (as he is familiarly called) has lived to a good old age. He has been afflicted with recent sickness, and it may have prostrated him permanently. The frosts of a hundred winters will shrivel

any oak ; the blasts of a century will try *any* vitality. The aged soldier must soon die. O, that liberty, for which he fought, might be bequeathed to his descendants ! The realization of that idea would smooth his dying pillow, and make the transit from this to another sphere a pleasant passage. I am credibly informed, that the age of Mr. Stanup is one hundred and nine ; that he was with General Washington ; and that his position, in this respect, has been recognized by officers of the Government."

Further on, Mr. Day said : — " I think we have demonstrated this point, that if colored people are among your Pompeys, and Cuffees, and Uncle Toms, they are also among your heroes. They have been on Lakes Erie and Champlain, upon the Mediterranean, in Florida with the Creeks, at Schuylkill, at Hickory Ground, at New Orleans, at Horse Shoe Bend, and at Pensacola. The presence of some of them here to-day is a living rebuke to this land."

Addressing the large crowd of white citizens present, Mr. Day said : — " We can be, as we have always been, faithful subjects, powerful allies, as the documents read here to-day prove : an enemy in your midst, we would be more powerful still. We ask for liberty ; liberty here — liberty on the Chalmette Plains — liberty wherever floats the American flag. We demand for the sons of the men who fought for you, equal privileges. We bring to you, to-day, the tears of our fathers, — each tear is a volume, and speaks to you. To you, then, we appeal. We point you to their blood, sprinkled upon your door-posts in your political midnight, that the Destroying Angel might pass over. We take you to their sepulchres, to see the bond of honor between you and them kept, on their part, faithfully, even until death."

The following extracts from an address delivered, in 1842, before the Congregational and Presbyterian Anti-Slavery Society, at Francestown, N. H., by Dr. Harris, a Revolutionary veteran, will be read with great interest : —

" I sympathize deeply," said Dr. Harris, " in the objects of this Society. I fought, my hearers, for the liberty which you enjoy. It surprises me that every man does not rally at the sound of liberty, and array himself with those who are



laboring to abolish slavery in our country. The very mention of it warms the blood in my veins, and, old as I am, makes me feel something of the spirit and impulses of '76.

"Then liberty meant something. Then liberty, independence, freedom, were in every man's mouth. They were the sounds at which they rallied, and under which they fought and bled. They were the words which encouraged and cheered them through their hunger, and nakedness, and fatigue, in cold and in heat. The word slavery then filled their hearts with horror. They fought because they would not be slaves. Those whom liberty has cost nothing, do not know how to prize it.

"I served in the Revolution, in General Washington's army, three years under one enlistment. I have stood in battle where balls, like hail, were flying all around me. The man standing next to me was shot by my side—his blood spouted upon my clothes, which I wore for weeks. My nearest blood, except that which runs in my veins, was shed for liberty. My only brother was shot dead instantly in the Revolution. Liberty is dear to my heart; I cannot endure the thought that my countrymen should be slaves.

"When stationed in the State of Rhode Island, the regiment to which I belonged was once ordered to what was called a flanking position,—that is, upon a place which the enemy must pass in order to come round in our rear, to drive us from the fort. This pass was every thing, both to them and to us; of course, it was a post of imminent danger. They attacked us with great fury, but were repulsed. They reinforced, and attacked us again, with more vigor and determination, and again were repulsed. Again they reinforced, and attacked us the third time, with the most desperate courage and resolution, but a third time were repulsed. The contest was fearful. Our position was hotly disputed and as hotly maintained.

"But I have another object in view in stating these facts. I would not be trumpeting my own acts; the only reason why I have named myself in connection with this transaction is, to show that I know whereof I affirm. There was a *black* regiment in the same situation. Yes, a regiment of *negroes*, fighting for *our* liberty and independence,—not a white man among them but the officers,—stationed in this same danger-

ous and responsible position. Had they been unfaithful, or given way before the enemy, all would have been lost. *Three times in succession* were they attacked, with most desperate valor and fury, by well disciplined and veteran troops, and *three times* did they successfully repel the assault, and thus preserve our army from capture. They fought through the war. They were brave, hardy troops. They helped to gain our liberty and independence.

“Now, the war is over, our freedom is gained — what is to be done with these colored soldiers, who have shed their best blood in its defence? Must they be sent off out of the country, because they are black? or must they be sent back into slavery, now they have risked their lives and shed their blood to secure the freedom of their masters? I ask, what became of these noble colored soldiers? Many of them, I fear, were taken back to the South, and doomed to the fetter and the chain.

“And why is it, that the colored inhabitants of our nation, born in this country, and entitled to all the rights of freemen, are held in slavery? Why, but because they are *black*? I have often thought that, should God see fit, by a miracle, to change their color, straighten their hair, and give their features and complexion the appearance of the whites, slavery would not continue a year. No, you would then go and abolish it with the *sword*, if it were not speedily done without. But is it a suitable cause for making men slaves, because God has given them such a color, such hair and such features, as he saw fit?”

Dr. Clarke, in the Convention which revised the Constitution of New York, in 1821, speaking of the colored inhabitants of the State, said:—

“My honorable colleague has told us, that, as the colored people are not required to contribute to the protection or defence of the State, they are not entitled to an equal participation in the privileges of its citizens. But, Sir, whose fault is this? Have they ever refused to do military duty when called upon? It is haughtily asked, Who will stand in the ranks shoulder to shoulder with a negro? I answer, No one, in time of peace; no one, when your musters and trainings

are looked upon as mere pastimes; no one, when your militia will shoulder their muskets and march to their trainings with as much unconcern as they would go to a sumptuous entertainment or a splendid ball. But, Sir, when the hour of danger approaches, your white 'militia' are just as willing that the man of color should be set up as a mark to be shot at by the enemy, as to be set up themselves. In the War of the Revolution, these people helped to fight your battles by land and by sea. Some of your States were glad to turn out corps of colored men, and to stand 'shoulder to shoulder' with them.

"In your late war, they contributed largely towards some of your most splendid victories. On Lakes Erie and Champlain, where your fleets triumphed over a foe superior in numbers and engines of death, they were manned, in a large proportion, with men of color. And, in this very house, in the fall of 1814, a bill passed, receiving the approbation of all the branches of your government, authorizing the Governor to accept the services of a corps of two thousand free people of color. Sir, these were times which tried men's souls. In these times, it was no sporting matter to bear arms. These were times, when a man who shouldered his musket did not know but he bared his bosom to receive a death wound from the enemy ere he laid it aside; and, in these times, these people were found as ready and as willing to volunteer in your service as any other. They were not compelled to go; they were not drafted. No; your pride had placed them beyond your compulsory power. But there was no necessity for its exercise; they were volunteers; yes, Sir, volunteers to defend that very country from the inroads and ravages of a ruthless and vindictive foe, which had treated them with insult, degradation and slavery.

"Volunteers are the best of soldiers. Give me the men, whatever be their complexion, that willingly volunteer, and not those who are compelled to turn out. Such men do not fight from necessity, nor from mercenary motives, but from principle."

The Hon. Tristram Burges, of Rhode Island, in a speech in Congress, January, 1828, said:—"At the commencement of the Revolutionary War, Rhode Island had a number of

slaves. A regiment of them were enlisted into the Continental service, and no braver men met the enemy in battle; but not one of them was permitted to be a soldier until he had first been made a freeman."

"In Rhode Island," says Governor Eustis, in his able speech against slavery in Missouri, 12th December, 1820, "the blacks formed an entire regiment, and they discharged their duty with zeal and fidelity. The gallant defence of Red Bank, in which the black regiment bore a part, is among the proofs of their valor."

In this contest, it will be recollected that four hundred men met and repulsed, after a terrible and sanguinary struggle, fifteen hundred Hessian troops, headed by Count Donop. The glory of the defence of Red Bank, which has been pronounced one of the most heroic actions of the war, belongs in reality to black men; yet who now hears them spoken of in connection with it? Among the traits which distinguished the black regiment was devotion to their officers. In the attack made upon the American lines, near Croton river, on the 13th of May, 1781, Col. Greene, the commander of the regiment, was cut down and mortally wounded; but the sabres of the enemy only reached him through the bodies of his faithful guard of blacks, who gathered around him to protect him, *and every one of whom was killed.*

The celebrated Charles Pinckney, of South Carolina, in his speech on the Missouri question, and in defence of the slave representation of the South, made the following admissions:—

"At the commencement of our Revolutionary struggle with Great Britain, all the States had this class of people. The New England States had numbers of them; the Northern and Middle States had still more, although less than the Southern. *They all entered into the great contest with similar views. Like brethren, they contended for the benefit of the whole,* leaving to each the right to pursue its happiness in its own way. They thus nobly toiled and bled together, *really like brethren.* And it is a remarkable fact, that, notwithstanding, in the course of the Revolution, the Southern States were continually overrun by the British, and every



negro in them had an opportunity of running away, yet few did. They then were, as they still are, as valuable a part of our population to the Union as any other equal number of inhabitants. They were in numerous instances the pioneers, and in all, the laborers of your armies. *To their hands were owing the erection of the greatest part of the fortifications raised for the protection of our country.* Fort Moultrie gave, at an early period of the inexperience and untried valor of our citizens, immortality to American arms. And in the Northern States, numerous bodies of them were enrolled, and fought, *side-by-side with the whites*, the battles of the Revolution."

Said Martindale, of New York, in Congress, 22d of January, 1828:—"Slaves, or negroes who had been slaves, were enlisted as soldiers in the War of the Revolution; and I myself saw a battalion of them, as fine martial-looking men as I ever saw, attached to the Northern army, in the last war, on its march from Plattsburg to Sackett's Harbor."

The *Burlington Gazette* gives the following account of an aged colored resident of that city, which will be read with much interest:--

"The attention of many of our citizens has, doubtless, been arrested by the appearance of an old colored man, who might have been seen, sitting in front of his residence, in East Union street, respectfully raising his hat to those who might be passing by. His attenuated frame, his silvered head, his feeble movements, combine to prove that he is very aged; and yet, comparatively few are aware that he is among the survivors of the gallant army who fought for the liberties of our country, 'in the days which tried men's souls.'

"On Monday last, we stopped to speak to him, and asked him how old he was. He asked the day of the month, and, upon being told that it was the 24th of May, replied, with trembling lips, 'I am very old—I am a hundred years old to-day.'

"His name is Oliver Cromwell, and he says that he was born at the Black Horse, (now Columbus,) in this county, in the family of John Hutchin. He enlisted in a company commanded by Capt. Lowery, attached to the Second New

Jersey Regiment, under the command of Col. Israel Shreve. He was at the battles of Trenton, Princeton, Brandywine, Monmouth, and Yorktown, at which latter place, he told us, he saw the last man killed. Although his faculties are failing, yet he relates many interesting reminiscences of the Revolution. He was with the army at the retreat of the Delaware, on the memorable crossing of the 25th of December, 1776, and relates the story of the battles on the succeeding days with enthusiasm. He gives the details of the march from Trenton to Princeton, and told us, with much humor, that they 'knocked the British about lively' at the latter place. He was also at the battle of Springfield, and says that he saw the house burning in which Mrs. Caldwell was shot, at Connecticut Farms."

I further learn, (says the author of "The Colored Patriots of the Revolution,") that Cromwell was brought up a farmer, having served his time with Thomas Hutchins, Esq., his maternal uncle. He was, for six years and nine months, under the immediate command of Washington, whom he loved affectionately. "His discharge," says Dr. M'Cune Smith, "at the close of the war, was in Washington's own hand-writing, of which he was very proud, often speaking of it. He received, annually, ninety-six dollars pension. He lived a long and honorable life. Had he been of a little lighter complexion, (he was just half white,) every newspaper in the land would have been eloquent in praise of his many virtues."

Jack Grove, of Portland, while steward of a brig, sailing from the West Indies to Portland, in 1812, was taken by a French vessel, whose commander placed a guard on board. Jack urged his commander to make an effort to retake the vessel, but the captain saw no hope. Says Jack, "Captain McLellan, I can take her, if you will let me go ahead." The captain checked him, warning him not to lisp such a word, — there was danger in it; but Jack, disappointed, though not daunted, rallied the men on his own hook. Captain McLellan and the rest, inspired by his example, finally joined them, and the attempt resulted in victory. They weighed anchor, and took the vessel into Portland.

## FORMATION OF A COLORED REGIMENT IN RHODE ISLAND.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, IN  
GENERAL ASSEMBLY. February Session, 1778.

Whereas, for the preservation of the rights and liberties of the United States, it is necessary that the whole power of Government should be exerted in recruiting the Continental battalions; and, whereas, His Excellency, General Washington, hath inclosed to this State a proposal made to him by Brigadier General Varnum, to enlist into the two battalions raising by this State such slaves as should be willing to enter into the service; and, whereas, history affords us frequent precedents of the wisest, the freest and bravest nations having liberated their slaves and enlisted them as soldiers to fight in defence of their country; and also, whereas, the enemy have, with great force, taken possession of the capital and of a great part of this State, and this State is obliged to raise a very considerable number of troops for its own immediate defence, whereby it is in a manner rendered impossible for this State to furnish recruits for the said two battalions without adopting the said measures so recommended, —

It is Voted and Resolved, That every able-bodied negro, mulatto, or Indian man-slave in this State may enlist into either of the said two battalions, to serve during the continuance of the present war with Great Britain; — That every slave so enlisting shall be entitled to and receive all the bounties, wages and encouragements allowed by the Continental Congress to any soldiers enlisting into this service.

It is further Voted and Resolved, That every slave so enlisting shall, upon his passing muster by Col. Christopher Greene, be immediately discharged from the service of his master or mistress, and be absolutely free, as though he had never been incumbered with any kind of servitude or slavery. And in case such slave shall, by sickness or otherwise, be rendered unable to maintain himself, he shall not be chargeable to his master or mistress, but shall be supported at the expense of the State.

And, whereas, slaves have been by the laws deemed the property of their owners, and therefore compensation ought to be made to the owners for the loss of their service, —

It is further Voted and Resolved, That there be allowed and paid by this State to the owners, for every such slave so enlisting, a sum according to his worth, at a price not exceeding one hundred and twenty pounds for the most valuable slave, and in proportion for a slave of less value,—provided the owner of said slave shall deliver up to the officer who shall enlist him the clothes of the said slave, or otherwise he shall not be entitled to said sum.

And for settling and ascertaining the value of such slaves,— It is further Voted and Resolved, That a committee of five shall be appointed, to wit,—one from each county, any three of whom to be a quorum,—to examine the slaves who shall be so enlisted, after they shall have passed muster, and to set a price upon each slave, according to his value as aforesaid.

It is further Voted and Resolved, That upon any able-bodied negro, mulatto or Indian slave enlisting as aforesaid, the officer who shall so enlist him, after he has passed muster as aforesaid, shall deliver a certificate thereof to the master or mistress of said negro, mulatto, or Indian slave, which shall discharge him from the service of said master or mistress.

It is further Voted and Resolved, That the committee who shall estimate the value of the slave aforesaid, shall give a certificate of the sum at which he may be valued to the owner of said slave, and the general treasurer of this State is hereby empowered and directed to give unto the owner of said slave his promissory note for the sum of money at which he shall be valued as aforesaid, payable on demand, with interest,—which shall be paid with the money from Congress.

A true copy, examined,

HENRY WARD, *Sec'y.*

Among the brave blacks who fought in the battles for American liberty was Major Jeffrey, a Tennessean, who, during the campaign of Major-General Andrew Jackson in Mobile, filled the place of "regular" among the soldiers. In the charge made by General Stump against the enemy, the Americans were repulsed and thrown into disorder,—Major Stump being forced to retire, in a manner by no means desirable, under the circumstances. Major Jeffrey, who was but a common soldier, seeing the condition of his comrades, and



comprehending the disastrous results about to befall them, rushed forward, mounted a horse, took command of the troops, and, by an heroic effort, rallied them to the charge, — completely routing the enemy, who left the Americans masters of the field. He at once received from the General the title of “Major,” though he could not, according to the American policy, so commission him. To the day of his death, he was known by that title in Nashville, where he resided, and the circumstances which entitled him to it were constantly the subject of popular conversation.

Major Jeffrey was highly respected by the whites generally, and revered, in his own neighborhood, by all the colored people who knew him.

A few years ago, receiving an indignity from a common ruffian, he was forced to strike him in self-defence; for which act, in accordance with the laws of slavery in that, as well as many other of the slave States, he was compelled to receive, on his naked person, *nine and thirty lashes with a raw hide!* This, at the age of seventy odd, after the distinguished services rendered his country, — probably when the white ruffian for whom he was tortured was unable to raise an arm in its defence, — was more than he could bear; *it broke his heart*, and he sank to rise no more, till summoned by the blast of the last trumpet to stand on the battle-field of the general resurrection.

Lieutenant-Colonel Barton, of the Rhode Island militia, planned a bold exploit for the purpose of surprising and taking Major-General Prescott, the commanding officer of the royal army at Newport. Taking with him, in the night, about forty men, in two boats, with oars muffled, he had the address to elude the vigilance of the ships of war and guard boats, and, having arrived undiscovered at the General's quarters, they were taken for the sentinels, and the General was not alarmed till his captors were at the door of his lodging chamber, which was fast closed. A negro man, named Prince, instantly thrust his head through the panel door, and seized the victim while in bed. The General's aid-de-camp leaped from a window undressed, and attempted to escape, but was taken, and, with the General, brought off in safety.\*

\* Thacher's Military Journal, August 3, 1777.

Swett, in his "Sketches of Bunker Hill Battle," alludes to the presence of a colored man in that fight. He says:— "Major Pitcairn caused the first effusion of blood at Lexington. In that battle, his horse was shot under him, while he was separated from his troops. With presence of mind, he feigned himself slain; his pistols were taken from his holsters, and he was left for dead, when he seized the opportunity, and escaped. He appeared at Bunker Hill, and, says the historian, 'Among those who mounted the works was the gallant Major Pitcairn, who exultingly cried out, "*The day is ours!*" when a black soldier named Salem shot him through, and he fell. His agonized son received him in his arms, and tenderly bore him to the boats.' A contribution was made in the army for the colored soldier, and he was presented to Washington as having performed this feat."

Besides Salem, there were quite a number of colored soldiers at Bunker Hill. Among them, Titus Coburn, Alexander Ames, and Barzilai Lew, all of Andover; and also Cuto Howe, of Plymouth—each of whom received a pension.

Samuel Charlton was born in the State of New Jersey, a slave, in the family of Mr. M., who owned, also, other members belonging to his family—all residing in the English neighborhood. During the progress of the war, he was placed by his master (as a substitute for himself) in the army then in New Jersey, as a teamster in the baggage train. He was in active service at the battle of Monmouth, not only witnessing, but taking a part in, the struggle of that day. He was also in several other engagements in different sections of that part of the State. He was a great admirer of General Washington, and was, at one time, attached to his baggage train, and received the General's commendation for his courage and devotion to the cause of liberty. Mr. Charlton was about fifteen or seventeen years of age when placed in the army, for which his master rewarded him with a silver dollar. At the expiration of his time, he returned to his master, to serve again in bondage, after having toiled, fought and bled for liberty, in common with the regular soldiery. Mr. M., at his death, by will, liberated his slaves, and provided a pension for Charlton, to be paid during his lifetime.

Quack Matrick, of Stoughton Corner, was a regular Revolutionary soldier, and drew a pension.

In the engravings of Washington crossing the Delaware, on the evening previous to the battle of Trenton, Dec. 25th, 1779, a colored soldier is seen, on horseback, quite prominent, near the Commander-in-Chief, — the same figure that, in other sketches, is seen pulling the stroke oar in that memorable crossing. This colored soldier was Prince Whipple, body-guard to Gen. Whipple, of New Hampshire, who was Aid to General Washington.

The names of the two brave men of color who fell, with Ledyard, at the storming of Fort Griswold, were Lambo Latham and Jordan Freeman. When Major Montgomery, one of the leaders in the expedition against the Americans, was lifted upon the walls of the fort by his soldiers, flourishing his sword and calling on them to follow him, Jordan Freeman received him on the point of a pike, and pinned him dead to the earth.

Ebenezer Hills died at Vienna, New York, August, 1849, aged one hundred and ten. He was born a slave, in Stonington, Connecticut, and became free when twenty-eight years of age. He served through the Revolutionary War, and was at the battles of Saratoga and Stillwater, and was present at the surrender of Burgoyne.

In Washington's Will, special provision is made for his "mulatto man William, calling himself William Lee," granting him his immediate freedom, an annuity of thirty dollars during his natural life, or support, if he preferred (being incapable of walking or any active employment) to remain with the family. "This I give him," says Washington, "as a testimony of my sense of his attachment to me, and for *his faithful services during the Revolutionary War.*"

Simon Lee, the grandfather of William Wells Brown, on his mother's side, was a slave in Virginia, and served in the War of the Revolution. Although honorably discharged, with the other Virginia troops, at the close of the war, he was sent back to his master, where he spent the remainder of his life toiling on a tobacco plantation.

Jonathan Overton, (says the *Edenton Whig*,) a colored man, and a soldier of the Revolution, died at this place, at the advanced age of one hundred and one years. The deceased served under Washington, and was at the battle of Yorktown, besides other less important engagements. He

was deservedly held in great respect by our citizens; for, apart from the feeling of veneration which every American must entertain for the scanty remnant of Revolutionary heroes, of which death is fast depriving us, the deceased was personally worthy of the esteem and consideration of our community. He has lived among us longer than the ordinary period allotted to human life, and always sustained a character for honesty, industry, and integrity.

James Easton, of Bridgewater, a colored man, participated in the erection of the fortifications on Dorchester Heights, under command of Washington, which the next morning so greatly surprised the British soldiers then encamped in Boston.

Job Lewis, of Lancaster, (formerly a slave,) enlisted for two terms of three years each; and a third time for the remainder of the war. He died in November, 1797.

Prineo Richards, of East Bridgewater, was a pensioned Revolutionary soldier.

Thomas Hollen, of Dorset county, Maryland, was in the Revolutionary War, attached to the regiment of Col. Charles Gouldsbury, and was wounded by a musket ball in the calf of his leg. He died in 1816, aged seventy two, at the town of Blackwood, N. J., and was buried in the Snowhill churchyard, east of Woodbury.

The Legislature of Virginia, in 1783, emancipated several slaves who had fought in the Revolutionary War, and the example was followed by some individuals, who wished to exhibit a consistency of conduct rare even in those early days of our country's history. The Baltimore papers of September 8th, 1790, make mention of the fact that Hon. General Gates, before taking his departure, with his lady, for their new and elegant seat on the banks of the East River, summoned his numerous family and slaves about him, and, amidst their tears of affection and gratitude, gave them their freedom; and, what was still better, made provision that their liberty should be a blessing to them.

During the Revolutionary War, the Legislature of New York passed an Act granting freedom to all slaves who should serve in the army for three years, or until regularly discharged. (See 1 Kent's Com., p. 255.)



Rev. Theodoro Parker, in a letter to the author of "The Colored Patriots of the American Revolution," says:—

"Not long ago, while the excavations for the vaults of the great retail dry goods store of New York were going on, a gentleman from Boston noticed a large quantity of human bones thrown up by the workmen. Everybody knows the African countenance: the skulls also bore unmistakable marks of the race they belonged to. They were shovelled up with the earth which they had rested in, carted off and emptied into the sea to fill up a chasm, and make the foundation of a warehouse.

"On inquiry, the Bostonian learned that these were the bones of colored American soldiers, who fell in the disastrous battles of Long Island, in 1776, and of such as died of the wounds then received. At that day, as at this, spite of the declaration that 'all men are created equal,' the prejudice against the colored man was intensely strong. The black and the white had fought against the same enemy, under the same banner, contending for the same 'unalienable right' to life, liberty, and the pursuit of happiness. The same shot with promiscuous slaughter had mowed down Africans and Americans. But in the grave, they must be divided. On the battle-field, the blacks and whites had mixed their bravery and their blood, but their ashes must not mingle in the bosom of their common mother. The white Saxon, exclusive and haughty oven in his burial, must have his place of rest proudly apart from the grave of the African he had once enslaved.

"Now, after seventy-five years have passed by, the bones of these forgotten victims of the Revolution are shovelled up by Irish laborers, carted off, and shot into the sea, as the rubbish of the town. Had they been white men's relics, how would they have been honored with sumptuous burial anew, and the purchased prayers and preaching of Christian divines! Now, they are the rubbish of the street!

"True, they were the bones of Revolutionary soldiers,—but they were black men; and shall a city that kidnaps its citizens, honor a negro with a grave? What boots it that he fought for our freedom; that he bled for our liberty; that he died for you and me? Does the 'nigger' deserve a tomb? Ask the American State—the American Church!

“Three quarters of a century have passed by since the retreat from Long Island. What a change since then! From the Washington of that day to the world's Washington of this, what a change! In America, what alterations! What a change in England! The Briton has emancipated every bondman; slavery no longer burns his soil on either Continent, the East or West. America has a population of slaves greater than the people of all England in the reign of Elizabeth. Under the pavement of Broadway, beneath the walls of the Bazaar, there still lie the bones of the colored martyrs to American Independence. Dandies of either sex swarm gaily over the threshold, heedless of the dead African, contemptuous of the living. And while these faithful bones were getting shovelled up and carted to the sea, there was a great slave-hunt in New York: a man was kidnapped and carried off to bondage by the citizens, at the instigation of politicians, and to the sacramental delight of ‘divines.’

“Happy are the dead Africans, whom British shot mowed down! They did not live to see a man kidnapped in the city which their blood helped free.”

The poor requital for the colored man's valor was forcibly alluded to by Henry H. Garnet at the anniversary of the Anti-Slavery Society, in New York city, May, 1840. “It is with pride,” said he, “that I remember, that in the earliest attempts to establish democracy in this hemisphere, colored men stood by the side of your fathers, and shared with them the toils of the Revolution. When Freedom, that had been chased over half the world, at last thought she had here found a shelter, and held out her hands for protection, the tearful eye of the colored man, in many instances, gazed with pity upon her tattered garments, and ran to her relief. Many fell in her defence, and the grateful soil received them affectionately into its bosom. No monumental piles distinguish their ‘dreamless beds’; scarcely an inch on the page of history has been appropriated to their memory; yet truth will give them a share of the fame that was reaped upon the fields of Lexington and Bunker Hill; truth will affirm that they participated in the immortal honor that adorned the brow of the illustrious Washington.”

## GEN. JACKSON'S PROCLAMATION.

“ HEADQUARTERS, SEVENTH MILITARY DISTRICT, }  
 MOBILE, September 21, 1814. }

“ *To the Free Colored Inhabitants of Louisiana :*

Through a mistaken policy, you have been heretofore deprived of a participation in the glorious struggle for national rights in which our country is engaged. This no longer shall exist.

As sons of freedom, you are now called upon to defend our most inestimable blessing. As Americans, your country looks with confidence to her adopted children for a valorous support, as a faithful return for the advantages enjoyed under her mild and equitable government. As fathers, husbands, and brothers, you are summoned to rally around the standard of the eagle to defend all which is dear in existence.

Your country, although calling for your exertions, does not wish you to engage in her cause without remunerating you for the services rendered. Your intelligent minds are not to be led away by false representations. Your love of honor would cause you to despise the man who should attempt to deceive you. With the sincerity of a soldier and the language of truth I address you.

To every noble-hearted freeman of color volunteering to serve during the present contest with Great Britain, and no longer, there will be paid the same bounty, in money and lands, now received by the white soldiers of the United States, viz: one hundred and twenty-four dollars in money, and one hundred and sixty acres of land. The non-commissioned officers and privates will also be entitled to the same monthly pay, daily rations and clothes furnished to any American soldier.

On enrolling yourselves in companies, the Major-General commanding will select officers for your government from your white fellow-citizens. Your non-commissioned officers will be appointed from among yourselves.

Due regard will be paid to the feelings of freemen and soldiers. You will not, by being associated with white men in the same corps, be exposed to improper comparison or

unjust sarcasm. As a distinct, independent battalion or regiment, pursuing the path of glory, you will, undivided, receive the applause and gratitude of your countrymen.

To assure you of the sincerity of my intentions, and my anxiety to engage your invaluable services to our country, I have communicated my wishes to the Governor of Louisiana, who is fully informed as to the manner of enrolments, and will give you every necessary information on the subject of this address.

ANDREW JACKSON,

*Major-General Commanding.*

December 18, 1814, General Jackson issued, in the French language, the following address to the colored members of his army: —

“SOLDIERS!—When, on the banks of the Mobile, I called you to take up arms, inviting you to partake the perils and glory of your white fellow-citizens, I expected much from you; for I was not ignorant that you possessed qualities most formidable to an invading enemy. I knew with what fortitude you could endure hunger and thirst, and all the fatigues of a campaign. *I knew well how you loved your native country*, and that you, as well as ourselves, had to defend what *man* holds most dear—his parents, wife, children, and property. *You have done more than I expected.* In addition to the previous qualities I before knew you to possess, I found among you a noble enthusiasm, which leads to the performance of great things.

“Soldiers! the President of the United States shall hear how praiseworthy was your conduct in the hour of danger, and the representatives of the American people will give you the praise your exploits entitle you to. Your General anticipates them in applauding your noble ardor.

“The enemy approaches; his vessels cover our lakes; our brave citizens are united, and all contention has ceased among them. Their only dispute is, who shall win the prize of valor, or who the most glory, its noblest reward.

“By order,

“THOMAS BUTLER, *Aid-de-Camp.*”



The New Orleans *Picayune*, in an account of the celebration of the Battle of New Orleans, in that city, in 1851, says: —

“Not the least interesting, although the most novel feature of the procession yesterday, was the presence of ninety of the colored veterans who bore a conspicuous part in the dangers of the day they were now for the first time called to assist in celebrating, and who, by their good conduct in presence of the enemy, deserved and received the approbation of their illustrious commander-in-chief. During the thirty-six years that have passed away since they assisted to repel the invaders from our shores, these faithful men have never before participated in the annual rejoicings for the victory which their valor contributed to gain. Their good deeds have been consecrated only in their memories, or lived but to claim a passing notice on the page of the historian. Yet, who more than they deserve the thanks of the country, and the gratitude of succeeding generations? Who rallied with more alacrity in response to the summons of danger? Who endured more cheerfully the hardships of the camp, or faced with greater courage the perils of the fight? If, in that hazardous hour, when our homes were menaced with the horrors of war, we did not disdain to call upon the colored population to assist in repelling the invading horde, we should not, when the danger is past, refuse to permit them to unite with us in celebrating the glorious event, which they helped to make so memorable an epoch in our history. We were not too exalted to mingle with them in the affray; they were not too humble to join in our rejoicings.

“Such, we think, is the universal opinion of our citizens. We conversed with many yesterday, and, without exception, they expressed approval of the invitation which had been extended to the colored veterans to take part in the ceremonies of the day, and gratification at seeing them in a conspicuous place in the procession.

“The respectability of their appearance, and the modesty of their demeanor, made an impression on every observer, and elicited unqualified approbation. Indeed, though in saying so we do not mean disrespect to any one else, we think that they constituted decidedly the most interesting portion of the pageant, as they certainly attracted the most attention.”

The editor, after further remarks upon the procession, and adding of its colored members, "We reflected, that beneath their dark bosoms were sheltered faithful hearts, susceptible of the noblest impulses," thus alludes to the free colored population of New Orleans:—

"As a class, they are peaceable, orderly, and respectable people, and many of them own large amounts of property among us. Their interests, their homes, and their affections are here, and such strong ties are not easily broken by the force of theoretical philanthropy, or imaginative sentimentality. They have been true hitherto, and we will not do them the injustice to doubt a continuance of their fidelity. While they may be certain that insubordination will be promptly punished, deserving actions will always meet with their due reward in the esteem and gratitude of the community."

Yet, if five, even of these veterans, should at any time be seen talking together, they are liable to be arrested for conspiracy, according to the laws of Louisiana!

Hon. Robert C. Winthrop, in his speech in Congress, on the Imprisonment of Colored Seamen, September, 1850, bore this testimony to the gallant conduct of the colored soldiers at New Orleans:—

"I have an impression that, not, indeed, in these piping times of peace, but in the time of war, when quite a boy, I have seen black soldiers enlisted, who did faithful and excellent service. But, however it may have been in the Northern States, I can tell the Senator what happened in the Southern States at this period. I believe that I shall be borne out in saying, that no regiments did better service, at New Orleans, than did the black regiments, which were organized under the direction of General Jackson himself, after a most glorious appeal to the patriotism and honor of the people of color of that region; and which, after they came out of the war, received the thanks of General Jackson, in a proclamation which has been thought worthy of being inscribed on the pages of history."

Chalmette Plains, the scene of the famous Battle of New Orleans, are five miles below that city, on the left bank of the

Mississippi. There is an elaborate engraving of this battle, eighteen by twenty inches, executed by M. Hyacinth Laclotte, the correctness of which was certified to by eleven of the superior officers residing in New Orleans, July 15, 1815, when the drawing was completed.

The report "No. 8," from the American Army, corroborates the following interesting statements, which were furnished to the author of "The Colored Patriots of the American Revolution" by Wm. H. Day, Esq., of Cleveland:—

"From an authenticated chart, belonging to a soldier friend, I find that, in the Battle of New Orleans, Major-General Andrew Jackson, Commander-in-Chief, and his staff, were just at the right of the advancing left column of the British, and that very near him were stationed the colored soldiers. He is numbered 6, and the position of the colored soldiers, 8. The chart explanation of No. 8 reads thus:— '8. Captains Dominique and Bluche, two 24 pounders; Major Lacoste's battalion, formed of the men of color of New Orleans, and Major Daquin's battalion, formed of the men of color of St. Domingo, under Major Savary, second in command.'

"They occupied no mean place, and did no mean service.

"From other documents in my possession, I am able to state the number of the 'battalion of St. Domingo men of color' to have been one hundred and fifty; and of 'Major Lacoste's battalion of Louisiana men of color,' two hundred and eighty.

"Thus were over four hundred 'men of color' in that battle. When it is remembered that the whole number of soldiers claimed by Americans to have been in that battle reached only 3,600, it will be seen that the 'men of color' were present in much larger proportion than their numbers in the country warranted.

"Neither was there colorphobia then. Major Planche's battalion of uniformed volunteer companies, and Major Lacoste's 'men of color,' wrought together; so, also, did Major Daquin's 'men of color,' and the 44th, under Captain Baker.

"Great Britain had her colored soldiers in that battle; the United States had hers. Great Britain's became freemen and citizens: those of the United States continued only half-free and slaves."

During the war of 1812, Capt. Perry, writing to Commodore Chauncey, the senior officer, said — “The men that came by Mr. Champlin are a motley set—blacks, soldiers, and boys. *I am, however, pleased to see any thing in the shape of a man.*” The following letter was sent by Commodore Chauncey in reply:—

“ON BOARD THE PIKE, OFF BURLINGTON BAY, }  
July 13th. }

“SIR,—I have been duly honored with your letters of the 23d and 26th ultimo, and notice your anxiety for men and officers. I am equally anxious to furnish you, and no time shall be lost in sending officers and men to you, as soon as the public service will allow me to send them from this lake. I regret that you are not pleased with the men sent you by Messrs. Champlin and Forrest; for, to my knowledge, a part of them are not surpassed by any seamen we have in the fleets; and I have yet to learn that the color of the skin, or the cut and trimmings of the coat, can affect a man’s qualifications or usefulness. *I have nearly fifty blacks on board this ship, and many of them are among my best men;* and those people you call soldiers have been to sea from two to seventeen years, and I presume that you will find them as good and useful as any men on board of your vessel; at least, if I can judge by comparison, for those which we have on board this ship are attentive and obedient, and, as far as I can judge, many of them excellent seamen; at any rate, the men sent to Lake Erie have been selected with a view of sending a fair proportion of petty officers and seamen, and I presume, upon examination, it will be found they are equal to those upon this lake.”

During the Dorr excitement, the colored population of Rhode Island received high encomiums from the papers of the State for their conduct. The *New York Courier and Enquirer* said:—“The colored people of Rhode Island deserve the good opinion and kind feeling of every citizen of the State, for their conduct during the recent troublous times in Providence. They promptly volunteered their services for any duty to which they might be useful in maintaining law and order. Upwards of a hundred organized themselves for the purpose of acting as a city guard for the protection of the city, and to extinguish fires, in case of their occurrence, while the citizens were absent on military duty. The fathers of these people were distinguished for their patriotism and bravery in the war of the Revolution, and the Rhode Island colored regiment fought, on one occasion, until half their number were slain. There was not a regiment in the service which did more soldierly duty, or showed itself more devotedly patriotic.”



THE  
ABOLITION OF SLAVERY

THE  
RIGHT OF THE GOVERNMENT

UNDER THE  
WAR POWER.

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BOSTON:  
PUBLISHED BY R. F. WALLCUT,  
No. 21 WASHINGTON STREET.  
1861.



## EMANCIPATION UNDER THE WAR POWER.

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Extracts from the speech of JOHN QUINCY ADAMS, delivered in the U. S. House of Representatives, April 14 and 15, 1842, on War with Great Britain and Mexico :—

What I say is involuntary, because the subject has been brought into the House from another quarter, as the gentleman himself admits. I would leave that institution to the exclusive consideration and management of the States more peculiarly interested in it, just as long as they can keep within their own bounds. So far, I admit that Congress has no power to meddle with it. As long as they do not step out of their own bounds, and do not put the question to the people of the United States, whose peace, welfare and happiness are all at stake, so long I will agree to leave them to themselves. But when a member from a free State brings forward certain resolutions, for which, instead of reasoning to disprove his positions, you vote a censure upon him, and that without hearing, it is quite another affair. At the time this was done, I said that, as far as I could understand the resolutions proposed by the gentleman from Ohio, (Mr. Giddings,) there were some of them for which I was ready to vote, and some which I must vote against; and I will now tell this House, my constituents, and the world of mankind, that the resolution against which I would have voted was that in which he declares that what are called the slave States have the exclusive right of consultation on the subject of slavery. For that resolution I never would vote, because I believe

that it is not just, and does not contain constitutional doctrine. I believe that, so long as the slave States are able to sustain their institutions without going abroad or calling upon other parts of the Union to aid them or act on the subject, so long I will consent never to interfere. I have said this, and I repeat it; but if they come to the free States, and say to them, you must help us to keep down our slaves, you must aid us in an insurrection and a civil war, then I say that with that call comes a full and plenary power to this House and to the Senate over the whole subject. It is a war power. I say it is a war power, and when your country is actually in war, whether it be a war of invasion or a war of insurrection, Congress has power to carry on the war, and must carry it on, according to the laws of war; and by the laws of war, an invaded country has all its laws and municipal institutions swept by the board, and martial law takes the place of them. This power in Congress has, perhaps, never been called into exercise under the present Constitution of the United States. But when the laws of war are in force, what, I ask, is one of those laws? It is this: that when a country is invaded, and two hostile armies are set in martial array, *the commanders of both armies have power to emancipate all the slaves in the invaded territory.* Nor is this a mere theoretic statement. The history of South America shows that the doctrine has been carried into practical execution within the last thirty years. Slavery was abolished in Columbia, first, by the Spanish General Morillo, and, secondly, by the American General Bolivar. It was abolished by virtue of a military command given at the head of the army, and its abolition continues to be law to this day. It was abolished by the laws of war, and not by municipal enactments; the power was exercised by military commanders, under instructions, of course, from their respective Governments. And here I recur again to the example of Gen. Jackson. What are you now about in Congress? You are about passing a grant to refund to Gen. Jackson the amount of a certain fine imposed upon him by a Judge, under the laws of the State of Louisiana. You are going to refund him the money, with interest; and this you are going to do because the imposition of the fine was unjust. And why was it unjust? Because Gen. Jackson was acting under the laws of war, and because the



moment you place a military commander in a district which is the theatre of war, the laws of war apply to that district.

\*            \*            \*            \*            \*

I might furnish a thousand proofs to show that the pretensions of gentlemen to the sanctity of their municipal institutions under a state of actual invasion and of actual war, whether servile, civil or foreign, is wholly unfounded, and that the laws of war do, in all such cases, take the precedence. I lay this down as the law of nations. I say that military authority takes, for the time, the place of all municipal institutions, *and slavery among the rest*; and that, under that state of things, so far from its being true that the States where slavery exists have the exclusive management of the subject, *not only the President of the United States, but the Commander of the Army, has power to order the universal emancipation of the slaves*. I have given here more in detail a principle which I have asserted on this floor before now, and of which I have no more doubt than that you, sir, occupy that chair. I give it in its development, in order that any gentleman from any part of the Union may, if he thinks proper, deny the truth of the position, and may maintain his denial; not by indignation, not by passion and fury, but by sound and sober reasoning from the laws of nations and the laws of war. And if my position can be answered and refuted, I shall receive the refutation with pleasure; I shall be glad to listen to reason, aside, as I say, from indignation and passion. And if, by the force of reasoning, my understanding can be convinced, I here pledge myself to recant what I have asserted.

Let my position be answered; let me be told, let my constituents be told, the people of my State be told—a State whose soil tolerates not the foot of a slave—that they are bound by the Constitution to a long and toilsome march under burning summer suns and a deadly Southern clime for the suppression of a servile war; that they are bound to leave their bodies to rot upon the sands of Carolina, to leave their wives widows and their children orphans; that those who cannot march are bound to pour out their treasures while their sons or brothers are pouring out their blood to suppress a servile, combined with a civil or a foreign war, and yet that there exists no power beyond the limits of the slave State where

such war is raging to emancipate the slaves. I say, let this be proved—I am open to conviction; but till that conviction comes, I put it forth not as a dictate of feeling, but as a settled maxim of the laws of nations, that, in such a case, the military supersedes the civil power; and on this account I should have been obliged to vote, as I have said, against one of the resolutions of my excellent friend from Ohio, (Mr. Giddings,) or should at least have required that it be amended in conformity with the Constitution of the United States.

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## THE WAR POWER OVER SLAVERY.

We published, not long ago, an extract from a speech delivered by John Quincy Adams in Congress in 1842, in which that eminent statesman confidently announced the doctrine, that in a state of war, civil or servile, in the Southern States, Congress has full and plenary power over the whole subject of slavery; martial law takes the place of civil laws and municipal institutions, slavery among the rest, and “not only the President of the United States, but the Commander of the Army, has power to order the universal emancipation of the slaves.”

Mr. Adams was, in 1842, under the ban of the slaveholders, who were trying to censure him or expel him from the House for presenting a petition in favor of the dissolution of the Union. Lest it may be thought that the doctrine announced at this time was thrown out hastily and offensively, and for the purpose of annoying and aggravating his enemies, and without due consideration, it may be worth while to show that six years previous, in May, 1836, Mr. Adams held the same opinions, and announced them as plainly as in 1842. Indeed, it is quite likely that this earlier announcement of these views was the cause of the secret hostility to the ex-President, which broke out so fanorously in 1842. We have before us a speech by Mr. Adams, on the joint resolution for distributing rations to the distressed fugitives from Indian hostilities in the States of Alabama and Georgia, delivered in the House of Representatives, May 25, 1836, and

published at the office of the *National Intelligencer*. We quote from it the following classification of the powers of Congress and the Executive:—

“There are, then, Mr. Chairman, in the authority of Congress and of the Executive, two classes of powers, altogether different in their nature, and often incompatible with each other—the war power and the peace power. The peace power is limited by regulations and restricted by provisions prescribed within the Constitution itself. The war power is limited only by the laws and usages of nations. This power is tremendous: it is strictly constitutional, but it breaks down every barrier so anxiously erected for the protection of liberty, of property, and of life. This, sir, is the power which authorizes you to pass the resolution now before you, and, in my opinion, no other.”

After an interruption, Mr. Adams returned to this subject, and went on to say:—

“There are, indeed, powers of peace conferred upon Congress which also come within the scope and jurisdiction of the laws of nations, such as the negotiation of treaties of amity and commerce, the interchange of public ministers and consuls, and all the personal and social intercourse between the individual inhabitants of the United States and foreign nations, and the Indian tribes, which require the interposition of any law. But the powers of war are *all* regulated by the laws of nations, and are subject to no other limitation. . . . It was upon this principle that I voted *against* the resolution reported by the slavery committee, ‘that Congress possess no constitutional authority to interfere, *in any way*, with the institution of slavery in any of the States of this Confederacy,’ to which resolution most of those with whom I usually concur, and even my own colleagues in this House, gave their assent. *I do not admit that there is, even among the peace powers of Congress, no such authority; but in war, there are many ways by which Congress not only have the authority, but ARE BOUND TO INTERFERE WITH THE INSTITUTION OF SLAVERY IN THE STATES.* The existing law prohibiting the importation of slaves into the United States from foreign countries is itself an interference with the institution of slavery in the States. It was so considered by the founders of the Constitution of the United States, in which it was stipulated that Congress should not interfere, in that way, with the institution, prior to the year 1808.

“During the late war with Great Britain, the military and naval commanders of that nation issued proclamations, inviting the slaves to repair to their standard, with promises of freedom and of settlement in some of the British colonial establishments. This surely was an interference with the institution of slavery in the States. By the treaty of peace, Great Britain stipulated to evacuate all the forts and places in the United States, without carrying away any slaves. If the Government of the United States had no power to

interfere, *in any way*, with the institution of slavery in the States, they would not have had the authority to require this stipulation. It is well known that this engagement was not fulfilled by the British naval and military commanders; that, on the contrary, they did carry away all the slaves whom they had induced to join them, and that the British Government inflexibly refused to restore any of them to their masters; that a claim of indemnity was consequently instituted in behalf of the owners of the slaves, and was successfully maintained. All that series of transactions was an interference by Congress with the institution of slavery in the States in one way — in the way of protection and support. It was by the institution of slavery alone that the restitution of slaves, enticed by proclamations into the British service, could be claimed as *property*. But for the institution of slavery, the British commanders could neither have allured them to their standard, nor restored them otherwise than as liberated prisoners of war. But for the institution of slavery, there could have been no stipulation that they should not be carried away as property, nor any claim of indemnity for the violation of that engagement.”

If this speech had been made in 1860 instead of 1836, Mr. Adams would not have been compelled to rely upon these comparatively trivial and unimportant instances of interference by Congress and the President for the support and protection of slavery. For the last twenty years, the support and protection of that institution has been, to use Mr. Adams's words at a later day, the vital and animating spirit of the Government; and the Constitution has been interpreted and administered as if it contained an injunction upon all men, in power and out of power, to sustain and perpetuate slavery. Mr. Adams goes on to state how the war power may be used:—

“But the war power of Congress over the institution of slavery in the States is yet far more extensive. Suppose the case of a servile war, complicated, as to some extent it is even now, with an Indian war; suppose Congress were called to raise armies, to supply money from the whole Union to suppress a servile insurrection: would they have no authority to interfere with the institution of slavery? The issue of a servile war *may* be disastrous; it may become necessary for the master of the slave to recognize his emancipation by a treaty of peace; can it for an instant be pretended that Congress, in such a contingency, would have no authority to interfere with the institution of slavery, *in any way*, in the States? Why, it would be equivalent to saying that Congress have no constitutional authority to make peace. I suppose a more portentous case, certainly within the bounds of possibility—I would to God I could say, not within the bounds of probability—”



Mr. Adams here, at considerable length, portrays the danger then existing of a war with Mexico, involving England and the European powers, bringing hostile armies and fleets to our own Southern territory, and inducing not only a foreign war, but an Indian, a civil, and a servile war, and making of the Southern States "the battle-field upon which the last great conflict will be fought between Slavery and Emancipation." "Do you imagine (he asks) that your Congress will have no constitutional authority to interfere with the institution of slavery, *in any way*, in the States of this Confederacy? Sir, *they must and will interfere with it*—perhaps to sustain it by war, *perhaps to abolish it* by treaties of peace; and they will not only possess the constitutional power so to interfere, but *they will be bound in duty to do it, by the express provisions of the Constitution itself*. From the instant that your slaveholding States become the theatre of a war, *civil, servile, or foreign*, from that instant, the war powers of Congress extend to interference with the institution of slavery, *in every way by which it can be interfered with*, from a claim of indemnity for slaves taken or destroyed, to *the cession of States burdened with slavery to a foreign power.*"—*New York Tribune.*



## THE WAR IN ITS RELATION TO SLAVERY.

TO THE EDITOR OF THE NEW YORK TRIBUNE:

SIR,—Our country is opening up a new page in the history of governments. The world has never witnessed such a spontaneous uprising of any people in support of free institutions as that now exhibited by the citizens of our Northern States.

I observe that the vexed question of slavery still has to be met, both in the Cabinet and in the field. It has been met by former Presidents, by former Cabinets, and by former military officers. They have established a train of precedents that may be well followed at this day. I write now for the purpose of inviting attention to those principles of international law which are regarded by publicists and jurists as

proper guides in the exercise of that despotic and almost unlimited authority called the "war power." A synopsis of these doctrines was given by Major General Gaines, at New Orleans, in 1838.

General Jessup had captured many fugitive slaves and Indians in Florida, and had ordered them to be sent west of the Mississippi. At New Orleans, they were claimed by the owners, under legal process; but Gen. Gaines, commanding that military district, refused to deliver them to the sheriff, and appeared in court, stating his own defence.

He declared that these people (men, women and children) were captured in war, and held as prisoners of war: that as commander of that military department or district, he held them subject only to the order of the National Executive: that he could recognize no other power in time of war, or by the laws of war, as authorized to take prisoners from his possession.

He asserted that, in time of war, all slaves were belligerents as much as their masters. The slave men, said he, cultivate the earth and supply provisions. The women cook the food, nurse the wounded and sick, and contribute to the maintenance of the war, often more than the same number of males. The slave children equally contribute whatever they are able to the support of the war. Indeed, he well supported General Butler's declaration, that slaves are contraband of war.

The military officer, said he, can enter into no judicial examination of the claim of one man to the bone and muscle of another as property. Nor could he, as a military officer, know what the laws of Florida were while engaged in maintaining the Federal Government by force of arms. In such case, he could only be guided by the laws of war; and whatever may be the laws of any State, they must yield to the safety of the Federal Government. This defence of General Gaines may be found in House Document No. 225, of the Second Session of the 25th Congress. He sent the slaves West, where they became free.

Louis, the slave of a man named Pacheco, betrayed Major Dade's battalion, in 1836, and when he had witnessed their massacre, he joined the enemy. Two years subsequently, he was captured. Pacheco claimed him; General Jessup said

if he had time, he would try him before a court-martial and hang him, but would not deliver him to any man. He however sent him West, and the fugitive slave became a free man, and is now fighting the Texans. General Jessup reported his action to the War Department, and Mr. Van Buren, then President, with his Cabinet, approved it. Pacheo then appealed to Congress, asking that body to pay him for the loss of his slave; and Mr. Greeley will recollect that he and myself, and a majority of the House of Representatives, voted against the bill, which was rejected. All concurred in the opinion that General Jessup did right in emancipating the slave, instead of returning him to his master.

In 1838, General Taylor captured a number of negroes said to be fugitive slaves. Citizens of Florida, learning what had been done, immediately gathered around his camp, intending to secure the slaves who had escaped from them. General Taylor told them that he had no prisoners but "prisoners of war." The claimants then desired to look at them, in order to determine whether he was holding their slaves as prisoners. The veteran warrior replied that no man should examine his prisoners for such a purpose; and he ordered them to depart. This action being reported to the War Department, was approved by the Executive. The slaves, however, were sent West, and set free.

In 1836, General Jessup wanted guides and men to act as spies. He therefore engaged several fugitive slaves to act as such, agreeing to secure the freedom of themselves and families if they served the Government faithfully. They agreed to do so, fulfilled their agreement, were sent West, and set free. Mr. Van Buren's Administration approved the contract, and Mr. Tyler's Administration approved the manner in which General Jessup fulfilled it by setting the slaves free.

In December, 1814, General Jackson impressed a large number of slaves at and near New Orleans, and kept them at work erecting defences, behind which his troops won such glory on the 8th of January, 1815. The masters remonstrated. Jackson disregarded their remonstrances, and kept the slaves at work until many of them were killed by the enemy's shots; yet his action was approved by Mr. Madison and Cabinet, and by Congress, which has ever refused to pay the masters for their losses,

But in all these cases, the masters were professedly friends of the Government; and yet our Presidents and Cabinets and Generals have not hesitated to emancipate their slaves whenever in time of war it was supposed to be for the interest of the country to do so. This was done in the exercise of the "war power" to which Mr. Adams referred in Congress, and for which he had the most abundant authority. But I think no records of this nation, nor of any other nation, will show an instance in which a fugitive slave has been sent back to a master who was in rebellion against the very Government who held his slave as captive.

From these precedents I deduce the following doctrines:—

1. That slaves belonging to an enemy are now and have ever been regarded as belligerents; may be lawfully captured and set free, sent out of the State, or otherwise disposed of at the will of the Executive.

2. That as slaves enable an enemy to continue and carry on the war now waged against our Government, it becomes the duty of all officers and loyal citizens to use every proper means to induce the slaves to leave their masters, and cease lending aid and comfort to the rebels.

3. That in all cases it becomes the duty of the Executive, and of all Executive officers and loyal citizens, to aid, assist and encourage those slaves who have escaped from rebel masters to continue their flight and maintain their liberty.

4. That to send back a fugitive slave to a rebel master would be lending aid and assistance to the rebellion. That those who arrest and send back such fugitives identify themselves with the enemies of our Government, and should be indicted as traitors.

J. R. GIDDINGS.

MONTREAL, June 6, 1861.

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☞ Accordingly, let old Virginia begin to put her house in order, and pack up for the removal of her half million of slaves, for fear of the impending storm. She has invited it, and only a speedy repentance will save her from being dashed to pieces among the rocks and surging billows of this dreadful revolution. — *New York Herald*, April 22.



## RETALIATION.

The New York *Courier and Enquirer*, in an editorial, apparently from Gen. Webb's own hand, discourses as follows:—

“Most assuredly these *madmen* are calling down upon themselves a fearful retribution. We are no *Abolitionists*, as the columns of the *Courier and Enquirer*, for the whole period of its existence, now thirty-four years, will abundantly demonstrate. And for the whole of that period, except the first six months of its infancy, it has been under our exclusive editorial charge.

“Never, during that long period, has an Abolition sentiment found its way into our columns; and for the good reason, that we have respected, honored and revered the Constitution, and recognized our duty to obey and enforce its mandates. But Rebellion stalks through the land. A confederacy of slave States has repudiated that Constitution; and, placing themselves beyond its pale, openly seeks to destroy it, and ruin all whom it protects. They no longer profess any obedience to its requirements; and, of course, *cannot claim its protection*. By their own act, our duty to respect their rights, under that Constitution, ceases with their repudiation of it; and *our right to liberate their slave property* is as clear as would be our right to liberate the slaves of Cuba in a war with Spain.

“A band of pirates threaten and authorize piracy upon Northern commerce; and from the moment that threat is carried into execution, *the fetters will fall from the manacled limbs of their slaves*, and they will be encouraged and aided in the establishment of their freedom. Suppose *Cuba* were to issue letters of marque against our commerce, and, according to the *Charleston Mercury*, seize ‘upon the rich prizes which may be coming from foreign lands,’ does any sane man doubt that we should at once invade that island, and *liberate her slaves*? Or does any statesman or jurist question our right so to do? And why, then, should we *hesitate to pursue a similar course in respect to the so-called Southern Confederacy*?

“Spain, as a well-established nation, and recognized as such by all the powers of the world, would have the right, according to the laws of nations, to adopt such a course of proceeding; but she would do it at her peril, and well weighing the consequences. But the rebel government of the slave States possesses no such right. The act would be no more or less than piracy; and we should not only hang at the yard-arm all persons caught in the practice, but we should be compelled, in self-defence, to carry the war into Africa, and *deal with the slaves of the Confederacy* precisely as we should, under similar circumstances, deal with those of Cuba.

“‘The richly laden ships of the North,’ says the *Mobile Advertiser*, ‘swarm on every sea, and are absolutely unprotected. The harvest is ripe.’ We admit it; but gather it if you dare. Venture upon the capture of the poorest of those ‘richly laden ships,’ and, from that moment, *your slaves become freemen, doing battle in Freedom’s cause.* ‘Hundreds and hundreds of millions of the property of the enemy invite us to spoil him — to spoil these Egyptians,’ says the same paper. True, but you *dare* not venture upon the experiment; or, if you should be so rash as to make the experiment, *your fourteen hundred millions of slave property will cease to exist*, and you will find *four millions of liberated slaves* in your midst, wreaking upon their present masters the smothered vengeance of a servile race, who, for generation after generation, have groaned under the lash of the negro driver and his inhuman employer.

“‘The risk of the privateer,’ says the same organ of the rebel confederacy, ‘will still be trifling; but he will continue to reap the harvest.’ His risk will only be his neck, and his ‘harvest’ will be a halter. But the risk, nay, the *certainty* of the punishment to be visited upon the slave confederacy, will be far greater — of infinitely greater magnitude than they can well conceive; because it will be no more or less than *the loss of all their slave property*, accompanied with the necessity of contending, hand to hand, for their lives, with the servile race so long accustomed to the lash, and the torture, and the branding and maiming of their inhuman masters; a nation of robbers, who now, in the face of the civilized world, repudiate their just debts, rob banks and mints, sell freemen

captured in an unarmed vessel into perpetual slavery, trample upon law and order, insult our flag, capture our forts and arsenals, and, finally, invite pirates to prey upon our commerce!

“Such a nest of pirates may do some mischief, and greatly alarm the timid. But the men of the North know how to deal with them; and we tell them, once for all, that, if they dare grant a solitary letter of marque, and the person or persons acting under it venture to assail the poorest of our vessels in the peaceful navigation of the ocean, or the coasts and rivers of our country—*from that moment their doom is sealed, and slavery ceases to exist.* We speak the unanimous sentiment of our people; and to that sentiment all in authority will be compelled to bow submissively. So let us hear no more of the idle gasconade of ‘the Chivalry’ of a nest of robbers, who seek to enlarge the area of their public and private virtues, &c.”

This is very plain talk, and cannot easily be misapprehended by those whom it concerns.



## O. A. BROWNSON ON THE WAR.

There is neither reason nor justice in Massachusetts, New York, New Jersey, Pennsylvania and the great States north-west of the Ohio pouring out their blood and treasure for the gratification of the slaveholding pretensions of Maryland, Kentucky or Missouri. The citizens of these States who own slaves are as much bound, if the preservation of the Union requires it, to give up their property in slaves, as we at the farther North are to pour out our blood and treasure to put down a rebellion which threatens alike them and us. If they love their few slaves more than they do the Union, let them go out of the Union. We are stronger to fight the battles of the Union without them than we are with them.

But we have referred only to the slaves in the rebellious States, and if it is, or if it becomes, a military necessity to

liberate all the slaves of the Union, and to treat the whole present slave population as freemen and citizens, it would be no more than just and proper that, at the conclusion of the war, the citizens of loyal States, or the loyal citizens of loyal sections of the rebellious States, should be indemnified at a reasonable rate for the slaves that may have been liberated. The States and sections of States named have not a large number of slaves, and if the Union is preserved, it would not be a very heavy burden on it to pay their ransom; and to paying it, no patriot or loyal citizen of the free States would raise the slightest objection. The objection therefore urged, though grave, need not be regarded as insuperable; and we think the advantages of the measure, in a military point of view, would be far greater than any disadvantage we have to apprehend from it.

Whether the time for this important measure has come or not, it is for the President, as Commander-in-Chief of our armies, to determine. But, in our judgment, no single measure could be adopted by the government that would more effectually aid its military operations, do more to weaken the rebel forces, and to strengthen our own.

It seems to us, then, highly important, in every possible view of the case, that the Federal Government should avail itself of the opportunity given it by the Southern rebellion to perform this act of justice to the negro race; to assimilate the labor system of the South to that of the North; to remove a great moral and political wrong; and to wipe out the foul stain of slavery, which has hitherto sullied the otherwise bright escutcheon of our Republic. We are no fanatics on the subject of slavery, as is well known to our readers, and we make no extraordinary pretensions to modern philanthropy; but we cannot help fearing that, if the government lets slip the present opportunity of doing justice to the negro race, and of placing our republic throughout in harmony with modern civilization, God, who is especially the God of the poor and the oppressed, will never give victory to our arms, or suffer us to succeed in our efforts to suppress rebellion and restore peace and integrity in the Union.



## THE NEW YORK HERALD ON THE WAR.

With the secession of Virginia, there is going to be enacted on the banks of the Potomac one of the most terrible conflicts the world has ever witnessed; and Virginia, with all her social systems, will be doomed, and swept away.—*New York Herald, April 19.*

We must also admonish the people of Maryland that we of the North have the common right of way through their State to our National Capital. But let her join the revolutionists, and her substance will be devoured by our Northern legions as by an Arabian cloud of locusts, and her slave population will disappear in a single campaign.

A Northern invasion of Virginia and of Kentucky, if necessary, carrying along with it the Canadian line of African freedom, as it must do from the very nature of civil war, will produce a powerful Union reaction. The slave population of the border States will be moved in two directions. One branch of it, without the masters, will be moved Northward, and the other branch, with the masters, will be moved Southward, so that, by the time the Northern army will have penetrated to the centre of the border slave States, they will be relieved of the substance and abstract rights of slave property for all time to come.

Finally, the revolted States having appealed to the sword of revolution to redress their wrongs, may soon have to choose between submission to the Union or the bloody extinction of slavery, from the absence of any law, any wish, any power for its protection.—*Ibid, April 20.*

By land and water, if she places herself in the attitude of rebellion, Maryland may be overrun and subdued in a single week, including the extinction of slavery within her own borders; for war makes its own laws.

We are less concerned about Washington than about Maryland. Loyal to the Union, she is perfectly safe, negroes and all; disloyal to the Union, she may be crushed, including her institution of slavery. Let her stand by the Union, and the Union will protect and respect her—slavery and all.—*Ibid, April 21.*

Virginia, next to Maryland, will be subjected to this test. She has seceded, and hence she will probably risk the breaking of every bone in her body. If so, we fear that every bone in her body will be broken, including her backbone of slavery. The day is not far off when the Union men of the revolted States will be asked to come to the relief of their misguided brethren, for, otherwise, the war which they have chosen to secure their institution of slavery may result in wiping it out of existence.—*Ibid*, April 23.

In advance of this movement, President Lincoln should issue his proclamation, guaranteeing the complete protection of all loyal Union men and their property, but warning the enemies of the Government of the dangers of confiscation, negroes included.

If Virginia resists, the contest cannot last very long, considering her large slave population, which will either become fugitives or take up arms against their masters.—*Ibid*, April 24.

That we are to have a fight, that Virginia and Maryland will form the battle-ground, that the Northern roughts will sweep those States with fire and sword, is beyond peradventure. They have already been excited to the boiling point by the rich prospect of plunder held out by some of their leaders, and will not be satisfied unless they have a farm and a nigger each. There is no sort of exaggeration about these statements, as the people of the border States will shortly ascertain to their cost. The character of the coming campaign will be vindictive, fierce, bloody, and merciless beyond parallel in ancient or modern history.—*Ibid*, April 28.

The class of population which is recruiting in our large cities, the regiments forming for service in behalf of the Union, can never be permanently worsted. They will pour down upon the villages and cities of Virginia and Maryland, and leave a desolate track behind them, and inspire terror in whatever vicinity they approach.—*Ibid*, April 29.

It will be idle for Tennessee and Kentucky to attempt to escape from the issue, and to remain at peace, while the remainder of the country is at war. Neutrality will be considered opposition, and the result of a general frontier war

will be, that slavery, as a domestic institution of the United States, will be utterly annihilated.—*Ibid*, April 30.

The rebellion must be put down by some means or another, else it will put us down; and if nothing else will do, even to proclaim the abolition of slavery would be legitimate. All is fair in war. . . . Gen. Frémont and the other Generals must act according to circumstances, and their own judgment, unless when otherwise ordered. . . . If he is acting on his own responsibility, he is only carrying out the Confiscation Act, so far as the slaves are concerned. . . . We have no fear of the result.—*N. Y. Herald*, Sept. 3.



## BUT ONE WAY OUT.

To our apprehension, God is fast closing every avenue to settled peace but by emancipation. And one of the most encouraging facts is that the eyes of the nation are becoming turned in that direction quite as rapidly as could have been anticipated. Some men of conservative antecedents, like Dickinson of New York, saw this necessity from the first. But it takes time to accustom a whole people to the thought, and to make them see the necessity. It was impossible for Northern men to fathom the spirit and the desperate exigencies of the slave system and its outbreak, and consequently to comprehend the desperate nature of the struggle. We were like a policeman endeavoring to arrest a boy-ruffian, and, for the sake of his friends and for old acquaintance sake, doing it with all possible tenderness for his person and his feelings—till all of a sudden he feels the grip on his throat and the dagger's point at his breast, and knows that it is a life-and-death grapple.

Slaveholding is simply *piracy continued*. Our people are beginning to spell out that short and easy lesson in the light of perjury, robbery, assassination, poisoning, and all the more than Algerine atrocities of this rebellion. It cannot require many more months of schooling like the last eight, to convince the dullest of us what are its essence and spirit.

Our people also are rapidly finding out that no peaceful termination of this war will be permitted now by the Slave Power, except by its thorough overthrow. The robber has thrown off the mask, and says now to the nation, "Your life or mine!" Even the compromising Everett has boldly told the South, "To be let alone is not all you ask—but you demand a great deal more." And in his late oration, he has most powerfully portrayed the impossibility of a peaceful disunion. Many men, some anti-slavery, were at first inclined to yield to the idea of a separation. But every day's experience is scattering that notion to the winds. The ferocious spirit exhibited from the first by the Secessionists towards all dissentients, the invasion of Western Virginia by Eastern, the threats to put down loyal Kentucky, the foray in Missouri, the plan for capturing Washington, which was part of the original scheme, are convincing proofs, that if by any pacification whatever our troops were disbanded to-day, to-morrow a Southern army would be on the march for Washington, Philadelphia, New York, and perhaps Chicago.

The South has sufficiently declared the cause of this trouble to be the irreconcilable conflict between their institutions and the fundamental principles of this government. While the cause remains in full strength, and after it has once burst forth in bloody and final collision, nothing will ever check that strife, whether in or out of the Union. The cause must be eradicated. Meanwhile, our own position, both before the world and in our own struggle at home, is a false one, so long as we blink the real issue.

Many indications are hopeful. Gen. Butler's letter to the Secretary of War, and the Secretary's reply, look in the right direction. The Confiscation Act is pregnant with great consequences, and may yet be so used as to become an emancipation act in all the rebel States. It is high time it were so used. We have serious doubts whether the rebellion will ever be suppressed till that trenchant weapon is wielded. We reverently doubt whether the Lord means it shall be.

The quiet passage of the Confiscation Act was an immense step of governmental progress. Perhaps it was all that the nation as a whole and the government were ready for. It may answer as a keen wedge. But we trust that, in December, Congress will make clean work by the full emancipa-



tion of all slaves in the rebel States, and by provision in some way for the speedy and certain extinction of slavery in the loyal States. To accomplish the latter event, we would ourselves willingly submit to any proper amount of pecuniary burden, provided it could be so arranged as not to recognize a right of property in man. — *Chicago Congregational Herald.*

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## PROCLAMATION OF GEN. FREMONT.

HEADQUARTERS, WESTERN DIVISION, }  
ST. LOUIS, Aug. 30, 1861. }

Circumstances, in my judgment, are of sufficient urgency to render it necessary that the Commanding General of this Department should assume administrative powers of the State. Its disorganized condition, helplessness of civil authority, and the total insecurity of life and devastation of property by bands of murderers and marauders, who infest nearly every county in the State, and avail themselves of public misfortunes and the vicinity of a hostile force to gratify private and neighborhood vengeance, and who find an enemy wherever they find plunder, finally demand the severest measures to repress the daily increasing crimes and outrages which are driving off the inhabitants and ruining the State. In this condition, the public safety and the success of our arms require unity of purpose, without let or hindrance, to the prompt administration of affairs. In order, therefore, to suppress disorder, maintain the public peace, and give security to the persons and property of loyal citizens, I do hereby extend and declare martial law throughout the State of Missouri.

The lines of the army occupation in this State are, for the present, declared to extend from Leavenworth by way of posts to Jefferson City, Rolla and Ironton, to Cape Girardeau, on the Mississippi river. All persons who shall be taken with arms in their hands, within these lines, shall be tried by court martial, and, if found guilty, shall be shot.

Real and personal property, owned by persons who shall take up arms against the United States, or who shall be directly proven to have taken an active part with the enemy in the field, is declared confiscated to public use, and their

slaves, if any they have, are hereby declared free men. All persons who shall be proven to have destroyed, after the publication of this order, railroad tracks, bridges or telegraph lines, shall suffer the extreme penalty of the law. All persons engaged in treasonable correspondence, in giving or procuring aid to the enemy, in fomenting turmoils and disturbing public tranquility by creating or circulating false reports or incendiary documents, are warned that they are exposing themselves. All persons who have been led away from allegiance are requested to return to their homes forthwith. Any such absence, without sufficient cause, will be held to be presumptive evidence against them.

The object of this declaration is to place in the hands of the military authorities power to give instantancous effect to the existing laws, and to supply such deficiencies as the conditions of the war demand; but it is not intended to suspend the ordinary tribunals of the country where law will be administered by civil officers in the usual manner, and with their customary authority, while the same can be ppeaceably administered.

The Commanding General will labor vigilantly for the public welfare, and, by his efforts for their safety, hopes to obtain not only acquiescence, but the active support of the people of the country.

(Signed,)

J. C. FREMONT,  
*Major General Commanding.*

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## SLAVERY HAS DONE IT.

Let us not for one moment lose sight of this fact. We go into this war not merely to sustain the government and defend the Constitution. There is a moral principle involved. *How came that government in danger? What has brought this wicked war, with all its evils and horrors, upon us? Whence comes the necessity for this uprising of the people? To these questions, there can be but one answer. SLAVERY HAS DONE IT.* That accursed system, which has already cost us so much, has at length culminated in this present ruin and confusion. That system must be put down. The danger must never be suffered to occur again. The evil must be

eradicated, cost what it may. We are for no half-way measures. So long as the slave system kept itself within the limits of the Constitution, we were bound to let it alone, and to respect its legal rights; but when, overleaping those limits, it bids defiance to all law, and lays its vile hands on the sacred altar of liberty and the sacred flag of the country, and would overturn the Constitution itself, thenceforth slavery has no constitutional rights. It is by its own act an outlaw. It can never come back again into the temple, and claim a place by right among the worshippers of truth and liberty. It has ostracised itself, and that for ever.

Let us not be told, then, that the matter of slavery does not enter into the present controversy—that it is merely a war to uphold the government and put down secession. It is not so. So far from this, slavery is the very heart and head of this whole struggle. The conflict is between freedom on the one hand, maintaining its rights, and slavery on the other, usurping and demanding that to which it has no right. It is a war of principle as well as of self-preservation; and that is but a miserable and short-sighted policy which looks merely at the danger and overlooks the cause; which seeks merely to put out the fire, and lets the incendiary go at large, to repeat the experiment at his leisure. We must do both—put out the fire, and put out the incendiary too. We meet the danger effectually only by eradicating the disease.—*Erie True American.*



## THE SLAVES AS A MILITARY ELEMENT.

The total white population of the eleven States now comprising the confederacy is six million, and, therefore, to fill up the ranks of the proposed army (600,000) about ten per cent. of the entire white population will be required. In any other country than our own, such a draft could not be met, but the Southern States can furnish that number of men, and still not leave the material interests of the country in a suffering condition. Those who are incapacitated for bearing arms can oversee the plantations, and *the negroes can go on undisturbed in their usual labors.* In the North, the case is different; the men who join the army of subjugation are the laborers, the producers, and the factory operatives. Nearly

every man from that section, especially those from the rural districts, leaves some branch of industry to suffer during his absence. *The institution of slavery in the South alone enables her to place in the field a force much larger in proportion to her white population than the North, or indeed any country which is dependent entirely on free labor.* The institution is a tower of strength to the South, *particularly at the present crisis*, and our enemies will be likely to find that the "moral cancer," about which their orators are so fond of prating, is really *one of the most effective weapons employed against the Union by the South.* Whatever number of men may be needed for this war, we are confident our people stand ready to furnish. We are all enlisted for the war, and there must be no holding back until the independence of the South is fully acknowledged.—*Montgomery (Ala.) Adv.*

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### A NOVEL SIGHT.

A procession of several hundred stout negro men, members of the "domestic institution," marched through our streets yesterday in military order, under the command of Confederate officers. They were well armed and equipped with shovels, axes, blankets, &c. A merrier set never were seen. They were brimful of patriotism, shouting for Jeff. Davis and singing war songs, and each looked as if he only wanted the privilege of shooting an Abolitionist.

An Abolitionist could not have looked upon this body of colored recruits for the Southern army without strongly suspecting that his intense sympathy for the "poor slave" was not appreciated, that it was wasted on an ungrateful subject.

The arms of these colored warriors were rather mysterious. Could it be that those gleaming axes were intended to drive into the thick skulls of the Abolitionists the truth, to which they are wilfully blind, that their interference in behalf of Southern slaves is neither appreciated nor desired; or that those shovels were intended to dig trenches for the interment of their carcasses? It may be that the shovels are to be used in digging ditches, throwing up breastworks, or the construction of masked batteries, those abominations to every abolition Paul Pry who is so unlucky as to stumble upon them.—*Memphis Avalanche, Sept. 3.*



THE

WAR AND SLAVERY;

OR,

VICTORY

ONLY THROUGH

EMANCIPATION.

BOSTON:  
PUBLISHED BY R. F. WALLCUT,  
No. 21 WASHINGTON STREET.  
1861.



## VICTORY ONLY THROUGH EMANCIPATION.

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It is undeniable that the Southern rebellion is a war for slavery through the overthrow of the Federal Government. Its antecedents, its inception, the speeches and official papers of Davis and Stephens, its history thus far, all show it. Slavery is not only the object of the rebellion, but it is the right arm of its strength. The slaves, by their toil, furnish the sinews of the war the rebels are waging. Without their labor, they could not carry forward their project. The slaves not only till their soil and produce their supplies, but they build their fortifications, strengthen their columns, perform the menial service of their camps, and in a thousand ways contribute to their power, comfort and success. No matter how many men they put into the field, they do not weaken their agricultural force, for the whites do not labor, but almost every man who enters the Northern army is taken from some department of productive labor, and, by so much, diminishes our resources for conducting the war.

If this rebellion, therefore, is to be put down, it will be found necessary to strike the decisive blow at the vulnerable and vital point to be found in the system of slavery. Not only is this necessary to weaken the power of the rebels, but, until it is done, there cannot be that unity, enthusiasm and strength in our own effort that is equal to the task we have in hand to accomplish. There has always been a large class at the North who have believed it to be the duty of the government, at all times, to suppress slavery. To this class, tens of thousands have recently been added, who, while they have had scruples as to the right of the government to do it before, believe it to be both its right and duty to do it now.

They know that whatever protection the slaveholders might claim for their institution while loyal to the Constitution, now that they have *rebelled against that Constitution*, the government is not only absolved from every obligation to protect it, but is bound by its duty to the imperilled nationality—to say nothing here of its duty to the poor slaves themselves—to put an end to the curse and scourge at once and for ever. When, therefore, the government rises to the level of this now almost universal feeling of the people, it will call out that unity of effort and overwhelming enthusiasm that will sweep like an avalanche of power against the rebel forces, and annihilate their strength and scatter them like chaff before the whirlwind, while a mighty phalanx of eight hundred thousand emancipated and able-bodied bondmen would meet them in the rear to finish the glorious victory. But the dallying policy of the government on this subject causes the spirit of the people to flag in the contest, while the moral support of England, France, and other European governments is well nigh lost to our cause, but which a bold and decisive measure of emancipation would fully and effectually secure. Can we hope to succeed in our struggle without evoking the highest type of the heroic endeavor of the people? without calling to our side the moral force of the nations? without rallying the slaves themselves to the standard of the Union and Freedom? If it were possible to gain a bare victory over the rebel forces, and plant our standard once more on our stolen forts and arsenals, and yet leave slavery untouched and the slaveholding oligarchy in possession of its former power, its insolence and domination and the “irrepressible conflict” would still continue, and leave us without any substantial victory or abiding peace, ever and anon to be torn by political convulsions, Kansas raids and slaveholding lynchings and outrages, until the flames of civil war become again enkindled, and we resort once more to the arbitrament of the sword, with this same question confronting us for a settlement. So much for the military and political reasons for emancipation.

But there is other and higher reason to doubt even the temporary success of our arms, while we endeavor to fight rebellion and at the same time preserve *for the rebel South* their darling institution—while we profess to be fighting for



civilization, and yet shield the sternest despotism and the vilest barbarism the world has ever known. That higher reason is found in the fact, that God still governs this world; and he has said, "At what instant I shall speak concerning a nation to build and to plant it, if it do evil in my sight, that it obey not my voice, then I will repent of the good wherewith I said I would benefit them, and I will pluck them up and destroy them." He has pledged himself to the cause of the oppressed, to "hear their cry," and to "break in pieces the oppressor." Now, while the Federal Government holds its present attitude on the subject of slavery, it is as really the oppressor as the rebel South, and God will hold us to the responsibility, and cause us to share the penalties of the transgression. The government has admitted the right of slavery in the States; has protected the inter-State slave trade; has assumed the duty of returning fugitives, and has ever held itself ready to quell the efforts of the slaves to throw off their bondage; and even now, its generals, fighting for the government which slavery is seeking to destroy, pledge themselves beforehand to "put down slave insurrections *with an iron hand.*" Now, as before God, though constitutional obligations were piled heaven high, no government could be justified in doing these things, for His authority is supreme for governments as well as for individuals, and the nation that discards this principle and proceeds to acts of tyranny and injustice from a fancied political necessity, is on the high road to destruction, and, without repentance, its doom is inevitable.

The history of all oppressive governments in the past shows that our statement is not the utterance of fanaticism. Where is mighty Babylon, with her "golden cities," her magnificent palaces, her "hanging gardens," and boundless glory and wealth? And where is rich and luxurious Persia, with her "hundred and twenty-seven provinces," stretching "from India over to Ethiopia," and commanding armies of millions? And warlike Greece, famed for her world-wide conquests? And iron-booted and brazen-helmeted Rome, with her millions of slaves, symbolized in the vision of the old prophet by a monster beast, "dreadful and terrible, having great iron teeth, devouring and breaking in pieces, and stamping the residue with his feet," where is she? And

Egypt, with her atheistic King, who said, "Who is the Lord that I should obey his voice to let Israel go?" and then commanded the bondmen "back to their burdens"—where is she? Where are they all? In the language of another of the old Seers, "They have all gone down to hell with their weapons of war, with their iniquities upon their bones, though they were the terror of the mighty in the land of the living." And wherefore are they fallen? They were murderous and oppressive governments—"they destroyed their land and slew their people," and according to the decree of the Almighty, He has "swept them with the besom of destruction." And shall the American government, persevering in its oppression of millions of its people, constitute the solitary exception in the history of the world of a nation escaping the just penalty of its deeds? Not till the fixed laws of God are abolished, and His throne shall take the side of the oppressor.

Therefore, though the Constitution should forbid emancipation, it should nevertheless be done. But it does not forbid, it demands it. It was "ordained to establish justice, and secure the blessings of liberty." But apart from this, no one has attempted to deny the right of the government, now in a state of war for its very existence, to abolish slavery as a means of preserving that existence. Neither the President, nor Congress, nor the Judiciary has gainsayed this doctrine. If, therefore, the government fails now to act, where its duty is clear and its right undisputed, it must be from the most cowardly or jesuitical policy, involving the most gratuitous, and, therefore, the wickedest complicity with the crime of slaveholding. We now have an opportunity thrust upon us, in the providence of God—that we may be without the shadow of an excuse for not doing it—to redeem the oath, made eighty-five years ago, that, if God would give us victory over our enemy, we would found a government on the doctrine declared to be "self-evident," that "God has created all men equal, and endowed them with certain inalienable rights, among which are life, liberty and the pursuit of happiness." I say we made oath to do this, for when we put forth the Declaration and entered upon the struggle to make it good, we "*appealed to the Searcher of hearts for the rectitude of our intentions.*" Not having ful-

filled this pledge, so solemnly made, we stand before God a perjured nation to-day. For eighty-five years we have endeavored to cement the Union with the blood of the slaves, to bind it together by laws for their capture and return to bondage, and to fortify it with compromises, leaving our oath unaccomplished; and the "*Searcher of hearts*" has seen it. Now behold the retribution! These bloody sacrifices to the Slave Power have whetted its appetite for dominion and cruelty, and more blood, and now it seeks to satiate itself by slaughtering the very people who have officiated at its altar in these bloody rites; not now to cement the Union, but in diabolical effort to destroy it for ever. If we are not a nation of atheists, how can we hope for success in this war until we free our soul of perjury by "establishing justice and bidding the oppressed go free"? The war, itself, is a retribution for our complicity with slavery. By compromise and concession we have strengthened the Slave Power, and now it demands supreme sovereignty, and lays hold of conspiracy and treason to compass its ends. This is God's law of compensation. We have "sown the wind," and now we "reap the whirlwind."

The loyal souls who take this view of the case, though they mourn over the loss of brave men slaughtered at Big Bethels and Bull Runs, and hide their faces in shame at the defeat and disgrace of our arms, yet they accept it all as a divine chastisement of the nation, and they will expect disaster upon disaster until the National Government, clothed as it is with national responsibilities towards all its subjects, shall "proclaim liberty throughout ALL THE LAND, unto ALL THE INHABITANTS thereof." But instead of doing this, in the very hour of the nation's defeat, disgrace and great calamity, in which the voice of the Almighty seemed as audible as when He spoke in the "tempest and thunderings" of Sinai, Congress proceeds to declare "that the war is not for the overthrow of the institution of any State," meaning thereby slavery. One would have thought that if the bombardment of Sumter, the massacres of Big Bethel and Vienna, and the assassinations of Baltimore, were not enough to prevent further compromises, at least the enemy's cannon of Bull Run and the rebel barbarities of that battle scene would have silenced the voice of concession and called forth stern meas-

ures of retribution against that iniquitous system that had hatched the foul treason into existence and made strong the conspirators for their work of destruction and overthrow.

The rebellion is now so formidable, so defiant, so murderous in its character, that all attempts at conciliation are not only useless, but are actually affording aid and comfort to the foe, and placing the government in the ridiculous posture of exerting itself against its own cause. This is plainly a war of slavery against freedom, of a bloated aristocracy against the equal rights and dignity of the poor and laboring many, and the government should boldly meet the enemy on his own issue, and strike for the freedom of all; restore the national sovereignty wherever the slave oligarchy has caused it to trail in the dust. How long shall we by concessions and half-measures weaken our own cause only to provoke the contempt of our foe? Strike, in the name of God, at his vulnerable point, free the slaves and let them swell the army of freedom, and thus save the lives of our brave men, and prevent the utter bankruptcy of the people, by bringing the war to a speedy and triumphal close. All the blood and treasure that are expended, that emancipation would save, the government is responsible for. Dare it take this responsibility any longer? Had it rather welcome bloody battles, disgraceful and ruinous defeats, and the lamentation and mourning of the people, than to lay its crushing hand upon that accursed thing, named human slavery? If so, God will give us battle, defeat and mourning to our full. North and South will both suffer until the one great object for which God means the war is accomplished—**THE FREEDOM OF THE ENSLAVED.**

**NEW YORK, August 28th, 1861.**



In Memoriam.

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TESTIMONIALS

TO THE

LIFE AND CHARACTER

OF THE LATE

FRANCIS JACKSON.

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“Friend of the Slave, and yet the friend of all ;  
Lover of peace, yet ever foremost when  
The need of battling Freedom called for men  
To plant the banner on the outer wall.”

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BOSTON:  
PUBLISHED BY R. F. WALLCUT  
No. 221 WASHINGTON STREET.  
1861.



## FUNERAL OF FRANCIS JACKSON, ESQ.\*

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ON Monday forenoon, November 18th, the residence of the late FRANCIS JACKSON, Esq., in Hollis Street, Boston, was thronged by an admiring and sympathizing gathering of relatives, friends, neighbors, and fellow-citizens, (Music Hall could readily have been crowded with such, had an opportunity been given,) to pay the last sad tribute of affection and respect to his character and memory.

In reference to the funeral services, Mr. JACKSON left the following request, which, of course, was complied with to the letter:—

“At my decease and burial, I desire that forms and ceremonies may be avoided, and all emblems of mourning and processions to the grave. Such irrational and wasteful customs rest on fashion or superstition; certainly, not on reason or common sense. The dead body is of no more consequence than the old clothes that covered it. Nothing should be wasted on the dead, when there is so much ignorance and suffering among the living.”

Addresses were made by WM. LLOYD GARRISON, WENDELL PHILLIPS, and SAMUEL MAY, JR., in the following order.

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### REMARKS OF WILLIAM LLOYD GARRISON:

Such is my reverence for the memory of the redeemed and disenthralled spirit whose mortal remains lie before us, waiting for their interment—such my knowledge of the simplicity, integrity and grandeur of his character—that I feel I

\* Mr. Jackson was born in Newton, (Mass.) March 7, 1789, and died in Boston, Nov. 14th, 1861, aged 72 years and 8 months.

must carefully measure my words on this occasion, lest, in the fulness of my feelings, I should seem to exceed the bounds of moderation, or overrun the time appropriate to these obsequies.

In itself considered, the present bereavement is marked by nothing peculiar; for, so populous has our world become, that, with every swing of the pendulum, a soul takes its exit therefrom, casting aside its earthly habiliments, and assuming an incorruptible body, in accordance with the conditions of immortal life. What has been the lot of the myriads who have gone before—what is, in due time, as surely to be the lot of all now living, and of all who are yet to dwell upon the earth—cannot, therefore, be other than an infinitely wise and beneficent arrangement, conducive to the welfare and advancement of all, and for the noblest purposes of creation.

Such was the view taken of this great change by our departed friend, who has now experienced it for himself. By evidence which to him was of a strongly demonstrative character, he joyfully recognized the truth of the affirmation—

“There is no death! What seems so is transition:  
This life of mortal breath  
Is but a suburb of the life elysian,  
Whose portal we call death.”

Hence, there was no doubt in his mind, no cloud upon his prospects; and he waited for “the inevitable hour” which should liberate his willing spirit, with rational and unfaltering trust, with philosophic serenity, with cheerful readiness, with Christian assurance. To quote his own pleasant words, in a private letter to a friend—“Heaven is all around us! So there is to be no separation between us. I am for both spheres, and all the spheres, ‘however bounded.’ In whatever sphere, we shall together sing that good old Methodist hymn—in substance:—

‘When we’ve been there ten thousand years,  
Bright shining as the sun,  
We’ve no less days to sing God’s praise  
Than when we first begun.’”

There is, then, no darkness here, nothing but light supernal; no sting of death, but death swallowed up in victory. Nevertheless, human nature is not stony insensibility. Re-



grets at the separation, tears of affection, emotions of sorrow for our own temporary loss, these are not incompatible with absolute trust and reverent acquiescence; for

“There is a tear for all who die,  
A mourner o'er the humblest grave.”

Only let there be nothing morbid or superstitious in the treatment of an event like this; no gloomy meditation; no talk of a mysterious Providence; no sorrowing as do those who have no hope.

“Clay to clay, and dust to dust!  
Let them mingle,—for they must!  
Give to earth the earthly clod,  
For the spirit's fled to God.

Look aloft! The spirit's risen;  
Death cannot the soul imprison;  
'Tis in heaven that spirits dwell,  
Glorious, though invisible.”

And now, what shall I say of the life of our beloved and widely-honored friend, whose mortal hand we are never again to clasp, whose outward form we are soon to commit to the sheltering tomb? I feel restricted and oppressed for utterance between my desire to award him the high meed of praise he deserves as a husband, father, relative, friend, neighbor, citizen, cosmopolitan, philanthropist, reformer, and my consciousness of his modest estimate of himself, and his great repugnance to any laudation being made of his efforts to leave the world better than he found it. I seem to hear him saying — “Award to me nothing more than a conscientious desire and a ruling purpose to know myself; to be true to my convictions of duty; to be led in the right way; to increase in light and knowledge; to contribute something to the stock of human happiness by lessening the sum of human misery; to lead a manly life and set a manly example; to be with the right, at whatever odds or however forsaken; to be lifted above that ‘fear of man which bringeth a snare,’ my feet planted on the rock of eternal truth; to espouse the cause of the down-trodden and oppressed as my own; to uphold the democratic idea of human equality, without regard to sex or complexion, tribe or people; to show my abhorrence of caste in the most practical manner; to uproot priestcraft,

bigotry, a ceremonial religion, and every form of usurpation over the mind and conscience; to encourage freedom of speech and inquiry, in the spirit of the apostolic injunction, 'Prove all things, hold fast that which is good'; and to save and bless my native land, and through her the whole world, by inducing the abolition of her all-blighting and fearfully demoralizing slave system, by which she is shorn of her moral power, and made a proverb in all other lands. If I have been instrumental in the furtherance of any good work, or the success of any righteous enterprise, I have simply tried to do my duty; but spare me, even though now out of the body, the bestowal of any encomiums—for how could I have done less? Alas! that I was able to achieve so little!"

Though I am sure that I correctly interpret the feelings and wishes of our departed friend,—departed in one sense, and yet with us at this hour, I doubt not, for he "still lives,"—yet, admitting that no flesh can glory in the Divine Presence, and that no one can exceed the requirements of faith, hope, charity, I am persuaded that it is allowable to recognize extraordinary virtue and shining worth, both as a matter of justice, and as an incentive to the attainment of a similar moral elevation. How splendid the tribute paid by Jesus, when, assuming to be an outcast and felon as the representative of suffering humanity, he said to those who had succored and befriended him, "Come, ye blessed of my Father, inherit the kingdom prepared for you from the foundation of the world"! Of course, they disclaimed having done any thing answering to this high award; otherwise, they would have shown themselves unworthy of it.

To FRANCIS JACKSON are singularly applicable the descriptive lines of Sir Henry Wotton:—

"How happy is he born or taught,  
Who serveth not another's will;  
Whose armor is his honest thought,  
And simple truth his highest skill:

Whose passions not his masters are;  
Whose soul is still prepared for death;  
Not tied unto the world with care  
Of public fame or private breath:

Who God doth late and early pray  
More of His grace than goods to lend;  
And walks with man, from day to day,  
As with a brother and a friend."

And not less applicable are the lines of Whittier :—

“Such was our friend. Formed on the good old plan,  
 A true and brave and downright honest man !  
 He blew no trumpet in the market-place,  
 Nor in the church, with hypocritic face,  
 Supplied with cant the lack of Christian grace :  
 Loathing pretence, he did with cheerful will  
 What others talked of while their hands were still !  
 And while ‘ Lord, Lord ! ’ the pious tyrants cried,  
 Who, in the poor, their Master crucified,  
 His daily prayer, far better understood  
 In acts than words, was simply DOING GOOD.  
 So calm, so constant was his rectitude,  
 That by his loss alone we know its worth,  
 And feel how true a man has walked with us on earth !”

In the prime of manhood, he took an active part in the municipal affairs of this city, and, to some extent, in public life; but, whether in the hall of legislation or in the council chamber, or as one of his country’s defenders at Fort Warren in the war of 1812–14, he was always characterized for the faithful performance of every trust, in the spirit of disinterested patriotism, as well as for remarkable solidity of judgment, a wise forecast, great circumspection and rare good sense, blended with equal courage, determination, and untiring perseverance.

Firmness of opinion and purpose was a conspicuous trait, because he did nothing impulsively, and had no self-seeking in view; yet he was always ready to reëxamine the ground on which he stood, and if he saw that duty required him to advance, (for he never took a step backward,) he had no pride of consistency to deter him, but boldly went forward, rejoicing in progress.

His personal integrity was of the highest order. No one ever questioned his sincerity, or thought him capable of intimidation or faltering. He believed what he said, spoke with caution and deliberation, and proved his faith by his works. Economical in his habits on principle, he was liberal and unstinted in his hospitality, and munificent in the aggregate of his charities and contributions, especially in reference to the Anti-Slavery cause, to the promotion of which the last twenty-six years of his life were particularly consecrated. Other reformatory enterprises were also liberally aided by him. An early teetotaller, he was a steadfast friend of the

temperance cause, and maintained a consistent example of abstinence to the end. Regarding even the life of the criminal as sacred, and capital punishment as equally inexpedient and demoralizing, he gave his countenance and support to the movement for the abolition of the gallows in this Commonwealth, and in other parts of the country. In the cause of peace, in its most radical form, he took a growing interest; being deeply impressed by the moral sublimity of its doctrines and the martyr-heroism of its spirit. "At the first Woman's Rights Convention I attended, many years ago," he wrote to a friend, "Wendell Phillips said, in the course of his speech, that 'the movement was the greatest reform of the age.' I thought that an extravagant declaration. I did not then believe it. It served, however, to call my attention more earnestly to the subject. I soon became convinced that the declaration of my highly esteemed friend was true. I now believe that the movement for woman's rights is the most important reform of the age, and still more important for the ages to come. It includes man's rights in the truest sense, not only for this generation, but for all succeeding generations. I do not believe it possible for man to attain or enjoy his highest rights until woman gets hers. I do not see how it is possible to inaugurate a reform more world-wide or more just. I have always believed in the progress of the human race. In this reform, I see the way opening, broad and beautiful, towards the summit of human progress; but both sexes must travel it abreast, or it will never be reached."

Such was the strength of his conviction, such his emphasis of expression; for it was his nature to be thorough and complete in whatever he undertook, and, having once put his hands to the plough, not to look back, but to cut his furrows beam deep, and sow his seed broadcast.

In theology, he was on the liberal side, thinking more of character than of creeds, and judging men by their lives rather than by their professions. As a lover of fair play, and abhorring all religious persecution, he nobly stood by Theodore Parker, when it was first resolved by a chosen few that he should have an opportunity to be heard in Boston, in spite of the proscriptive efforts to prevent it. It was a struggle for religious freedom and independence against sectarian exclusiveness and dogmatism, and he could not be an indifferent



spectator. It was the presentation of the cross in a new shape, but it had for him no terrors.

Prior to this, animated by the same noble spirit, he gave a warm and generous support to his honored friend, Rev. John Pierpont, in the long protracted, hotly contested, and memorable struggle, on the part of a few wealthy and conservative parishioners, to oust him from the Hollis Street pulpit on account of his temperance and anti-slavery views.

In the veins of Mr. Jackson ran the best blood of the Revolution. His father, Timothy Jackson, Esq., at the age of eighteen, joined a company of "Minute Men," in Newton, raised in January, 1775, "who verified their claim to the name they assumed, on the morning of the Lexington fight, to the letter." He was a corporal in the company. On the morning of that ever-memorable day, he heard the signal guns which announced that the British troops were in motion. He went to the Captain's house at the break of day, and received orders to warn the company to meet upon their parade ground forthwith, which order he promptly executed on horseback, and before eight o'clock, the company were on the march to join their regiment at Watertown meeting-house, and from thence took their march for Lexington and Concord. They encountered Lord Percy's reserve at Concord, and continued to hang upon the flank and rear of the British troops until night-fall, receiving the thanks of Gen. Warren for their zeal and bravery. He subsequently participated in other battles, was captured, and suffered much by confinement in those floating hells called prison ships.

The love of liberty, therefore, seemed to be inborn in the person of our deceased friend. As soon as his attention was called to the subject of slavery, he became an avowed Abolitionist, with his customary zeal and courage. In the month of October, 1835, the memorable mob of so-called "gentlemen of property and standing" furiously assailed a meeting of the Boston Female Anti-Slavery Society, convened at 46 Washington street, and caused its dispersion. Though hazarding his personal safety and property by the act, (such was the phrenzy of the times,) Mr. Jackson promptly and openly invited the ladies to hold a meeting in these very parlors; to which invitation more than a hundred of them responded, (among whom was the distinguished writer, HARRIET MARTI-

NEAU, of England,) and a thrilling occasion it proved. Grateful for such an overture in a crisis so perilous, the Rev. Samuel J. May, who was then the General Agent of the Massachusetts Anti-Slavery Society, was requested by the ladies to communicate their appreciation of it in a letter to Mr. Jackson, which elicited from the latter the following soul-stirring reply: —

“BOSTON, Nov. 25, 1835.

\* \* \* “In tendering the anti-slavery ladies the use of my dwelling-house, Sir, I not only had in view their accommodation, but also, according to my humble measure, to recover and perpetuate the right of free discussion, which has been shamefully trampled on. A great principle has been assailed; one which lies at the very foundation of our republican institutions.

“If a large majority of this community choose to turn a deaf ear to the wrongs which are inflicted upon their countrymen in other portions of the land — if they are content to turn away from the sight of oppression, and ‘pass by on the other side’ — so it must be. But when they undertake in any way to impair or annul my right to speak, write and publish upon any subject, and more especially upon enormities which are the common concern of every lover of his country and his kind, so it must not be, — so it shall not be, if I, for one, can prevent it. Upon this great right, let us hold at all hazards. And should we, in its exercise, be driven from public halls to private dwellings, one house at least shall be consecrated to its preservation. And if, in defence of this sacred privilege, which man did not give me, and shall not (if I can help it) take from me, this roof and these walls shall be levelled to the earth, let them fall, if they must. They cannot crumble in a better cause. They will appear of very little value to me, after their owner shall have been whipt into silence.

“Mobs and gag-laws, and the other contrivances by which fraud or force would stifle inquiry, will not long work well in this community. They betray the essential rottenness of the cause they are meant to strengthen. These outrages are doing their work with the reflecting.

“Happily, one point seems already to be gaining universal assent, that slavery cannot long survive free discussion. Hence the efforts of the friends and apologists of slavery to break down this right. And hence the immense stake which the enemies of slavery hold, in behalf of freedom and mankind, in its preservation. The contest is, therefore, substantially between Liberty and Slavery.

“As Slavery cannot exist with free discussion, so neither can Liberty breathe without it. Losing this, we, too, shall be no longer freemen indeed, but little, if at all, superior to the millions we now seek to emancipate.

With the highest respect, your friend,

FRANCIS JACKSON.

“REV. S. J. MAY, Cor. Sec. Mass. A. S. Society.”

Worthy to be printed in letters of gold, and handed down with Magna Charta and the Declaration of Independence to the latest posterity! Worthy of Hampden and Sydney, of Jay and Franklin, of Martin Luther and George Fox, of the Mayflower and Lexington, of the noblest patriots and the bravest heroes of any age or country! Now, happily, so altered is the state of public sentiment on the subject of slavery, it is impossible for those who have since come upon the stage of life to realize the moral grandeur and sublime, self-sacrificing spirit of an act like this—its immense service to the cause of freedom—the imminent danger that attended it, (such was “the madness of the hour,”) for the probability was that this consecrated dwelling would be levelled to the ground by a demonized mob, and its owner subjected to personal outrage. The whole country was in such an inflammatory state, at that time, that the uncompromising advocate of emancipation, like an apostle of old, could speak of being “in perils of robbers, in perils by mine own countrymen, in perils in the city, in perils in the wilderness, in perils among false brethren.” But that “reign of terror” has passed away—the spirit of freedom is abroad in the land, with great majesty and power—and there is cheering evidence that the demonic slaveholding spirit which has so long and so brutally held sway will speedily be cast out, to the redemption of us all, and the joy of heaven and earth.

As another illustration of his scrupulous regard to his conscientious convictions—Mr. Jackson resigned his commission as a Justice of the Peace, in a letter written July 4th, 1844, addressed to His Excellency George N. Briggs, in which, objecting to the Constitution of the United States as “containing provisions calculated and intended to foster, cherish, uphold and perpetuate slavery,” he expressed his belief that it would be morally wrong for him any longer to support it—adding, “I am not in this matter constituting myself a judge of others. I do not say that no honest man can take such an oath, and abide by it. I only say that *I* would not now deliberately take it; and that, having inconsiderately taken it, I can no longer suffer it to lie upon my soul. The burdens that the Constitution lays upon me, while it is held up by others, I shall endeavor to bear patiently, yet acting with reference to a higher law, and distinctly declaring that, while I

retain my own liberty, I will be a party to no compact which helps to rob any other man of his."

Such personal integrity is, alas! rarely to be found in history. It breathes of that spirit which of old exclaimed, "Whether it be right in the sight of God to hearken unto you more than unto God, judge ye"; and of that kindred spirit which asked, "What fellowship hath righteousness with unrighteousness? and what communion hath light with darkness? and what concord hath Christ with Belial?" Whether that step was really called for or not, all must admire the conscientiousness which prompted it.

So it was with our honored friend in all things. Desiring neither conspicuity nor notoriety, he was, nevertheless, ever ready to "stand in the gap" when gap-men were wanting, and to brave all obloquy in the cause of unpopular truth. Like Niagara or Mount Washington, his character impresses us the more deeply, the more it is contemplated. Symmetrical, massive, grand, it challenges admiration, it excites wonder, it prompts to high aims, it is a model for imitation.

Farewell! truest of friends, safest of counsellors, bravest of heroes, noblest of exemplars!

Farewell! shelterer and defender of the hunted fugitive slave, foe of oppression, lover of justice, friend of humanity!

Farewell! veteran in years, crowned with the glories of a philanthropic life, and the honors of a spotless career!

Hail, ascended spirit, no longer held by the trammels of earth! Lead us onward and upward in the path of everlasting progress, and inspire us with thy unfaltering trust in the truth and the right, whatever may be the trial, or however heavy may be the cross!

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#### REMARKS OF WENDELL PHILLIPS, ESQ.

Let me, friends, add a word, however needless it may seem, to what Mr. Garrison has told us. Here lies the body of one of whom it may be justly said, he was the best fruit of New England institutions. If we had been set to choose a specimen of what the best New England ideas and training could do, there are few men we should have selected before him.



Broad views, long foresight, tireless industry, great force, serene faith in principles, parent of constant effort to reduce them to practice—contempt of mere wealth, that led him in middle life to give up getting, and devote his whole strength to ideas and the welfare of the race: entirely unselfish, perfectly just; thrifty, that he might have to give—fearing not the face of man—tolerant of other men's doubts and fears—tender and loving—are not these the traits that have given us the inheritance we value? None will deny they were eminently his.

My only hesitation in describing him is lest I be thought to flatter. What men have themselves seen, they believe; all further is set down to the blind partiality of friendship. Few have been privileged to know men like Francis Jackson. To such men, in fulness of years, there is no death. There seems no place for tears here. Our friend has only laid down this body, the worn tool God lent him, and passed on to nearer service and a higher sphere. He had fought a good fight, and certainly *finished* his work here.

We have known him so long, looked up to him for so many years, trusted his judgment, leaned on his friendship, counted on his strength so constantly, that, like the child losing a parent, we seem left without some wonted shelter under the high, cold heaven—something we nestled under is gone.

I said he was all that our institutions ought to breed—yes, having regard to his plans and purpose of life, he was one of the most thoroughly educated men I ever knew. All he professed and needed to know, he knew thoroughly. Though enjoying but scanty opportunities of education in early life, he was thoroughly dowered by patient training, carefully gathered information, and most mature thought: he was in every sense a wise man. And wise men valued him. My friend, Mr. Garrison, has quoted Theodore Parker. All of you who knew Theodore Parker intimately, will recollect that when he wished to illustrate cool courage, indomitable perseverance, sound sense, rare practical ability, utter disinterestedness, and spotless integrity, he named Francis Jackson; and when in moments of difficulty he needed such qualities in a staunch friend, he found them in Francis Jackson.

Every character has some pervading quality, some keynote; our friend's, I think, was decision, serene self-reliance

and perseverance. He was the kind of man you involuntarily called to mind when men spoke of "*one*, on God's side, being a majority." Such a *one* sufficed to outweigh masses, and outlive the opposition of long years. Francis Jackson's will did not seem a mere human will or purpose—it reminded you of some law or force of nature—like gravity or the weight of the globe—hopeless to resist it. I cannot describe it better than by quoting some sentences of John Foster's sketch of Howard—you will see how closely they fit our friend. —

"The energy of his determination was so great, that if instead of being habitual, it had been shown only for a short time on particular occasions, it would have appeared a vehement impetuosity; but by being uninterrupted, it had an equability of manner which scarcely appeared to exceed the tone of a calm constancy, it was so totally the reverse of any thing like turbulence or agitation. It was the calmness of an intensity kept uniform by the nature of the human mind forbidding it to be more, and by the character of the individual forbidding it to be less." \* \* \* \* \*

"The moment of finishing his plans in deliberation, and commencing them in action, was the same. I wonder what must have been the amount of that bribe in emolument or pleasure, that would have detained him a week after their final adjustment. The law which carries water down a declivity was not more unconquerable and invariable than the determination of his feelings towards the main object. \* \* \* There was an inconceivable severity of conviction, that he had *one thing to do*, and that he who would do some great thing in this short life, must apply himself to the work with such a concentration of his forces, as to idle spectators, who live only to amuse themselves, looks like insanity. \* \* \*

"As his method referred every thing he did and thought to the same end, and his exertion did not relax for a moment, he made the trial, so seldom made, what is the utmost effect which may be granted to the last possible efforts of a human agent: and therefore what he did not accomplish, he might conclude to be placed beyond the sphere of mortal activity, and calmly leave to the immediate disposal of Omnipotence."

Add to this quality of decision his other trait,—tireless activity,—and it explains his life. Indeed, he needs no words of ours: "his own right hand has carved his epitaph." As Mr. Garrison has told us, he withdrew long ago from office—stood outside of the political machine. But when History records the struggling birth of those changes and ideas which make our epoch and city famous, whose name will she put before his? And God has graciously permitted

him to see of the labor of his hands. These walls said to the wave that beat down all law and authority in Boston in 1835, "Thus far; no further." That word of rebuke was the first faint sighing of the tempest that now sweeps over the continent, "scourging before it the lazy elements, which had long stagnated into pestilence." Some men would say he flung away the honors of life. No; who has reaped so many? The roar of the streets, the petty inefficiency of mayors, never turned him one hair's breadth from his path, or balked him of his purpose. Brave, calm, tirelessly at work, he outlived Mayors and Governors—the mere drift-wood of this Niagara,—and wrote his will on the Statute-Books of States.

Three years ago, he brought me five thousand dollars, to be used in securing the rights of women. The only charge he laid on me was, to keep the name of the donor secret, until what has now happened, his death. Already that fund has essentially changed the Statute-Book of the Empire State, altered materially the laws of two other Commonwealths, and planted the seed of radical reform in the young sovereignty of Kansas. This unseen hand moved the lever which, afar off, lifts the burdens of one-half of the people of great States. And you all know how every man, friend or foe, confidently expected to see his calm brow on every platform which advocated a humane and an unpopular idea. I remember, years ago, at the very first meeting ever held in this city to abolish the use of the whip in the navy, a timidly conservative merchant refused to attend, saying, "Why, I know whom I shall see there—just Francis Jackson, of course, and his set."

But he was not only a Reformer, nor wholly absorbed in what narrow men call useful. Our broad city avenue to Roxbury is half hid by noble trees, because, thirty years ago, he, a member of the City Government, saw to it, unaided at first, that they were planted. And he found time to save for history a sketch of his native town—a volume the result of great labor, and which ranks among the best of our town histories.

Rarest of all, this pitiless toiler in constant work, this tremendous energy of purpose, was wholly unsavored with arrogance. He was eminently tolerant. It was not only that his perfect justice made allowance,—no, his ready sympathy helped to give fair, full weight to all that should ex-

cuse or make us patient with others. Indeed, his was that very, *very* rare mixture,—iron will and a woman's tenderness,—so seldom found in our race. Those who saw him only at work, little knew how keenly he felt, and how highly he valued, the kind words and tender messages of those he loved. He not only served the needy and the fugitive slave, but his genial sympathy was as precious a gift as the shelter of this roof or the liberal alms he was sure to bestow. Some men are only modest from indifference, and the energy of some is only ambition in a mask. Mr. Jackson's modesty had no taint of indolence; his enterprise was no cloak for ambition.

Highest of all, he was emphatically an honest man, in the full, sublime sense of those common words. "Boston," as the *Tribune* says, "has lost her honestest man." If I speak again of the opposition he encountered, it is not because he cared for it. He took fortune's buffets and rewards with equal thanks—with a serene indifference. But it is just to him to consider that malignant opposition in another light. The pitiless storm of public hate beat upon him for thirty years. Malice—personal, political, religious—watched his every act, dogged his every step, and yet no breath of suspicion ever touched his character. Out of that ordeal he comes, with no smell of fire on his garments: the boldest malice never gathered courage to invent an accusation. Son, brother, husband, father, neighbor, friend, reformer, in private life, in business, or holding office, no man ever suspected him of any thing but the bravery of holding opinions which all hated, none could confute, and of acting them out at the risk of property and life, and the actual sacrifice of all common men love. How few have such an epitaph! We who knew him, when we read of Hampden resisting ship money, or Sidney going to the block, feel that we have walked and lived with their fellow. Scholars watched him, and thought of Plutarch. Narrow sectarians scrutinized him, and wondered how one lacking their shibboleth wore, so naturally, graces they only prayed for. Active, staunch friend, wise counsellor, liberal hand, serene worker, like the stars, "without haste, without rest!" Let us thank God for the sight, for the example. He would tell us to spare our words, saying he had only tried to use his powers honestly. His best praise is our



following his example, and each fearlessly obeying his own conscience, and doing, with his might, whatever his hand finds to do for his fellow-man. Let us so do him honor. And as the great Englishman said of his friend, "There's none to make his place good — let us go to the next best," so of thee, dear comrade and leader of many years, thy place is sacred forever to thy memory. We go to the next best, till God gives us to see thee once again, face to face.

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SAMUEL MAY, Jr., General Agent of the Massachusetts Anti-Slavery Society, said: —

I will occupy one moment on this occasion to read an extract from a letter written by our friend FRANCIS JACKSON, which I hold in my hand. Last winter, when he was so ill, he desired and purposed to resign the offices which he held, of Treasurer in one Anti-Slavery Society and President of the other. He felt that he must resign those offices, for his strength was not sufficient to warrant his retaining them. This letter was written by him, communicating that purpose. It is unnecessary to say, that the urgent entreaties of the Massachusetts Anti-Slavery Society induced him to consent to remain the President of that Society, and he did retain that office, with the pledge that the active duties should be discharged by others; the other office he gave up, and he also resigned the office of Treasurer of the Vigilance Committee. But in regard to fugitive slaves, he says —

"I cannot withhold my aid from fugitive slaves, who for the last twelve or fifteen years have had much of my time and assistance. I cannot deny them, while I have any strength left. They and the millions they have left are my system of Theology, my Religion, my Atonement. I have helped to enslave them — my father helped; unknowingly, it may be, nevertheless, helped. I believe in this kind of Atonement; my reason accepts no other. I believe the slaves are God's chosen people."

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The services here closed, and, after many a lingering look at the placid features of the deceased, on the part of those present, the company separated, and the mortal remains were taken to Newton for burial.

## IN MEMORIAM.

I have just heard of the death of our dear and honored friend, FRANCIS JACKSON. It was not unexpected, for his physical strength had long been failing. The vital forces rallied wonderfully, from time to time, a constitution naturally strong being aided by the temperate habits of his life; but the friends who saw him often have felt, for months past, that he would not much longer remain visibly present among them. Yet, though the thought of separation had long been familiar, the tidings oppressed me with a sense of bereavement.

Thirty years ago, I realized that I was bound to the early, uncompromising Abolitionists in bonds stronger than any mere natural ties; and looking round upon what still remains of that noble and faithful band, I say in my soul, "Behold my brethren! For whosoever shall do the will of my Father which is in heaven, the same is my brother, and sister, and mother." I said, what *remains* of the noble band. Alas! though I believe the departed are still working with us, I cannot feel otherwise than sad to see how rapidly the tried and true are falling around me. There is something of melancholy in the reaping of grain, though we know full well that there is within the gathered sheaves the germs of future life and harvests yet to come.

As the evening shadows lengthen on our earthly pilgrimage, separations become more and more frequent. Every circling of the seasons, within the last ten years, has left vacant the places of some whom I revered for the love and truth made manifest in their lives. All of us in Boston cherish the memory of dear CATHERINE SARGENT, whose unpretending goodness concealed itself in "life's shadiest coverts." Every Saturday, some poor widow in her neighborhood received a joint of meat for a comfortable Sunday's dinner; her fingers were always busy making garments for poor invalids; her purse was always ready to help the fugitive slave, or to sustain those who were pleading for him. Almost her last words were directions concerning garments for the poor, which failing strength compelled her to leave unfinished. But the world knew nothing of all this. It was

imperfectly known even to the few friends whom she cherished with unwearied kindness; for her spirit was at home in the Valley of Humility. She would have disclaimed, most sincerely, any power of penetration, yet few detected shams so easily, and "what within was good and true, she saw it with her heart." Her natural relations with the world brought her into frequent communication with the conservative and the worldly wise; but her honest soul recognized the presence of evil, whatsoever gloss might varnish its surface, and no fog of sophistry could obscure her perception of plain, simple truths. They told me that after death her aged countenance became youthful, and shone with a heavenly expression. I, who knew her intimately, did not wonder at this reflection of angelic radiance.

Then ELLIS GRAY LORING, in the ripeness of his years, with stores of intellectual acquisition garnered up for noble and beneficent uses, passed suddenly away from us. For more than a quarter of a century, he was always true to the cause of the slave, which he aided by wise counsels and liberal donations. His private relations were the *beau ideal* of love and friendship. He was always sincere, reliable, forgiving and affectionate. The bond between him and Francis Jackson was very strong. Their intellectual paths diverged widely, but each loved and honored perfect uprightness and truth in the other.

Next, the large-hearted, open-handed CHARLES F. HOVEY departed from us. He had no faith in much that is believed by the theological world, but he was always striving to obey those great principles of truth, justice and humanity, which constitute the essence of Deity. He took fatherly interest in the great numbers of people he employed. If a poor seamstress was absent from her accustomed seat on account of illness, he personally administered to her comfort, and ordered her wages to be continued till she was able to return to her work. He thoroughly believed in the brotherhood of mankind. Nothing pleased him more than to have his domestics at the same table with him. Had Christianity been as it was in the days of the twelve fishermen, he would undoubtedly have been a member of the community. As it was, he judged ecclesiastical shams somewhat severely, while he worshipped God in the form of love to his neighbor, and especi-

ally recognized as such those who had "fallen among thieves." In his reverence for principles, he was more religious than he knew of.

Then the mighty spirit of THEODORE PARKER dropped the earthly garment, which perpetual energetic use had worn out before its time. He wielded the hammer of Thor in our moral battle, while his great heart was filled with love for every little child.

Then was parted from our side that lovely and beloved companion, ELIZA LEE FOLLEN. At the very outset of our great struggle with despotism, she stood bravely by the side of her noble husband, and both laid unreservedly upon the altar of our unpopular cause all their uncommon powers of mind, all the sympathies of their great warm hearts. Allied by birth to wealth and conservatism, she kept alive her natural affections, without losing a ray of her spiritual life. To her latest hour, she remained steadfast and earnest in her advocacy of the Anti-Slavery cause. Amid the raging of mobs and the cold scorn of worldlings, she was always cheerful and strong, full of faith that right *must* prevail, and that it was a blessed privilege to work and suffer for that result. Always and everywhere she was "fervent in spirit, and spoke and taught diligently the things of the Lord." That soft white hair, and those large blue eyes, that looked out upon the world so honestly and lovingly, are before me now. It is a lovely vision; like an angel's face, surrounded by fleecy clouds.

Her dearly beloved sister, SUSAN CABOT, through all the long years, was her faithful helper in all good words and works. To her skilful fingers we owed many of the most beautiful and tasteful articles sold at our Fairs, and her natural vein of facetiousness enlivened us all, even in the darkest and most wearisome hours. By an argument clothed in a pun, she overcame my extreme reluctance to have my likeness engraved among a circle of Anti-Slavery women. She summed up the matter in her witty way by saying, "When a righteous cause is unpopular, it is a duty to give your countenance to it." Truly, these excellent and highly endowed sisters were "lovely in their lives," and it may almost be said that "in their deaths they were not divided." She dreaded the first anniversary of Mrs. Follen's departure, and



said she wished she could sleep through it. Before the day arrived, Death, the beneficent "brother of Sleep," laid his hand gently upon her eyelids, and she awoke no more to a sense of earthly sorrows.

I forget when we missed Mrs. REMOND from the band of the faithful; but well do I remember her intelligent remarks, her lady-like deportment, and that handsome brown face, with its lustrous dark eyes.

Lately, news reaches us that we have lost NATHAN WINSLOW, the unwavering friend of our principles, and a munificent patron in our early days, when liberal donations were scarce.

More recently still, a dear young spirit has crossed the dark river—LUCIA WESTON, whose image presents itself to my memory, in its youthful beauty, fresh as a rose in June. She was one of a pleasant band of talented and devoted sisters, who simultaneously laid upon the altar of universal freedom their rare endowments, moral and mental. To a cold taken in working for our Fair she probably owed the disease which terminated her mortal life. Very pleasant and dear was she to all; ever to be remembered and blessed as a fragrant flower blooming on the rugged and toilsome pathway of reform.

And now there is hidden from our sight the countenance of FRANCIS JACKSON, on which sturdy honesty and practical good sense were so plainly written, that no passer by could mistake the inscription. When Boston "gentlemen of property and standing," in defence of King Cotton, mobbed a meeting of Anti-Slavery women, in 1835, the manly soul of Mr. Jackson was roused to outspoken indignation. In a memorable letter, he invited the persecuted friends of an unpopular cause to hold their meetings in his house, if the enlightened city of Boston could furnish them with no more convenient place of gathering. Some people reminded him that the same spirit which hurled brickbats at women was capable of demolishing his dwelling. He replied, "I shall place no value on my house, if free speech cannot be uttered there." From that period to the hour of his death, he was the indefatigable and generous friend of the Anti-Slavery reform, and of others kindred with it. It would not be easy to number the fugitive slaves he helped with his money and his counsel; and every friend of the slave found a welcome in

his hospitable mansion. He was more thoroughly a democrat than any man I ever knew. Of course, I do not call him so in the *party* sense of that term. The words Christian and Democrat have both been applied to such base purposes, that they have become "damaged phraseology," as Theodore Parker was wont to say. But democrat, in the good sense of the term, he was, most thoroughly. He was instinctively a friend and brother of the people, without reference to nation or complexion. By an ungentle occupation, he had industriously worked his way upward in the social scale. He became wealthy, and influential men trusted him greatly, on account of his sterling good sense and strict integrity. His brother William became a member of Congress, and bore himself bravely and honestly in the midst of that truckling, compromising body. Prosperity and honors never excited in Francis Jackson a thought of concealing that he and his family had been working men. He never obtruded it ostentatiously, as some people do, in proof of their own wonderful capabilities. He alluded to it, if the conversation naturally suggested it, or he forgot it, just as it happened. To him, it was simply a fact of no importance. The manner in which he habitually ignored mere artificial distinction would have seemed very absurd and undignified to self-conscious worldlings. I once met at his house an English traveller of considerable pretension, who was very desirous to have it known that he was acquainted with Lord Brougham. His conversations with that distinguished personage were aired upon every occasion for the benefit of listeners, and there was always a superabundant sprinkling of his title. "I said to his lordship, my lord, when I last had the honor of meeting your lordship, your lordship was pleased to remark," &c. It chanced that this lord-worshipper had been riding in the dust, and upon entering the house, he asked for water to wash. The domestic went up stairs to see that water and fresh towels were in readiness. Whether Mr. Jackson was aware of her mission, I never knew. Probably he was not. There was in the kitchen a sink used solely for personal bathing, and a clean, coarse roller was suspended above it. When the domestic returned to escort the gentleman to his room, she found him wiping his hands on the kitchen roller. What the English traveller might say to "my lord" about American customs, when he next "had the honor of conversing with his lord-

ship," never occurred to Mr. Jackson's mind, neither did he care to have him know that there were plenty of fine damask towels in his house. He forgot all about it, just as he might have forgotten if his guest had been a dusty fugitive slave. Ah! the honest, great soul! so strong in simplicity and truth! How I love and reverence his memory!

I saw him several times, during the months preceding his departure from this world. I always found him calm and collected, willing, nay, desirous to go. When I expressed a hope that he would recover, he replied, "You ought not to wish it. Why should I outlive my usefulness? My work here is done. Ellis Gray Loring, my brother William, Charles Hovey, Theodore Parker, and a host of other faithful friends, are waiting for me on the other side. I don't want to keep them waiting." When I said that the effects of his labors would remain long after he had left the world, he replied, "I hope so. As I sit here in my chamber, unable to move about, I have abundant time for reflection. The years of my life pass in review before me. I find much that I could mend with the light I now have, and some things I am ashamed of. Why, in my youth, I spent a deal of time and money in militia trainings! What foolish business *that* was! What I fall back upon as my greatest consolation, in these hours of retrospection, is what I have done for the slaves; and what I am most thankful for in my pilgrimage is the friendships I have formed with Abolitionists. They have increased my respect for human nature, and intercourse with them has made my soul larger and freer." When I saw him a few days before his death, he raised his pale, emaciated face, and looked at me earnestly, as he asked, "*Do* you believe this dreadful war will end in the emancipation of the slaves?" When I told him that I did think so, he answered, "I hope so; for I love my country, and no otherwise can it be saved." Freighted with that sublime hope, the soul of the just man went to his home above.

During the interval I have mentioned, we have lost many efficient helpers, who never belonged to our Society, but were always ready to give us sympathy and aid. To allude to them all would fill columns. Among those to whom I was personally attached, I most frequently remember Miss MARY Osgood, of Medford. She was well known as a lady of great learning, singularly racy conversation, and marked individu-

ality of character. It was exciting to come in contact with her immediately after some fresh compromise of principle by politicians. On such occasions, she obeyed the injunction of the most vigorous of our poets—

“Keep back no syllable of fire!  
Plunge deep the rowels of thy speech!”

Her great contempt of insincerity, and shams of all sorts, produced a degree of bluntness, which to strangers seemed like roughness; but within the apparently hard shell there was a very soft kernel. She sympathized with suffering as earnestly as she battled with wrong. Religion, education, reform, all agencies that help on the progress of the human race, received from her most liberal and efficient aid; and when she died, all the poor in the town mourned for her, as for a sister.

Among these memories, I cannot pass by Mrs. ABBY B. FRANCIS, wife of Dr. FRANCIS, of Cambridge, whose name and influence were freely used in our cause. Physical debility and suffering crippled her energies for years, but she was always ready to use all the strength she had for the relief of the poor and the oppressed. She died when the lurid signs of civil war first began to appear on the political horizon. Her last intelligible words to the devoted daughter who was watching over her were, “O, Abby, what *will* become of the poor slaves?”

Can a cause that lies so deep in thinking minds and feeling hearts fail of its accomplishment? Assuredly not. To doubt its triumph would be to doubt that a just God rules over human affairs. The New York *Herald* exults over the fact that the Garrisonian Abolitionists are growing old and dying off. It apparently comforts itself with the idea that the pestilent heresy of our Declaration of Independence will pass away with them. Such a hope is unphilosophical and delusive. Those who work for conscience sake never work in vain. Scattered seeds of truth are never wasted. After the twelve apostles were persecuted unto death, the doctrines they preached became the religion of nations; and from the ashes of Huss and Wickliffe rose an army of Puritans, to whom England is mainly indebted for her civil and religious freedom.

L. MARIA CHILD.



## TRIBUTES OF AFFECTION AND RESPECT.

On Sunday, Nov. 24, Rev. WM. R. ALGER delivered a discourse at the Music Hall, Boston, before the Twenty-Eighth Congregational Society, on "Reform and Reformers," at the close of which he paid the following tribute to the memory of FRANCIS JACKSON:—

"With this sentence, I should have closed my discourse. But since you last met here, a member of your Society has been buried, who was so admirable a representative of what a Christian Reformer should be, and who was furthermore so honored and beloved by you, that I feel it would be a breach of decorum to let this meeting dissolve without at least some passing mention of him. After the touching and lofty tributes paid at his funeral by those whose intimate friendship, kindred spirit and allied services made them the fit eulogizers of his worth, I, a comparative stranger, shrink from the obtrusion of laying any formal offering on his grave. Yet one or two words I may say without impropriety, leaving the more tender and domestic aspects of his life unapproached in their sacredness.

"It was a luxury to us, it was a rare service to the community, to have before the public sight for half a century a man who, in every sterling virtue, in weight and height of character, towered above the degenerate times like an adamant Cato. He was so grounded in principles that you always knew where to find him; of such massive equipoise that you might always lean on him without the shadow of a misgiving. Most men are social vanes, showing which way the popular wind blows: he was rather a secluded magnet, steadily pointing to the eternal heights of heaven. Many even of our public teachers, veering to the dominant moods of the day, are like electrometers, that dance about with every disturbance of atmospheric equilibrium: he was steadfastly rooted in certain primary convictions, the fundamental truths of morality, and remained, through every shock of argument or odium, immovable as a granite mountain socketed to the centre. Such a character forms a remarkable landmark, to be looked up to with honor and gratitude.

"It was a beautiful trait in him, that he grew in grace and goodness to the last, becoming ever freer, broader, more charitable. His whole life was a criticism on himself, seeing where he fell short to-day, that he might remedy the defect to-morrow. A Christian reformer indeed, who began with himself, and thence worked abroad on the world. Thus, instead of keeping stationary or falling off, he improved. And surely, friends, this is the true success and victory of man over time and decay. For old age is a tragedy when it contracts and sours us, makes us crabbed, peevish, misanthropic: but old age is a blessing and a glory when it expands and sweetens our sympathies, deepens and elevates our wisdom, renders us genial and content, ripening and mellowing us for the skies. Then, like him, we may bid the years fly as fast as they will, since they shall leave us greater and better than they found us, and we have no fear of the future.

"Now I will intrude no further words of my own, but conclude with a citation, which may give you some conception of what your late Pastor would say, were he standing here to-day to speak of his prized and faithful parishioner. The second edition of the Speeches and Addresses of the first and last minister of this Society contains a dedication, written by him in Europe, while the sentence of death which he bore within him was hastening to its fulfilment. That dedication is in these words:—

"To FRANCIS JACKSON, the foe 'gainst every form of wrong; the friend of justice, whose wide humanity contends for woman's natural and unalienable right; against his nation's cruelty protects the slave; in the criminal beholds a brother to be reformed; goes to man fallen among thieves, whom priests and Levites sacramentally pass by, and seeks to soothe and heal and bless them that are ready to perish; with admiration for his unsurpassed integrity, his courage which nothing scares, and his true religion that would bring peace on earth, and good will to man, these volumes are thankfully dedicated by his minister and friend,

THEODORE PARKER."

"Let these graphic and characteristic words, which were an honest testimony to him when he was yet alive, stand as his just eulogy now that he is dead. The wintry sea rolls between their parted graves in Florence and New England. No ocean, either of space or time, sunders their friendly spirits, already met in heaven and eternity."

## RESOLUTIONS

ADOPTED BY THE BOARD OF MANAGERS OF THE MASSACHUSETTS  
ANTI-SLAVERY SOCIETY.

At a special meeting of the Board of Managers of the Massachusetts Anti-Slavery Society, held on Tuesday forenoon, Nov. 19, the following Resolutions, presented by SAMUEL MAY, Jr., were unanimously adopted:—

Resolved, That, admonished as we have been, for several years past, by his failing health, that the Massachusetts Anti-Slavery Society must at no distant day lose the services of its beloved and respected President, FRANCIS JACKSON, yet, now that that event has occurred, and we have been compelled to say to him our last farewells on earth, we find the separation a very grievous one, and feel the loss to be exceeding heavy to our Society, to ourselves individually, and the great cause of Human Progress and Brotherhood, not only in this community, but throughout the land.

Resolved, That we deem it one of the highest honors which our Society has enjoyed or ever can enjoy, and one of the most signal proofs which it could possibly give to the world of the integrity and nobleness of its aims and purposes, that FRANCIS JACKSON was its active friend and steadfast supporter for upwards of a quarter of a century, and that he continued such even to the moment of his departure.

Resolved, That if we loved FRANCIS JACKSON as a personal friend, and valued him as a most efficient officer and fellow-laborer in the Anti-Slavery cause, we did not less respect and honor him as a Man, in whom no high and noble quality which dignifies and ennobles our nature was lacking; who, to great clearness of moral judgment, sense of duty and power of will, added a remarkable independence of popular opinion, and rare fearlessness in both speech and action, and combined with them all an habitual modesty and absence of self-esteem, which have made him, in our judgment, one of the best and truest men it has ever been our privilege to know.

Resolved, That in the many offices and duties of a public and private nature which have been laid upon him, in the discharge of the many and most responsible trusts which have been confided to his hands, no words can better describe his constant life and character than these—"Faithful Forever."

Resolved, That to his remaining family, with whom we have so long been associated in respect for their honored father, and in the promotion of works dear to his heart, we tender our most sincere and respectful sympathy in this hour, which, if one of temporary bereavement, is nevertheless full of the highest consolations and causes of gratitude.

## RESOLUTIONS

ADOPTED BY THE EXECUTIVE COMMITTEE OF THE AMERICAN  
ANTI-SLAVERY SOCIETY.

The following Resolutions were unanimously adopted at a special meeting of the Executive Committee of the American Anti-Slavery Society, held in Boston, Tuesday forenoon, Nov. 19:—

Resolved, That among the numerous bereavements which the Anti-Slavery cause has sustained since its inception in this country, no one has left a larger space of usefulness to be filled, or touched more loving hearts, or made a more profound impression, than that occasioned by the recent death of FRANCIS JACKSON, Esq., our honored and revered coadjutor, who has for so long a series of years so faithfully filled the office of Treasurer of the American Anti-Slavery Society, and been so constant and efficient an attendant at the deliberations of this Committee.

Resolved, That he deserves to be held in grateful remembrance as among the truest of patriots, the most unselfish of philanthropists, and the most radical of reformers; for the grand simplicity and rare integrity of his character; for the extent of his private charities and public benefactions, ministering to every variety of human wretchedness; for his early, long continued, generous and hearty espousal of the Abolition movement, as well as of other kindred enterprises; for the serenity and bravery of his spirit in the midst of all-abounding violence and universal proscription; for his life, (covering more than three score years and ten,) so admirable in all the relations of society, so distinguished for manly independence, moral worth and public spirit, so symmetrical and well-balanced, so earnest in its noble purposes, so thoroughly devoted to the cause of "liberty, equality, fraternity," in its highest significance and minutest application.

Resolved, That while it was not permitted him to see the fruition of his efforts and sacrifices, in the utter abolition of slavery, yet we rejoice to believe that, above the roar of cannon, the clash of arms, and the smoke of battle, he heard the song of jubilee and the shouts of redeemed millions, as a swiftly approaching consummation of that glorious struggle for universal emancipation in which he bore so important and conspicuous a part.

Voted, That the tenderest sympathies and highest consolations are proffered by this Committee to the surviving members of his family, and relatives, in view of their great bereavement.



DEATH OF FRANCIS JACKSON, Esq. Boston has lost one of her most useful and esteemed citizens in the death of Francis Jackson, Esq., which took place at his residence in Hollis street, on Thursday morning last. He was born in Newton, March 7th, 1789, and was, consequently, in the 73d year of his age. The city owes much of its enlargement to his enterprise and perseverance, as the Tremont Road and the South Cove sufficiently testify. As early as 1835, he became warmly interested in the cause of the enslaved millions in our land, and has ever since been conspicuous in the ranks of the uncompromising Abolitionists; giving liberally of his substance to aid that cause, and to promote the success of kindred reformatory and beneficent enterprises. A man of eminent integrity and uprightness of character, he was firm in the execution of his purposes, and conscientiously adhered to his convictions of duty, at whatever cost.

He was for many years President of the Massachusetts Anti-Slavery Society, and also Treasurer of the American A. S. Society; but, though deeply consecrated to the liberation of the oppressed, his benevolent interest extended to every form of distress, and multitudes have been succored and blest by his charities. However unpopular his anti-slavery opinions and position, he always commanded the highest respect for his solid character and sterling worth, and will long be remembered as among the many who have done honor to Boston and the Commonwealth. — *Boston Traveller.*

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A GOOD MAN DEPARTED. We record this week the decease of one of the truest and wisest friends of the Anti-Slavery cause in all the land — one who gave himself without reserve to that cause for more than a quarter of a century, and who, by his noble qualities of head and heart, his wisdom in counsel and unshrinking boldness in action, won the admiration and the love of all his associates. The venerable and beloved FRANCIS JACKSON died at his residence in Boston, on Thursday morning, Nov. 14th, after a long and painful illness. It belongs to other pens and lips than ours to utter a fit eulogy of our departed friend. — *National Anti-Slavery Standard.*

☞ Francis Jackson, a well-known citizen of Boston, died in that city on Thursday morning. His death was sudden, at last, from an attack of acute disease, though he has been an invalid for several years. Mr. Jackson was best known to the public from his long and devoted adherence to the Anti-Slavery cause. When, nearly thirty years ago, the "broad-cloth" mob of Boston undertook to suppress all expression of anti-slavery sentiment by an attempt to hang Mr. Garrison, Mr. Jackson, from pure love of fair play and free speech, threw open his house to the devoted women whose meeting was the immediate cause of the mob. Since that day, his door has never been closed to those who suffered persecution, whether black or white, and especially has his home been a haven of refuge to those flying slaves whom neither man befriended nor the law protected; but though Mr. Jackson has been for so many years conspicuous among the advocates of more than one cause of reform, a very large circle has known him in quite other relations, where the tenderness of Christian sympathy and the generous openness of Christian charity were the qualities brought into action, rather than the sterner virtues of the reformer. Mr. Jackson was a natural democrat, who was literally no respecter of persons, and saw no difference between man and man, but who possessed that large pity for human suffering of every nature that was never appealed to in vain. Hunger and nakedness, whether of soul or of body, whether in the high or the low, found in him a ready helper, and his winning simplicity and kindliness, his wisdom and his benevolence, made him the centre of a circle who held him in such reverence and love as are given to not many men in a generation. While all Boston will bear testimony—in spite of the fact that she has pointed her finger at him so often on the anti-slavery platform—that her honestest man has died, there will be a deep and silent sorrow among very many people who will mourn a benefactor as wise and kind as he was unassuming.—*N. Y. Tribune.*

LETTER FROM FRANCIS JACKSON, ESQ.,  
RESIGNING HIS COMMISSION AS JUSTICE OF THE PEACE.

BOSTON, 4th July, 1844.

TO HIS EXCELLENCY GEORGE N. BRIGGS:

SIR — Many years since, I received from the Executive of the Commonwealth a commission as Justice of the Peace. I have held the office that it conferred upon me till the present time, and have found it a convenience to myself and others. It might continue to be so, could I consent longer to hold it. But paramount considerations forbid, and I herewith transmit to you my commission, respectfully asking you to accept my resignation.

While I deem it a duty to myself to take this step, I feel called on to state the reasons that influence me.

In entering upon the duties of the office in question, I complied with the requirements of the law, by taking an oath "*to support the Constitution of the United States.*" I regret that I ever took that oath. Had I then as maturely considered its full import, and the obligations under which it is understood and meant to lay those who take it, as I have done since, I certainly never would have taken it, seeing, as I now do, that the Constitution of the United States contains provisions calculated and intended to foster, cherish, uphold and perpetuate *slavery*. It pledges the country to guard and protect the slave system so long as the slaveholding States choose to retain it. It regards the slave code as lawful in the States which enact it. Still more, "it has done that, which, until its adoption, was never before done for African slavery. It took it out of its former category of municipal law and local life, adopted it as a national institution, spread around it the broad and sufficient shield of national law, and thus gave to slavery a national existence." Consequently, the oath to support the Constitution of the United States is a solemn promise to do that which is morally wrong; that which is a violation of the natural rights of man, and a sin in the sight of God.

I am not in this matter constituting myself a judge of others. I do not say that no honest man can take such an oath, and abide by it. I only say that *I* would not now de-

liberately take it; and that, having inconsiderately taken it, I can no longer suffer it to lie upon my soul. I take back the oath, and ask you, Sir, to receive back the commission, which was the occasion of my taking it. \* \* \*

Passing by that clause of the Constitution which restricted Congress for twenty years from passing any law against the African slave trade, and which gave authority to raise a revenue on the stolen sons of Africa, I come to that part of the fourth article which guarantees protection against "*domestic violence*," which pledges to the South the military force of the country to protect the masters against their insurgent slaves, and binds us and our children to shoot down our fellow-countrymen who may rise, in emulation of our revolutionary fathers, to vindicate their inalienable "*right to life, liberty, and the pursuit of happiness*:" this clause of the Constitution, I say distinctly, I never will support.

That part of the Constitution which provides for the surrender of fugitive slaves I never have supported, and never will. *I will join in no slave hunt. My door shall stand open, as it has long stood, for the panting and trembling victim of the slave-hunter. When I shut it against him, may God shut the door of his mercy against me!* Under this clause of the Constitution, and designed to carry it into effect, slavery has demanded that laws should be passed, and of such a character as have left the free citizen of the North without protection for his own liberty. The question, whether a man seized in a free State as a slave is a slave or not, the law of Congress does not allow a jury to determine, but refers it to the decision of a Judge of a United States Court, or even of the humblest State magistrate, it may be, upon the testimony or affidavit of the party most deeply interested to support the claim. By virtue of this law, freemen have been seized and dragged into perpetual slavery; and should I be seized by a slave-hunter in any part of the country where I am not personally known, neither the Constitution nor laws of the United States would shield me from the same destiny.

These, Sir, are the specific parts of the Constitution of the United States which, in my opinion, are essentially vicious—hostile at once to the liberty and to the morals of the nation. And these are the principal reasons of my refusal any longer to acknowledge my allegiance to it, and of my determination to revoke my oath to support it. I cannot, in order to keep



the law of man, break the law of God, or solemnly call him to witness my promise that I will break it.

It is true that the Constitution provides for its own amendment, and that by this process all the guarantees of slavery may be expunged. But it will be time enough to swear to support it when this is done. It cannot be right to do so until these amendments are made. \* \* \* \*

With all our veneration for our constitutional fathers, we must admit—for they have left on record their own confession of it—that in this part of their work, they *intended* to hold the shield of their protection over a wrong, knowing that it was a wrong. They made a “compromise” which they had no right to make—a compromise of moral principle for the sake of what they probably regarded as “political expediency.” I am sure they did not know—no man could know, or can now measure—the extent or the consequences of the wrong that they were doing. In the strong language of JOHN QUINCY ADAMS,\* in relation to the article fixing the basis of representation, “Little did the members of the Convention from the free States imagine or foresee what a sacrifice to Moloch was hidden under the mask of this concession.”

I verily believe that, giving all due consideration to the benefits conferred upon this nation by the Constitution,—its national unity, its swelling masses of wealth, its power, and the external prosperity of its multiplying millions,—yet the *moral* injury that has been done by the countenance shown to slavery—by holding over that tremendous sin the shield of the Constitution, and thus breaking down, in the eyes of the nation, the barrier between right and wrong; by so tenderly cherishing slavery as, in less than the life of a man, to multiply her children from half a million to nearly three millions; by exacting oaths from those who occupy prominent stations in society that they will violate at once the rights of man and the law of God; by substituting itself as a rule of right in place of the moral laws of the universe, thus in effect dethroning the Almighty in the hearts of this people, and setting up another sovereign in its stead—more than outweighs it all. A melancholy and monitory lesson this to all time-serving and temporizing statesmen!—a striking illustration of the *impolicy* of sacrificing *right* to any considerations of

\* See his report on the Massachusetts Resolutions.

expediency! Yet what better than the evil effects that we have seen could the authors of the Constitution have reasonably expected from the sacrifice of right, in the concessions they made to slavery? Was it reasonable in them to expect that, after they had introduced a vicious element into the very Constitution of the body politic which they were calling into life, it would not exert its vicious energies? Was it reasonable in them to expect that, after slavery had been corrupting the public morals for a whole generation, their children would have too much virtue to *use* for the defence of slavery a power which they themselves had not too much virtue to *give*? It is dangerous for the sovereign power of a State to license immorality—to hold the shield of its protection over any thing that is not “legal in a moral view.” Bring into your house a benumbed viper, and lay it down upon your warm hearth, and soon it will not ask you into which room it may crawl. Let slavery once lean upon the supporting arm and bask in the fostering smile of the State, and you will soon see, as we now see, both her minions and her victims multiply apace, till the politics, the morals, the liberties, even the religion of the nation, are brought completely under her control.

To me it appears that the virus of slavery, introduced into the Constitution of our body politic by a few slight punctures, has now so pervaded and poisoned the whole system of our National Government, that literally there is no health in it. The only remedy that I can see for the disease is to be found in the *dissolution of the patient*.

The Constitution of the United States, both in theory and practice, is so utterly broken down by the influence and effects of slavery,—so imbecile for the highest good of the nation, and so powerful for evil,—that I can give no voluntary assistance in holding it up any longer.

Henceforth it is dead to me, and I to it. I withdraw all profession of allegiance to it, and all my voluntary efforts to sustain it. The burdens that it lays upon me, while it is held up by others, I shall endeavor to bear patiently, yet acting with reference to a higher law, and distinctly declaring that while I retain my own liberty, I will be a party to no compact which helps to rob any other man of his.

Very respectfully, your friend,

FRANCIS JACKSON.

## WILL OF THE LATE FRANCIS JACKSON.

The Will of the late Francis Jackson, of this city, has been presented for probate. It is a lengthy document, and was signed on the 28th of January last. His brother, Edmund Jackson, is made executor of the Will.

He gives \$100 each to Stephen S. Foster, Abby Kelley Foster, Charles C. Burleigh, Parker Pillsbury, Lucy Stone, Lydia Maria Child, Oliver Johnson, Charles Lenox Remond, Charles K. Whipple, and Robert F. Wallcut, "as a token of esteem for their fidelity to moral principle and their devotion to the cause of human freedom."

For a like reason, he gives to Wm. Lloyd Garrison the sum of \$1000, to be used in support of himself and wife, and the education of Francis J. Garrison at Harvard College, after he shall have left the public schools of Boston.

He appoints Wm. Lloyd Garrison, Wendell Phillips, Edmund Quincy, Maria W. Chapman, Edmund Jackson, William I. Bowditch, Samuel May, Jr., and Charles K. Whipple, a Board of Trustees to receive funds designated in the Will to be used to create a public sentiment in favor of putting an end to negro slavery—leaving a bequest of \$10,000 in their hands for this purpose.

He constitutes Mr. Phillips as President, Mr. E. Jackson as Treasurer, and Mr. Whipple as Secretary of this Board.

He also gives to this Board \$2000, to be used in aid of fugitive slaves, and in this connection speaks as follows:—

"Disregarding the self-evident declaration of 1776, repeated in her own Constitution of 1780, that 'all men are born free and equal,' Massachusetts has since, in the face of those solemn declarations, deliberately entered into a conspiracy with other States, to aid in enslaving millions of innocent persons. I have long labored to help my native State out of her deep iniquity and her barefaced hypocrisy in this matter—I now enter my last protest against her inconsistency, her injustice and her cruelty toward an unoffending people. God save the fugitive slaves that escape to her borders, whatever may become of the Commonwealth of Massachusetts!"

He appoints Wendell Phillips, Lucy Stone, and Susan B. Anthony, a Board of Trustees, and gives them \$5000, to be

used to secure the passage of laws granting women the right to vote, hold office, &c.

He says that he has given each of his three children eight thousand dollars heretofore. The balance of his estate is to be divided into three equal parts. The income of one part is to be given to a daughter and her children, and at their decease, the principal is to go to the Trustees having charge of the Woman's Rights Fund. The income of the other two thirds to his other children, and their children, and at their decease, the principal is to be given to the Trustees who have in charge the matter of creating a public sentiment in favor of the abolition of negro slavery.—*Boston Traveller.*

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#### FAREWELL LINES.

“Servant of God, well done !  
Rest from thy loved employ ;  
The battle fought, the victory won,  
Enter thy Master's joy.

The voice at midnight came,  
He started up to hear ;  
A mortal arrow pierced his frame,  
He fell, but felt no fear.

Tranquil amidst alarms,  
It found him on the field,  
A veteran, slumbering on his arms,  
Beneath his red-cross shield.

His spirit with a bound  
Burst its encumbering clay,  
His tent, at morning, on the ground,  
A darkened ruin lay.

The pains of death are past,  
Labor and sorrow cease ;  
And, life's long warfare closed at last,  
His soul is found in peace.”



THE

SPIRIT OF THE SOUTH

TOWARDS

NORTHERN FREEMEN AND SOLDIERS

DEFENDING

THE AMERICAN FLAG

AGAINST

TRAITORS OF THE DEEPEST DYE.

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BOSTON:

PUBLISHED BY R. F. WALLCUT,

No. 21 WASHINGTON STREET.

1861.



## THE SPIRIT OF THE SOUTH.

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SOUTHERN HUMANITY AND REFINEMENT. The following is one specimen only of a class of letters which are almost daily received by Gov. Andrew, of Massachusetts, from "*chivalrous*" gentlemen (?) in the Southern States:—

"UNION SPRINGS, ALABAMA,  
Confederate States, May 6, 1861. }

"GOV. ANDREW:

"SIR,—We see in a New York paper that you have requested the authorities of Baltimore to send the bodies of the soldiers of your regiment that were killed at Baltimore back to Boston packed in ice, at the expense of the Commonwealth. We also see that you anticipate sending 200,000 men to coerce the South, to march from Washington City to Pensacola. Now, as it is very probable that some of these soldiers will be killed, we propose to take a contract for sending back their dead bodies, so as to be much cheaper to your people and give general satisfaction to their kindred. The following is our proposition:—

" For the first thousand,	\$50.00	per head.
" ten	"	37.50 "
" thirty	"	25.00 "
" one hundred	"	15.00 "

"We pledge ourselves to have them packed as quickly as possible after they are shot, so that the corpse will retain as much of his native bloom as possible.

"In all instances, commissioned officers will be charged double the above rates.

"Should your Excellency be pleased to give us the contract, we will thank you to notify us immediately, or as soon as the

Northern army crosses Mason and Dixon's line, for it will be necessary for whoever takes the contract to begin at that point, as Lee and Beauregard and Ben McCulloch and Jefferson Davis will be there to receive them, and will be very apt to *kill a few*—and we would regard it a great calamity for the Northern soldier to *spoil*; besides, we Southerners, in our *hot* climate, dislike offensive smells. After due reflection, and some *little Christian* consideration, we will be pleased to hear from you.

“Very respectfully, TONEY & WAUGH.”

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RAVINGS OF A VIRGINIA EDITOR. The Richmond (Va.) *Examiner* indulges in this highly amusing view of the North and its soldiers:—

“The North has no officers to command or drill the cowardly, motley crew of starving foreigners and operatives that it proposes to send South to fill ditches and as food for cannon, because it has no room in its penitentiaries and poor houses to receive or sustain them. The regular troops of the Union, since the resignation of the Southerners, are deficient in officers; and who are to drill and command the 75,000 militia sheep?

“If we except Benedict Arnold, there never was a Northern man who was fitted to command, if you would give him a chance to run. Like cowardly boys, when pent up on ship-board without a chance of escape, they gather courage from despair, and fight desperately. But with ninety-nine Northern men in a hundred, on all occasions, duty, honor, patriotism, has ever been considered a mere matter of profit and loss. Since the days of Washington, they have ever deemed that course of conduct by which most money is made and least risk incurred, the most virtuous and honorable.

“They will not come to Washington, they cannot be handcuffed and driven to Washington, if we only precede them, and let them see that they will have to fight for glory, and not for spoils and plunder. They never did fight, and never will fight, except for pay, for pillage and plunder. Once satisfy them that no money is to be made, no plunder to be gotten by invading the South, and no power on earth can lash and kick them south of Mason and Dixon's line.”



“**WEEPING WARRIORS.**” Under this caption, the New Orleans *Bulletin* indulges in the following effusion:—

“If we can credit the Northern journals, there must be in old Abe’s officers very little of that sterner stuff soldiers are supposed to possess. Whenever or wherever they make their appearance, it is, like Niobe, all in tears. They weep when they surrender; weep when reinforced at some invested post; weep when ordered into service; weep for not being ordered into service, and weep even when the recipients of a great popular ovation. By the Rood, these Northern Paladins are o’er given to the melting mood. From the Lieutenant-General down to Lieut. Jones, who, in one night, ran all the way from Harper’s Ferry to Carlisle Barracks, Pa., there rains such a flood of téars,

“That were the world on fire,  
They might have drowned the wrath of Heaven,  
And quenched the mighty ruin.”

“But the latest and most affecting of all these exhibitions is the following, from the Providence *Journal*:—

“We learn that when the Massachusetts troops arrived at Fort Munroe, the commander of the fort was moved to tears. He exclaimed, seizing the hand of their Colonel, “in Heaven’s name, where did you get such noble-looking fellows as these?” He shook every man by the hand.’

“Well, if the greasy operatives of Lowell and Lawrence, and the smutty shoemakers of Lynn, be ‘noble-looking fellows,’ then language has lost its meaning. Probably the weeping commander, being a kind-hearted man, used the language attributed to him in the sense that Wordsworth somewhere says “the *meanest* things can call up thoughts that do often lie too deep for tears.”



“Let patriotic citizens, then, go forth upon the trackless war paths of the ocean to fight for their country in the most effective manner. Hundreds and hundreds of millions of the property of the enemy invite them to spoil him—to ‘spoil these Egyptians’ of the North, who would coerce us to staying when we strove peaceably to make our exodus to independence of their oppressive thrall; to go forth from degrading fellowship with them. The richly laden ships of the

enemy swarm on every sea, and are absolutely unprotected. The harvest is ripe; let it be gathered, and we will strike the enemy to the heart—for we hit his pocket, his most sensitive part. His treasure ships, laden with California wealth, traverse Southern waters. Let them be the prize of the bravest and most enterprising.

“His commerce is the very life of the enemy’s solvency and financial vitality. Strike it, and you lay the axe to the root of his power—you rend away the sinews of war. Let the flags of privateers show themselves on the seas, and the blockade will be raised. Lincoln’s fleet will scatter over the world to protect the commerce of his citizens. But they cannot protect it, though they try. They are numerous enough for the blockade, *but not to guard the ocean*. The risk of the privateer will still be trifling, *and he will continue to reap the harvest*, laughing at the few scarecrows which would fright him from his profitable employment.

“It is easy to put privateers afloat. There are an abundance of brave men among us ready to volunteer to fight any where. There are many among us ready to give money to the cause of their country, not looking for return. In this privateering, the most enormous returns are promised, with but trifling risk. Let the men of means fit out privateers if they would best serve their country and advance their own interests. Let companies be formed to embark capital in privateering. If they can’t get the craft here, they can get them somewhere. It is a pursuit of honor, patriotism, profit. *Let us scour the sea, and sweep their commerce from it with the besom of destruction.*”—*Montgomery Advertiser*.

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“We predict that Jeff. Davis will be on the banks of the Hudson within thirty days; that Mr. Lincoln will fly, with what little may be scraped together from a bankrupt Treasury, from Washington, and that Gen. Scott will bear him company; that nothing will be left a month hence of the Old Union, except possibly New England; and that the special session of Congress, called for the Fourth of July, will not meet nearer Washington than Portland, Maine, if it ever ets at all.”—*Memphis Avalanche*.

“The proceedings of the brutal mobs in Philadelphia, New York, &c., are, of course, what might be expected of those sewers into which the whole world has poured its superfluous filth and scum. The action of these church-burning, flour-plundering, swinish groundlings, has no terrors for any but their Northern masters, the cowardly conservatives, or conservative cowards, who succumbed at the first onset of their white slaves. It is not only easy, but delightful, for bestial and craven natures to be ferocious and blood-thirsty where there is no danger, and Philadelphia, New York, &c., being supposed to be perfectly secure from bombardment, of course the dogs, wolves, hyenas, &c., had it all their own way.

“But upon the barbarians who compose the lower orders of the Northern cities, and who are much inferior in humanity and refinement to African negroes, it is a waste of ammunition to exhaust a single invective. The grossness and bestialities of these ‘lewd fellows of the baser sort’ are all upon the surface, and, therefore, bad as they are, they are not as contemptible as their masters. With some exceptions, the wealthy classes of the Northern cities are reptiles who have emerged from the same Stygian mud in which the more demonstrative and unclean mob are now wallowing, and in no wise differ from them except in their wealth, which has no power to confer elevated sentiments or purity of character.

“Consequently, as their own newspapers testify, the classes of those cities called conservative, which is but another name for men of money, are the most depraved and ignorant of any society in the world which pretends to social elevation and influence. It is believed that Paris, in its worst days, never equalled the corruptions of society among the fashionable classes in the Northern cities.

“For true conservatism, we have the most profound respect; and Heaven forbid that, in forming a new government, the South should have root or branch of the accursed leveling and agrarian spirit which has brought this country to its present ruin. But for the whited political and moral sepulchres of the North, called conservatives, simply because they have money in their purses, and seek to conserve it at the cost of a nation’s peace and happiness, we have no sentiments but those of profound loathing and abhorrence.”—*Richmond (Va.) Dispatch*.

“That the brutal fanatics who sit in the high places at Washington are ready to plunge the whole country into contest and blood, we have never doubted. It was a thorough conviction of their treacherous and desperate hatred of the South that compelled us to urge, as the only course of safety for the South, a prompt and eternal separation from their power.

“Events have shown that our estimation of this brutal and bloody faction was correct. Large portions of the people of the seceding States did not believe it. The frontier slave States have not believed it. They have still believed that there were feelings of respect, feelings of fraternity toward the people of the South, from the great body of the people of the North. Hence they have lingered in the foul embraces of a Union mastered by Abolitionism, whose one great policy was the subjugation of the South to the dominion of the North—whose one great passion was to destroy the South. Slowly, but surely, time has lifted the veil from the hideous and loathsome features of Abolitionism enthroned in Washington. Its inauguration by cannon and bayonets manifested at once its principle and its reliance for success—despotism and force. Oliver Cromwell, praying whilst Charles the First’s head was being cut off, was the example of its bloody hypocrisy.

“With Lincoln’s proclamation, and his requisition for troops to march upon the South, the standard for the conquest of the South is at last unfurled. Thirty years’ agitation and hate at last breaks forth in its eager cries for blood. It is most natural. Thank God, the consummation is in our day, whilst yet we have the power to resist—the capacity to save ourselves from its meditated devastation, insurrection and horrors.

“But will Northern hate and fanaticism fail in its prey? Will it not at least carry through the South one long track of blood, which will tell to future ages its fierce invasion, and stern efforts for conquest? We answer, no!

“Fortunately for the world, it is never all mad. The first great result of the meditated invasion of the South will be to unite the South together. United together, the South is invincible. The North knows this as well as the South. On this account, we rejoice at the late demonstrations in Charleston Bay, and the war policy declared at Washington.



Virginia will soon be with us; and the other frontier States will follow her lead. They are forced to take sides by the Abolition government at Washington. They must help to conquer us, or aid us in our defence. We cannot doubt the result. The miserable fanatics and charletans at Washington are pursuing the very course of policy we most earnestly desire them to pursue, and will defeat and destroy their power for evil in their effort to exercise it. We deprecate war; but we frankly confess, that if war is necessary to consolidate the South, it is far preferable to the slaveholding States being divided. It is very far preferable to a mixed confederacy of slave and free States. The demonstration of war upon the South will, however, prevent war, by raising up such a power to meet it, through a united South, as will ensure its defeat."—*Charleston Mercury.*

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A MODEL LETTER FROM A BALTIMORE SECESSIONIST. One of the valiant secessionists of Baltimore has written the following curious letter to his brother, a Union man:—

“BALTIMORE, Md., April 25, 1861.

“MY DEAR BROTHER,—I received your letter yesterday. All glad to hear from you. We have had stirring times in Baltimore since last Friday. We have driven back the hordes of negro worshippers from the North. It is really laughable to read the extracts from the New York papers about sacking and burning our city, when we have fed the half-starved slaves of Lincoln. On last Monday, we sent three car-loads of bread to the Pennsylvania paupers sent to attack us, and Baltimore told Lincoln to order them home, and he obeyed her. You have no idea of the war spirit here. Man and boy are all ready for the attempt to destroy us. In twelve hours, we could have sixty thousand men under arms, all eager for the fray. New York is a ruined city; the South is done with her for ever; her attitude towards her will not be forgotten soon. Maryland is out of the hateful Union—this will be the battle-ground. I beseech you not to volunteer against your native State. Your brothers and nephews will be in the ranks of old Maryland. I am so much excited, that I cannot write any more. *I am a rebel.*

“Your affectionate brother,

\* \* \*.”

“The rapid enlistment at the North of ‘Dead Rabbits,’ ‘Plug Uglies,’ ‘Blood Tubs,’ ‘Jakies,’ ‘Soap Locks,’ ‘Bar-room Loungers,’ ‘Loafers,’ ‘Wharf-Rats,’ ‘Thieves,’ and ‘Pickpockets,’ reminds us that it is time we had begun to organize, and prepare to defend our wives, our sisters, and our little ones from the menaces of a lawless horde that is now preparing for a descent upon our sacred hearthstones. Thousands of vagabonds at the North, with nothing else to do, are enlisting, not only for their bread, but the plunder that they expect to place their lawless grip upon. Men who have nothing to lose make the best thieves, and the outlawed scoundrels who are now filling the ranks of the Black Republican army are men who have no interest in common with humanity. Their nature is to prey upon their species, and they are prepared, like all other freebooters, to cut the throats of their neighbors, their fathers, or their brothers, for the sake of gold!

“To call them Judases would be a compliment, for that fallen disciple must have been possessed of the devil, and was prompted to betray and deliver the body of Christ, more by the influence of his Satanic Majesty than for the sake of the filthy lucre. But these mercenary hirelings, these Arnolds, are influenced alone by the thirty pieces of silver, and are not possessed of a sentiment half so sublime as that which the devil placed in the bosom of Judas.

“Is it to be supposed, then, that the Cut-Throats and Assassins, who sell themselves to the Typhon at Babylonish Washington, for Gold, for Booty, and for Beauty, will spare our homes and our household goods? Let no man lay that ‘flattering unction to his soul,’ but rather let us prepare for their defence, and wall them in with bristling bayonets, determined hearts and willing hands.”—*Norfolk Day-Book*.

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“The people of the North are either scared half out of their senses, or they are endeavoring to frighten us with their war bluster. By all accounts, they are raking their country from one extreme to the other, to catch every poor vagabond that they can either coax, buy or force to enlist.”—*Savannah News*.

“We are ready for action—they are getting ready to prepare to act. They may raise plenty of men—men who prefer enlisting to starvation, scurvy fellows from the back shams of cities, whom Falstaff would not have marched through Coventry with; but these recruits are not soldiers, least of all, the soldiers to meet the hot-blooded, thoroughbred, impetuous men of the South. Trencher soldiers, who enlisted to war on their rations, not on men, they are—such as marched through Baltimore—squalid, wretched, ragged and half-naked, as the newspapers of that city report them. Fellows who do not know the breech of a musket from its muzzle, and had rather filch a handkerchief than fight an enemy in manly combat. White slaves, peddling wretches, small-change knaves and vagrants, the dregs and off-scourings of the populace—these are the levied ‘forces’ whom Lincoln suddenly arrays as candidates for the honor of being slaughtered by gentlemen such as Mobile sent to battle yesterday. Let them come South, and we will put our negroes to the dirty work of killing them. But they will not come South. Not a wretch of them will live on this side of the border longer than it will take us to reach the ground, and drive them over.

“Mobile is sending forth to wage this war of independence, the noblest and bravest of her sons. It is expensive, extravagant, to put such material against the riff-raff of mercenaries whom the abolition power has called out to war upon us. We could almost hope that a better class of men would fall into the Northern ranks, that our gentlemen might find foemen worthy of their steel, whom it would be more difficult to conquer, and whose conquering would be more honorable. For the present, however, we need not expect to find any foe worth fighting, with the exception of a few regiments, for the North is now getting ready, and will likely be whipped before it is ready.”—*Mobile Evening News*.

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“It is said that affairs in New York are in a very gloomy state, and that the people have no hopes of a better future state. Of course they haven’t—Heaven was not intended for Black Republicans.”—*New Orleans Delta*.

A writer in DeBow's *Review*, the ablest of the Southern magazines, gets quite beside himself in talking of the North. Hear him!

"Our Southern women are all conservatives, moral, religious, and sensitively modest, and abhor the North for infidelity, gross immorality, licentiousness, anarchy and agrarianism. 'Tis they and the clergy who lead and direct the disunion movement. It is a gross mistake to suppose that abolition alone is the cause of dissension between the North and South. The Cavaliers, Jacobites and Huguenots, who settled the South, naturally hate, condemn and despise the Puritans, who settled the North. The former are master races—the latter a slave race, the descendants of the Saxon serfs. The former are Mediterranean races, descendants of the Romans; for Cavaliers and Jacobites are of Norman descent, and so were the Huguenots. The Saxons and Anglos, the ancestors of the Yankees, came from the cool and marshy regions of the North, where man is little more than a cold-blooded, amphibious biped.

"We are the most aristocratic people in the world. Pride of caste and color and privilege makes every man an aristocrat in feeling. Aristocracy is the only safeguard of liberty, the only power watchful and strong enough to exclude monarchical despotism. At the North, the progress and tendency of opinion is to pure democracy, less government, anarchy and agrarianism. Their hatred of the South will accelerate this noxious current of opinion, and anarchy will soon wind up in military despotism. There will be as many little despots as there are now States, for no usurper will wield means sufficient to conquer or fuse into one several States. It will be a great improvement in Northern affairs, and is far preferable to Northern Democracy, agrarianism, infidelity and free love." •

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"Virginia is the particular object of abolition envy, hatred and arrogance. As the doomed and damned of Tophet hate the blessed in Paradise, so do the mean, hungry, avaricious, lying, cheating, hypocritical, cunning, cowardly Yankees hate the high-toned, elevated Southerner, but, above all, the Virginian." — *Richmond Examiner*.



MEX IN BUCKRAM. The New Orleans *True Delta* says:

"It is really refreshing this ardent weather to read the acubrations of the Northern journals, each one of them, from the infamous *Herald* to the slimy *Journal of Commerce*, trying to outdo its mendacious neighbor in lying upon the most stupendous and patriotic scale. The immense armies these individuals proclaim as springing like Macgregor's clansmen from every bunch of heather, eager to devour these States, niggers and all, are, in our opinion, in buckram only; mighty upon muster rolls, but few and far between upon marching occasions. That a good many can be got to go to Washington, we do not doubt; pastures thereabout are pleasant, and when open gratis to all visitors, agreeable and welcome; but when it comes to the turn of Patterson, or Butler, or Cushing, honest Caleb, to try their 'prentice hands at war making to the South of the Potomac, our belief is that they will be missing.

"Virginia, we think, can hold her own against all the armies this description of men will lead against her, without any other aid than her own fighting resources will furnish; still, as her climate is inviting, and her hospitality of world-wide recognition, we would wish our gallant young soldiers now sickening upon the Metaire ridge an early safe deliverance from that locality and its execrable commissariat, and to get the route for Richmond. When there, if Butler and Cushing should find followers from the Massachusetts men, or the terrible New York Seventh, other than such deserters, the country will be delighted, and for once in their lives these worthies will have a chance of meeting that retribution which sooner or later never fails to reach the betrayer of principle, the enemy of right, the venal conspirator, and the traitor, in all of which characters they have appeared and flourished. Let the Abolition and Breckinridge Democratic journals of the North continue to call for the destruction of the South; it inspires no more uneasiness than the incoherent gibberish of the drivelling idiot, for they well know it means nothing, and that those who most vociferously unite in making the cry will be the very last to undertake the experiment of putting it into execution. The people are bewildered, but their enemies tremble in the presence of the spirit they have raised."

The New Orleans *Delta*—the organ of the buccaneering horde which makes that city its head quarters—thus speaks of the enlightened masses of the free States. The last we heard from the *Delta*, (says the Boston *Transcript*,) its agent was in Boston soliciting subscribers, on the ground that it was a Union paper. He obtained about a hundred names, at ten dollars each. That paper now says:—

“There is no doubt that the Northern people are at this moment fit representatives of the barbarian hordes which formerly devastated the world. They are furnishing the very best evidence that they are incapable of thorough civilization; that they possess only the outward symbols of modern enlightenment, while they are by nature cruel, blood-thirsty, arrogant and boastful. But there is really very little danger to be feared from them. Civilization no longer stands in dread of barbarism. One race of savages has already been expelled from the country; but not that it may fall into the hands of another. The Northern people may exhibit all the ferocity of the Huns, but they will never find an Attila to lead them to the conquest of the South.”

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The following article, copied from the Richmond *Examiner*, is a choice specimen of the appeals put forth to concentrate a rebel force on Washington:—

“The capture of Washington city is perfectly within the power of Virginia and Maryland, if Virginia will only make the proper effort by her constituted authorities; nor is there a single moment to lose. The entire population pant for the onset; there never was half the unanimity amongst the people before, not a tithe of the zeal, upon any subject, that is now manifested to take Washington, and drive from it every Black Republican who is a dweller there. From the mountain tops and valleys to the shores of the sea, there is one wild shout of fierce resolve to capture Washington at all and every human hazard. The filthy cage of unclean birds must and will assuredly be purified by fire. The people are determined upon it, and are clamorous for a leader to conduct them to the onslaught. That leader will assuredly arise, aye, and that right speedily.

“It is not to be endured that this flight of Abolition harpies shall come down from the black North for their roosts in the heart of the South, to defile and brutalize the land. They come as our enemies—they act as our most deadly foes—they promise us bloodshed and fire, and this is the only promise they have ever redeemed. The fanatical yell for the immediate subjugation of the whole South is going up hourly from the united voices of all the North; and for the purpose of making their work sure, they have determined to hold Washington city as the point from whence to carry on their brutal warfare.

“Our people can take it—they will take it—and Scott, the arch traitor, and Lincoln, the beast, combined, cannot prevent it. The just indignation of an outraged and deeply injured people will teach the Illinois Ape to repent his course, and retrace his journey across the borders of the free negro States still more rapidly than he came; and Scott, the traitor, will be given an opportunity at the same time to try the difference between ‘Scott’s tactics’ and the Shanghai drill for quick movements.

“Great cleansing and purification are needed, and will be given to the festering sink of iniquity, that wallow of Lincoln and Scott—the desecrated city of Washington—and many indeed will be the carcasses of dogs and catiffs that will blacken the air upon the gallows, before the great work is accomplished. So let it be.”

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“It seems that Washington City is the destination of most of Lincoln’s levies. He is evidently determined to secure the protection of his own person against the approaches of the ‘secessionists,’ who doubtless haunt his midnight dreams. He could not play his card more effectually in the interests of the South. When he collects as many of his trainbands around him as he may deem essential to his safety, the armies of the South will close in upon them, as the hunter draws his net upon the luckless covey that find their way into its folds in the blindness of ignorance and fear. Maryland and Virginia have joined the South in time to participate in this rare sport.”—*Jackson Mississippian*.

“A squad of Massachusetts militia, confronted by an equal number of Mississippi riflemen, would make better time than ever Lexington made over the Metairo course. Massachusetts pluck and prowess are terrible on paper, but on paper only. The down-casters of Massachusetts are now avowing their ability and their intention of whipping the Southerners, to use their own classic language, ‘to all darnation.’ When it comes to the pinch, they will simmer down more quickly than the well-known individual, whose call for the man that struck Billy Patterson was so promptly and unexpectedly answered. The South, so it is threatened, is to be invaded by an army of codfish and onion-fed warriors from the State of Maine. At the first fire from Bragg’s or Beauregard’s battery, they will scatter like a parcel of young chickens when they see the hungry hawk swooping down on them from the upper air.”—*New Orleans Crescent*.

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“The cowardly ‘eighteen millions’ North told us we should not leave the Union. We did it openly and boldly, and they humbly acknowledge our government ‘as a necessity.’ They shouted the praises of the ‘stars and stripes,’ and dared the ‘chivalry’ ‘to touch the sacred emblem.’ We have torn it down; we have placed in its stead the flag of the Confederate States; we have dared them to ‘coerce’ us and resent the insult; we have invited their vaunted numbers to the field; but the only cry that comes from the craven dogs is, ‘military necessity’; ‘give up the forts’; ‘withdraw the troops’; let us ‘eat dirt and live.’ It is sickening to think of ever having lived in the same government with such a people; but let us rejoice at our separation, and look southward. The game North is beneath contempt, while Mexico invites us, by invasion of Texas, to reenact our former achievements.”—*Houston (Texas) Patriot*.

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WANTED—5000 Washerwomen, with broomsticks, to whip back Governor Sprague’s regiment from Rhode Island, lately offered to Lincoln.

CODFISH & INGUNS.

—*Augusta (Ga.) paper*.



MORE SOUTHERN "HONOR." The following is a copy of a letter received by Mr. Lyman Dike, a shoe dealer in Boston. It needs no comment: such specimens of Southern honor and honesty have become too common to excite much remark:—

"COLUMBIA, S. C., May, 1861.

"LYMAN DIKE, Esq.,—I have collected three hundred dollars and twenty-three cents for you, and also for O. M. Hitchings three hundred and seventy-eight dollars and twenty-six cents, the notes for which said amounts were given; you have my receipt for collection. The above amounts are deposited in the Branch of the Bank of the State of South Carolina at Columbia. I noticed, some time ago, that the citizens of Boston were paying twenty dollars per month for hirelings to invade and subjugate the South. I will retain the above sums in my hands to assist in the payment for powder and ball expended upon your city hirelings, and the balance will be applied to give them a more decent burial than they would probably get at home.

"Yours, &c.,

J. H. PIERSON."

The *Mobile Register* of May 1st cheats itself and its readers with the following delectable romances:—

"The Massachusetts troops which were so roughly handled by the people of Baltimore were half armed, badly clothed, and nearly starved. Their colonel behaved like a dastard, gave his men the order to 'run,' and sheltered himself under the wing of the Mayor.

"At Gosport, where by Lincoln's order the public property was burned, all the accounts show that the naval and military officers and men to whom that vandal work was entrusted, behaved in a most cowardly manner, and all hands were drunk, from Commodore Macaulay down.

"The five thousand rowdies who seized Cairo are represented as the scourgings of the city of Chicago and other Western towns, and they amuse themselves with stopping unarmed boats and stealing hen-coops. An eye-witness says that one thousand firm Southern men could run them from the town, unless the mosquitoes and chills and fever save them

the trouble in the meantime. Throughout the war, so far, not one act of courage, not one symptom of generalship and soldierly feeling or ability, have been displayed. Lincoln himself is frightened to death, keeps up his spirits by pouring spirits down, sleeps with his boots on, and his 'cap and cloak' at hand, with his palace filled with armed men to guard his sacred person. The Government, and the military and the press in its service, are exhibiting at every step unmistakable signs of trepidation.

"Woe be to the Northern battalions that meet the first shock and outburst of the fiery valor and fierce indignation that have fused in one compact mass the entire Southern mind and heart! If the war lasts five years, the terms of peace will be dictated at the gates of Boston. But the war will not last so long. The day is not far distant when the North will sue for peace. Until it does, the policy as well as the will of the South is to give them war to their hearts' content—war to the knife and to the hilt."

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"Gypsies and free negroes have many amiable, noble, and generous traits; Yankees, sourkrout Germans and Canadians none. Senator Wade says, and Seward, too, that the North will absorb Canada. They are half true; the vile, sensual, animal, brutal, infidel, superstitious democracy of Canada and the Yankee States will coalesce; and Senator Johnson, of Tennessee, will join them. But when Canada and Western New York, and New England, and the whole beastly, puritanic, 'sourkrout,' free negro, infidel, superstitious, licentious, democratic population of the North become the masters of New York—what then? Outside of the city, the State of New York is Yankee and Puritanical; composed of as base, unprincipled, superstitious, licentious, and agrarian and anarchical population as any on earth. Nay, we do not hesitate to say that it is the vilest population on earth. If the city does not secede and erect a separate republic, this population, aided by the ignorant, base, brutal, sensual German infidels of the Northwest, the stupid democracy of Canada, (for Canada will in some way coalesce with the North,) and the arrogant and tyrannical people of New England, will become masters of the destinies of New York."—*De Bow's Review*.

The sort of stuff which passes for news in the Southern States seems to be growing more and more absurd. For instance, in the *Charleston Courier*, of April 29, we find these items:—

“We learn from a passenger from Philadelphia, that one day last week, at Havre-de-Grace, three of the Northern volunteers who were marched from the North refused to go any further, assigning as a reason that they did not volunteer to go into a war of invasion upon the South. An officer who was standing by instantly cut and hacked two of the men to pieces. A third, who took the same ground, gave vent to a similar expression for the Union, cut his own throat from ear to ear, rather than allow himself to be hacked to pieces.

“Mob law [in New York city] is triumphant, and Southern men, or those known to sympathize with the South, are in constant danger of their lives. Vigilance committees visit the houses of the wealthy, and every man is heavily assessed for the support of the families of those who have volunteered their services to the Administration. Assessments of \$5,000, \$3,000 and \$2,000 on large houses are said to be very common. Those merchants who refuse, or make the slightest hesitation, are threatened with the cleaning out of their stores, and several already have been emptied by the mob.

“Three men were set upon in Florence Hotel, New York, and two killed, for expressing sympathy with the South.

“Merchants are packing off their clerks, and it is said that several large manufactories have been stopped with a view of forcing the operatives into the ranks of the volunteer soldiery.”

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The *Raleigh (N. C.) Banner*, urging an attack upon Washington, says:—

“The army of the South will be composed of the best material that ever yet made up an army; whilst that of Lincoln will be gathered from the sewers of the cities—the degraded, beastly offscourings of all quarters of the world will serve for pay, and run away just as soon as they can, when danger threatens them.”

The following insulting letter has been sent to the President, who is in frequent receipt of such malignant effusions:

"DEMOPOLIS, Alabama, }  
Confederate States of America, April, 1861. }

"HIS EXCELLENCY, ABRAHAM LINCOLN:

"Sir,—I have just read your proclamation calling for 75,000 mercenaries to invade these States. With all proper respect, I offer you a wager of \$50,000, that we meet you half way, and whip you and your Yankee hosts.

"Respectfully, ALFRED HATCH.

"P. S. If the bet is accepted, the money will be deposited in the Farmers' Bank of Virginia."

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A POLITE INVITATION. Troops from the South and Southwest continue to pour into Virginia. They all go armed and equipped, and when Abraham orders his mercenaries to invade Old Virginia, they will be met by not less than 100,000 well drilled and thoroughly disciplined troops, and after the first battle, won't the vultures have a good time feeding on Yankee carcasses? Come on, *Abraham*, you are wanted! Old Scott, we hope, will head the invading force. If so, his bones will be apt to rot on the soil which he has disgraced by his treachery.—*Newbern Progress*.

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THE POISONING POLICY. A letter from Pensacola to a Mobile paper gives an account of an interview between a U. S. officer on board of the Powhatan, and a Capt. Thompson, whose craft had been overhauled, wherein the officer expressed a desire to purchase fresh butter, eggs, vegetables, &c. The writer adds—

"Here's a chance now to play old Greeley's game—strychnine the last rascal of an officer; rat soup the marines, and drench the sailors with chain-lightning whisky. Any thing, any thing to get rid of these hateful ships and their crews."



A correspondent of the *Charleston Courier*, writing from Richmond, anticipates an attack upon that city, "the gem of the State, the Koh-i-noor upon which Lincoln and that twin-hearted brother of his, the recreant Scott, are feasting their gaze as the richest prize of the South." "Possibly," he says, "the 'glorious Seventh,' that orchestra of military virtues, will lead the vanguard—'glorious' in their clean faces, languishing side whiskers, good clothes, white kids and patent leather boots; and possibly they may be received, but not as before. It will be a 'welcome with bloody hands to hospitable graves.' Zouaves, rowdies, New York thieves and cut-throats, mingled with a hodge-podge of Jerseymen, Rhode Islanders, Massachusetts men, wooden-mtmeg Yankees and Down-Easters, may also come—a solid, gaping phalanx; but they will be met by a wall of Southern hearts, who will turn them in their tracks, or annihilate them from their soil. There is a great difference between fighting for wages or for an abstract idea, and fighting for mothers, wives and sisters. 'Beauty and booty' may be a tempting motto with which to invade your neighbor's fireside, but it is one which wipes out all the landmarks of civilized warfare, and will secure for its follower the fate of the brute."

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The *Memphis Avalanche* says:—"It is painful to see the Chair at Washington disgraced by such a degraded, drunken wretch as Abe Lincoln. Our reverence for the Father of his Country makes us anxious to see the city bearing his honored name rid of such a caricature of a President." The same print persistently accuses "old Abe"—as honest an old teetotaler as ever lived—of habitual drunkenness, and says the President became addicted to this vice in this way:—"The cares of place affected his nervous system so much that he could not sleep. His physician administered to him large quantities of opium and brandy each evening until stupidity would ensue, and then he would fall into profound slumber. In the morning, his prostration would become so great that liquor would be resorted to; and thus, by a frequent repetition of this treatment, he has become so demoralized by the use of liquors as to be perfectly imbecile, and thoroughly indifferent to what is passing around him."

"We have much to do. We shall be necessitated to whip them soundly — to burn a few of their towns — to capture Washington as a city, or enter it as a heap of ruins; we will have to cripple their commerce with privateers; burn their factories, and reduce them to the condition of begging peace, instead of graciously condescending to grant us a separate existence with peace, as we have besought. Every thing leads to this opinion. They are distracted among themselves. Their resources are crippled; their toiling millions are suffering already; their sober, thinking men acknowledge that madness rules their every movement, and none who view things as they are can for a moment believe that success will crown their efforts.

"On our part, we have hundreds of thousands of men well armed, ready to take the field at a moment's warning. We are united in every way, with the consciousness of a just cause, and, above all, with *millions* of dollars at our command." — *Montgomery corr. Charleston Courier.*

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"The people of the Monumental City were right in arresting the progress of an army raised to shoot down their Southern brethren. We hope they will keep up the good work, and even strike at home for their honor and independence. There are slumbering fires, not only in Maryland but in States north of her, that await only an opportunity to burst forth, and when they appear, we may look out for a revolution that the world now little expects. Thank God! the time has arrived when these minions of Abolition can never plant a foot south of the Potomac. Virginia will see to it, if tried, that they repent the experiment." — *Savannah Republican.*

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**ALL TO BE BUTCHERED.** The leading papers of the Lincoln party at the North declare that the people of the South shall be butchered like dogs, and their property divided out among the soldiers who fight for Lincoln. They threaten our wives and our little ones with the most inhuman butchery, and talk of setting fire to our dwellings and wiping us from the very face of the earth. — *Milledgeville Federal Union.*

The Tallahassee *Sentinel* has just learned how Mr. Lincoln lives. It says:—

“Lincoln keeps five men in his room to guard him by night, and Mrs. Lincoln two to guard her. Old Abe, in order to keep his spirits and courage up, ‘pours the spirits down,’ and is half drunk all the time. For fear of being poisoned, Mrs. Lincoln has turned cook, and prepares all the food they eat. Some ministers of the Gospel recently called to see him, to entreat him to desist from his mad policy of coercion, when the indignant Abe cursed them away, swearing that the Southerners should wade knee-deep in blood before entering Washington city.”

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“But one course is left for all honorable Southern men to pursue: that is, to get ready for battle. The man that doubts is damned; he that dallies is a dastard. We feel no apprehension as to the patriotism of the people of the Confederate States. An army of seventy-five thousand men, backed by volunteers from the Border States, will soon be organized by President Davis. But we must not only be ready to defend our homes, our families and firesides: we must carry the war into Africa. We must attack the Black Republican citadel, and drive out its infamous garrison. Let Washington city be the point of attack, and an army of 100,000 men be marched against it.”—*Federal Union, Milledgeville, Ga.*

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The following is an extract of a letter from New Orleans, dated April 10:—

“I start in a few days at the head of a thousand of the best men you ever saw, with Maynard rifles and Colt’s navy revolvers. We think we can whip five Abolitionists to one of us. We may meet some of you at Washington—if so, look out for the top of your heads at a thousand yards.”

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“We learn from a gentleman who saw this regiment [the Massachusetts 6th] at Baltimore, that it is composed of the meanest-looking, whiskey-swilling, rum-head ragamuffins that he had ever seen.”—*Montgomery Mail.*

“Our citizens feel considerable relief at getting rid of Gen. Butler—in other words, *Picayune* or *Strychnine* Butler—who was in command for some days of this military division. A more conceited or bigger fool has not appeared in Baltimore since the National Democratic Convention last spring, when the same popinjay coxcomb was here figuring as a great Breckinridge man. Our citizens of intelligence and polite attainments, who were obliged to come in official contact with him, were absolutely disgusted. Supreme respect for law and order alone prevented his getting into difficulty. Fancy the old mush-head seated upon a charger, armed with sword and pistols, a cigar in his mouth and half tight, surrounded by his staff and body guard, riding the streets in open day, blustering like a swelled frog, assuming importance much beyond what that reptile did when it swelled to bursting at beholding the ox. Thank fortune, ‘Picayune Butler’ has gone from town, as is well understood, at the bidding of his master, and left a gentleman—Gen. Cadwallader—to adorn the position he cumbered with a mountebank.”—*Baltimore corr. Charleston Courier.*

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The *Charleston Mercury*, after saying that the officers clothed with power by the voice of the people “would fly like rats out of a burning barn,” out-Herods Herod thus:—

“Let them go. Do not pollute the soil of Virginia or Maryland with their mean blood. Let them go. To keep them in Washington, after Virginia and Maryland have seceded, you will have to put them in a three-story jail. Do not dignify them by chasing them—much less killing them.”

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“If one half the Northern people feel and think as we infer from their papers—and they represent a vast majority in every State—we would as soon confederate with the cannibals of the South Sea or the Thugs of India as with them. They have forced us to the separation, and now, we say, let it be for ever—and even beyond that time, should God in his providence permit. We want nothing to do with such a people, either in time or eternity.”—*Savannah Republican.*



SOUTHERN HATRED

OF THE

AMERICAN GOVERNMENT,

THE

PEOPLE OF THE NORTH,

AND

FREE INSTITUTIONS.

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BOSTON:  
PUBLISHED BY R. F. WALLCUT,  
No. 221 WASHINGTON STREET.  
1862.

## P R E F A C E .

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THIS tract is supplemental to a tract of 24 duodecimo pages which was published last year by R. F. WALLCUT, 221 Washington Street, Boston, entitled "*The Spirit of the South towards Northern Freemen and Soldiers defending the American Flag against Traitors of the deepest Dye.*" As far as practicable, both of these tracts should be carefully bound together for future reference, and as a matter of historical importance. To these should be added another, published by the American Anti-Slavery Society, in 1860, entitled "*The Patriarchal Institution, as described by Members of its own Family—compiled by L. Maria Child.*"

All these tracts furnish overwhelming evidence, drawn from Southern sources, that it is not against Abolitionism or Republicanism, *per se*, but against free institutions and the democratic theory of government universally, that the South has risen in rebellion for the overthrow of the American Union, and the establishment of a hostile independent confederacy, based on oligarchic and despotic principles. The spirit by which she is animated, in her treasonable career, is comprehensively embodied in the following venomous statement of the *Richmond Examiner*:—

"We have got to hating everything with the prefix *free*; from free negroes, down and up, through the whole catalogue. Free farms, free labor, free society, free will, free thinking, free children, and free schools, all belong to the same brood of damnable *isms*. But the worst of all these abominations is the modern system of *free schools*. The New England system of free schools has been the cause and prolific source of the infidelities and treasons that have turned her cities into Sodoms and Gomorrabs, and her land into the common nestling-places of howling bedlamites. We abominate the system, *because the schools are free.*"

Also, in the following extract from the *Muscogee (Alabama) Herald*:—

"*Free society!* We sicken of the name. What is it but a conglomeration of *greasy mechanics, filthy operatives, small-fisted farmers,* and moon-struck theorists? All the Northern States, and especially the New England States, are devoid of *society fitted for well-bred gentlemen.* The prevailing class one meets with is that of mechanics struggling to be genteel, and small farmers, who do their own drudgery; and yet who are hardly fit for association with a gentleman's body servant [slave]. This is your *free society!*"

What delusion or hypocrisy it is, then, to represent that the South has no objection to anything at the North but its Abolitionism! Read and ponder what she says of the Government, and of the People, Soldiers, and Institutions of the North!

## SOUTHERN HATRED OF FREE INSTITUTIONS.

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THOUGH last, not least, the new Constitution has put at rest forever all the agitating questions relating to our peculiar institutions—*African slavery* as it exists among us, the proper status of the negro in our form of civilization. *This was the immediate cause of the late rupture, and of the present revolution.* Jefferson, in his forecast, had anticipated this as the rock upon which the old Union would split. He was right. What was conjecture with him is now a realized fact. But, whether he fully comprehended the great truth upon which that rock stood, and stands, may be doubted. The prevailing ideas entertained by him, and most of the leading statesmen at the time of the formation of the old Constitution, were that the enslavement of the African race was in violation of the laws of nature; that it was wrong in principle, socially, morally, and politically. It was an evil they knew not well how to deal with; but the general opinion of the men of that day was, that, somehow or other, in the order of Providence, the institution would be evanescent, and pass away. \* \* \* \* *Those ideas, however, were fundamentally wrong. They rested upon the assumption of the equality of races. This was an error. It was a sandy foundation, and the idea of a government built upon it, when the storm came, and wind blew, it fell.*

Our new Government is founded upon *exactly the opposite ideas*; its foundations are laid, its corner-stone rests, on the general truth, that the negro is NOT equal to the white man; that slavery, subordination to the superior race, is his natural

and normal condition. This, *our new Government, is the FIRST in the history of the world, based upon this great physical, philosophical and moral truth.* \* \* \* \* \*

The negro, by nature or the curse of Canaan, is fitted for the condition which he occupies in our system. The architect, in the construction of a building, lays the foundation with the proper material—the granite—then comes the brick or the marble. The substratum of our society is made of the material by nature best fitted for it, and by experience we know it is best, not only for the superior but the inferior race, that it should be so. It is, indeed, in conformity with the Creator. It is not for us to inquire into the wisdom of His ordinances, or to question them. \* \* \* \* \*

The great objects of humanity are best attained when conformed to His laws and decrees in the formation of governments, as well as in all things else. Our Confederacy is founded on principles in strict conformity with these laws. **THIS STONE, WHICH WAS REJECTED BY THE BUILDERS, IS BECOME THE CHIEF STONE OF THE CORNER OF OUR NEW EDIFICE.**

\* \* \* \* \*

These people are now warring against that principle, and attempting to govern us as King George did; it is, therefore, an unnatural and irrational and a suicidal war, and you cannot count upon its duration. When a people becomes mad, there is no telling what they will do. It is so in the history of other empires; it was so in France. They say we are revolutionists; they call us rebels. I think it will be a revolution before it is over; but if a change of government makes revolution, the revolution is at the North.

I tell you the revolution is at the North. There is where constitutional liberty has been destroyed; and if you wish to know my judgment about the history of this war, you may read it in the history of the French Jacobins. They have become *a licentious and cowardly mob*, and I shall not at all be surprised if, in less than three years, the leaders in this war, if Lincoln and his Cabinet, its head, came to the gallows or guillotine, just as those who led the French war; for human passions, when once aroused, are as uncontrollable as the elements above us. The only hope of mankind rests in the restraints of constitutional law, and the day they framed and ratified these lawless measures of Lincoln, they dug their



own graves. They may talk of freedom and liberty, but I tell you no people without rulers restrained by constitutional law can be free. They may be nominally free, but they are vassals and slaves, and this unbridled mob, when they attempt to check it, Lincoln and the rest will be dealt with just as I tell you it was in France. — *Extracts from a speech of Alexander H. Stephens, Vice-President of the Confederacy.*

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“LIBERTY OR DEATH!” This was the cry of Patrick Henry in the great struggle for our national independence. We believe, at this moment, it animates the hearts of all true Virginians. Indeed, we have never seen nor imagined anything comparable in the feeling which pervades this Commonwealth at this time. Since the foul invaders have polluted our soil with their footsteps, an irrepressible eagerness to give them bloody graves pervades all classes. Old and young, women and children, all share in the exciting and universal emotion. Death to the tyrants is not only on the lips, but in the hearts of our whole population. The restraints of military discipline are scarcely thought of in the intense and restless anxiety to rush on the foe, and avenge in blood the outrage on our honor and freedom.

We confess to a thorough sympathy with this patriotic ardor, and know no refreshing sleep on account of the restless desire to be butchering the invading ruffians. But it is an impatience which we know should be moderated, and reduced to subordination to military discipline. Its unrestrained indulgence may bring more mischief on ourselves than on the enemy. We fear some such catastrophe. Let us, while we cherish an ardor and determination to resist to the death, remember that we have able military leaders, and put implicit confidence in the wisdom of their measures. *They are cheerful and confident at the prospect before us.* Let not the people be discouraged by any petty and temporary reverses that may befall us. The enemy have some advantages to start with; but we have advantages—the advantages of a brave and free people fighting for their firesides and freedom—against which all the hosts of despotism cannot prevail. We may be worsted to-day, but, cheered by

Liberty's manly voice, we will rally with redoubled energy for the fight to-morrow.

Let the bright example of Jackson of Alexandria animate every heart, and the memory of his sad fate impel the avenging steel of every Virginian. See in every Yankee the murderer of that patriot martyr!—*Richmond Whig*.

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Do these besotted fanatics flatter themselves that Alexandria is to be kept in chains, like those which bind poor Baltimore to the ear of the Federal despotism? The "bloody and brutal" purpose of the Abolitionists, to subjugate and exterminate the Southern people, stands confessed by this flagrant outrage upon Virginia soil.

Virginians, arise in your strength, and welcome the invader with "bloody hands to hospitable graves." The sacred soil of Virginia, in which repose the ashes of so many of the illustrious patriots who gave independence to their country, has been desecrated by the hostile tread of an armed enemy, who proclaims his malignant hatred of Virginia because she will not bow her proud neck to the humiliating yoke of Yankee rule. Meet the invader at the threshold. Welcome him with bayonet and bullet. Swear eternal hatred of a treacherous foe, whose only hope of safety is in your defeat and subjugation.

Virginia will be the Moscow of the Abolitionists—our armies are gathering to the prey, and so surely as the patriot-freemen of the Southern army come in conflict with *the mercenary hordes of the North*, so surely will they give the world another example of the invincibility of a free people fighting on their own soil for all that is dear to man.—*Richmond Enquirer*.

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We rejoice at the death of Ellsworth, and only regret that every man who followed him did not share his fate; we lament the sacrifice of the gallant Virginian. \* \* \*. We trust that every colonel in the Federal service will meet his Jackson, and that every Hessian will find his grave upon her soil.—*Lexington (Ky.) Statesman*.

OUR WOMEN AND CHILDREN. The newspaper organs of Lincoln are constantly fulminating the most atrocious threats against the women and children of the South. They tell us that these tender objects of our hearts' dearest affections are to be *subjected to indiscriminate massacre, and to outrage worse than death.* With fiendish satisfaction they gloat over the anticipated ruin of Southern homes, and the murder of the helpless and innocent.

These cowardly threats are neither disavowed nor rebuked by the Washington Administration. They are suffered to pass uncontradicted as authentic expositions of their purpose and policy. They are read by Lincoln's soldiers, as incentives to deeds of cowardly cruelty, and intimations of the blood-thirsty wishes of their employers. They will not be lost on *the rabble of vagabonds and cut-throats enlisted by Lincoln's agents, to execute his foul purposes.* We cannot doubt that they will be faithfully executed by these minions of the Administration, if they get an opportunity. *The drunken ruffian* who heads this degraded Administration, and the imbecile but wicked men who compose it, are perfectly willing to turn loose on the South these armies of mercenaries, with instructions to spare neither age nor sex.

A government that begins a war upon those whom it claims to be its own subjects, with the avowal of such atrocious designs, merits only the abhorrence and execrations of mankind, and puts itself outside the pale of civilized and Christian powers. Repudiating the merciful code of modern warfare, by which all Christian governments are restrained in the conduct of war, it classes itself with the Thugs and Sepoys of India, and the merciless savages of America, and is entitled to no more respect or quarter.

Abc Lincoln and his minions think to frighten the Southern people into submission by these horrible threats, but they only rouse them to more determined resistance. Southern men will only fight with more desperate valor, knowing that they are battling for their wives and little ones, whose lives are threatened by an atrocious and insolent invader. They will meet Lincoln's mercenaries on the field of battle as they would robbers and murderers assailing the safety and sanctity of their homes. They give the atrocious Washington cliques full credit for sincerity, in their avowed wish and intention

to wage a war of extermination against the Southern women and children, but instead of being exterminated, they are only exasperated to wage against them an uncompromising war.

The Southern people are now satisfied that there was no safety for them under Lincoln's Government, and that they have not thrown off its yoke any too soon. Those who were inclined to judge it leniently, and to tolerate it longest, now see that it is the bitter and unscrupulous enemy of their section, aiming at the degradation and enslavement of the South, and *capable of any deed of hellish perfidy, of atrocious cruelty, of damning infamy*, to accomplish its ends. Since it has thrown off the mask, and shown itself in its true colors, exhibiting its real purposes, and the unparalleled treachery, injustice, oppression and unkindness of which it is capable, it has awakened in the breast of all true Southern men feelings of unutterable loathing and contempt, and of undying hatred. Upon the altar of their country they have sworn eternal enmity to the detested tyranny—none the less detested that it dares to threaten, with dastardly cowardice and inconceivable meanness, the safety and lives of our women and babes.—*Memphis Avalanche.*

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THE Northern people have gone mad—stark, staring, raving mad. As to New York city, it is nothing better than a vast mad-house. In no other way can their extraordinary and unparalleled circumsaltation be explained, in no other way can the supremacy gained by their brutal and bloody instincts over their boasted enlightenment and humanity be excused or extenuated. There is no doubt that the Northern people are at this moment fit representatives of the barbarian hordes which formerly devastated the world. They are furnishing the very best evidences that they are incapable of thorough civilization; that they possess only the outward symbols of modern enlightenment, while they are, by nature, cruel, blood-thirsty, arrogant and boastful. But there is really very little danger to be feared from them. Civilization no longer stands in dread of barbarism. One race of savages has already been expelled from the country; but not that it may fall into the hands of another.—*New Orleans Delta.*



ABOUT 1850, when the great northeastern deluge, of which mention has been made, swept over our commonwealth and laid waste our long-cherished institutions, it was very much the fashion for the "dear friend of the people" to hold up the Yankees as the models of every virtue. They were the thriftiest, the shrewdest, the 'cutest, the most enterprising, the most industrious, and the most money-getting people in the world. But their wealth, their stinginess, their venality, their dexterity paled before their unmatched fecundity. Behold how they multiply! They are as multitudinous as the stars in the heaven, or the sand on the sea-shore. Malthus, never a favorite with the sentimentalist, though teeming with profoundest wisdom, was universally discarded as a humbug and charlatan. The great Yankee nation, which doubles itself every five years, was the true exemplar of all political science, and the only model of political greatness. It is very true that the Yankees are, without a doubt, eminently endowed with the procreative faculty. Their men are lecherous as monkeys, and the women, seraggy, scrawny and hard as whip-cord, breed like Norway rats, and they fill all the brothels on the continent. It is not presumable that the tender emotions of love ever penetrate their bony bosoms; but they indulge passion because it smacks of the savor of forbidden fruit, which is sweet to their sinful natures. But they multiply,—the only scriptural precept they obey,—and boast their millions. So do the Chinese; so do the Apisdaë, and all other pests of the animal kingdom. Pull the bark from a decayed log, and you will see a mass of maggots full of vitality, in constant motion and eternal gyration, one crawling over one, and another creeping under another, all precisely alike, all intently engaged in preying upon one another, and *you have an apt illustration of Yankee numbers, Yankee equality, and Yankee prowess.*

This war will test the physical virtues of mere numbers. Southern soldiers ask no better odds than one to three Western, and one to six of the Eastern Yankees. Some go so far as to say that, with equal weapons and on equal grounds, they would not hesitate to encounter twenty times their number of the last. In respect to administrative talent, the world has never seen such a failure. With a Government thoroughly organized in their hands, complete in all its

branches, they have well-nigh smashed the whole concern in less than twelve months. So numbers do not make either warriors or statesmen.

In regard to the moral, the effects are by no means encouraging. We doubt if any society *since that of Sodom and Gomorrah* has ever been more thoroughly steeped in every species of vice *than that of the Yankees*. Infanticide is one of the established customs of the oriental Chinese; and it is by no means certain that it has not extensive prevalence among their brethren of the moral North. But this imputation need not be laid to their charge: they are bad enough without it. There is no one virtue cherished among them, except money-getting, if that can be called a virtue, pursued as it is by them to the stifling of every sentiment of generosity and honor. With envy and malignity, they pursue every excellence that shows itself among them, unconnected with money; and a gentleman there stands no more chance of existence than a dog does in the Grotto del Cano.  
—*Richmond Whig*.

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WHEN the Yankees go to Lord John Russell, and tell him that *Virginia*, which inaugurated civilization and freedom on this continent, is one of *their* rebel provinces—why, his lordship, who is as thin-visaged as a razor and as scant of flesh as an Egyptian mummy, will give them a grin, which will last them a lifetime. *They*, the makers and vendors of tin cups and wooden clocks, the liege lords of the Old Dominion—the sovereign and independent State of Virginia! If anything could inflame the indignation and scorn which this atrocious war excites, it would be this Yankee pretension to superiority and supremacy. To be under the dominion of a lady, like Queen Victoria, distinguished by every virtue, would constitute a favorable exchange for the vulgar rule of a brutish blackguard, like Lincoln. To be conquered in open and manly fight by a nation of gentlemen, and subjected to their sway, might not drive us raving distracted with rage and shame; but for Yankees—the *most contemptible and detestable of God's creation*—the vile wretches, whose daily sustenance consists in the refuse of all other people—for they eat nothing that anybody else will buy

—for them to lord it over us—the English language must be enlarged, new words must be invented, to express the extent and depth of our feelings of mortification and shame. No, it is not possible that we can be reduced to a state which there are no words to describe. Instead of this, we must bring these enfranchised slaves back to their true condition. They have long, very properly, looked upon themselves as our social inferiors—as our serfs; their mean, niggardly lives—their low, vulgar, and sordid occupations, have ground this conviction into them. But, of a sudden, they have come to imagine that their numerical strength gives them power—and they have burst the bonds of servitude, and are running riot with more than the brutal passions of a liberated wild beast. Their uprising has all the characteristics of a ferocious servile insurrection. Their first aim is demolition—the destruction of everything which has the appearance of superior virtue, which excites their envy and hate, and which, by contrast, exposes the shameful deformity of their own lives. They have suggested to us the invasion of their territory, and the robbery of their banks and jewelry stores. We may profit by the suggestion, so far as the invasion goes—for that will enable us to restore them to their normal condition of vassalage, and teach them that cap in hand is the proper attitude of the servant before his master. A cock for a sailor, a goose for a soldier—a Yankee for a gentleman—images incongruous and unnatural!!!—*Richmond Whig*.

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ABE LINCOLN is a fit successor and representative of the cruel king who thirsted for the blood of the infant Jesus. His cowardly and murderous heart prompts him to wreak his mean and hellish spite upon helpless children, rather than to encounter men in open and manly fight. He will never be caught in that scrape; he will sooner fly than face an enemy. \* \* \* We would be guilty of injustice to the doomed spirits of hell, were we to style these assassins of infants fiends, demons, or devils. Those apostate angels, we may well believe, have too much pride to wreak their immortal hate on such victims. A respectable devil would blush at such a crime.—*Memphis Avalanche*.

THE rout and dispersion, at the great pitched battle near Manassas, bring into bold relief the great fact, that *the Yankees are humbugs*, and that the *white people* of the slaveholding States are the true masters—the real rulers of this continent. Under every disadvantage on our side, the preparations for the combat were made. The Northern States had seized upon all the common property of the partnership, had monopolized the whole navy and army, and all the material, with the entire machinery of government in full operation; and boasted that they had an inexhaustible supply of men and money to wage an interminable war. For months, with all these advantages, they have been diligently engaged in organizing their forces.

Under the direction of the most vaunted military character of the age,—not of their creation, though, for they never produced a genius capable of anything beyond arranging a hotel or working a steam engine, or directing some mechanical contrivance,—they expended millions of money and drilled armies of three hundred thousand, and equipped them in a style unheard of in the annals of war. They met the rude and poorly equipped *volunteers* of the Southern States, drawn from their peaceful vocations for the first time, to the theatre of war, and they are routed and slain by the thousand, and driven like chaff before a high wind. Though guided by the highest military talent, (of Virginia short-grass growth,) they have nothing to rely upon but their numbers, and that, in the fight, proves an element of weakness.

The fact is, the Yankees are very little better than the Chinese. They lay the same stress on the jingle of their dollars that the Celestials do on the noise of their gongs. Originally endowed with no single amiable trait, they have cultivated the arts of money-getting and cheating, until gain has become their God, and they imagine it to be omnipotent. With money in their pockets, won from a generous and chivalrous race, and multitudinous as Norway rats, they are swollen with conceit, and fancied that they were fit for empire. And yet they do not possess one gentlemanly attribute, nor a single talent that qualifies them for war. Of the very first element they are destitute. They don't even know how to ride a horse—a talent only to be acquired in youth, amid gentle avocations. And as to arms, ninety-nine out of a



hundred never shot a gun; and we have it on very good authority that Old Scott lost all patience in attempting to teach them how to load a gun. The vile old wretch! he reaps a just reward for his treason and his talents misapplied.

The break down of the Yankees, their utter unfitness for empire, forces dominion upon us of the South. We are compelled to take the sceptre, and it is our duty to prepare ourselves for our destinies. We must elevate our race, every man of it—breed them up to arms, to command—to empire. The art military should constitute a leading part of every white man's education. The right of voting should be a high privilege, to be enjoyed by those only who are worthy to exercise it. In a word, the whole white population of the South should be brought into a high-toned aristocracy, duly impressed with a sense of its own functions, and its obligations to freedom and civilization.—*Richmond Whig*.

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**LINCOLN'S WAR POLICY.** The policy which dictated and directs the war now waged by the North against the South is one of unmatched and unmitigated atrocity. The ordinary sentiments of humanity and the benevolent principles of the Christian religion are stifled and ignored. Schemes of hellish cruelty and outrage, such as never before were conceived by the most bloody tyrants or relentless savages, are freely and shamelessly discussed and advocated by the satanic press of the North; and an administration, whose folly is only surpassed by its intense and boundless wickedness, hastens to adopt and carry into execution these diabolical counsels.

Lincoln's programme of this war presents, as its most prominent features, indiscriminate massacre and pillage, the murder of defenceless women and unoffending children, the sacking and burning of Southern homes, towns and cities, the extermination of an entire people, and the utter desolation of a land, whose inhabitants are guiltless of any crime, save the assertion of the sacred right of self-government, bequeathed to them by their fathers.

*A brutal soldiery, raked from the sewers of vice and crime, the scum of the population of Northern cities, and a servile race to be incited to insurrection, have been selected as the*

instruments to carry out this *peace* programme of the infamous Lincoln and his junta of co-assassins. The Lincoln organs, appealing to *the brutal instincts of the russian minions of despotism, sent to subjugate the South*, tell them that "beauty and booty" shall be their reward; that to each of them shall be parcelled out one hundred and sixty acres of the confiscated lands of Southern planters, with a slave to wait upon him; that a gold watch, filched from the pocket of a murdered Southerner, shall be thrown in as a perquisite, and that license will be given them to pillage whatever they can lay their hands upon, and to burn and butcher *until their savage natures shall be satiated with vengeance and blood.*

This is no fancy sketch, but *a truthful outline of the code of instructions to Lincoln's troops*, reiterated by the Northern newspapers from day to day. The government which has projected and is seeking to carry out this scheme of stupendous crime, is one professing to have been instituted for the good, and to derive all its just powers from the consent of the governed—the paternal guardian of the safety and rights of those whom it conspires to rob and murder.—*Memphis Avalanche.*

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THE Chinese and the Yankees are exceedingly alike, and we have always thought that they were much more nearly related than the Japanese and the almond-eyed people of the Flowery Kingdom.

When a Chinaman prepares for war—measuring his enemy's courage by his own—he attempts to work upon his fears. He puts on a hideous mask, arms himself with a huge shield, upon which he paints some unearthly monster; and, when thus accoutered, he goes forth in cold sweat to encounter the enemy. As soon as he beholds his adversary, he utters a fearful roar, broadsides his shield, and if his opponent does not at once take to his heels, John Chinaman always does.

The wars of New England have always been conducted upon the Chinese plan. To hear their orators and read their newspapers, one would suppose that he was looking at a Chinaman clothed with all the pomp and circumstance of mask, shield, and stink-pot. The Yankee orators are only

equalled by the Yankee editors in deeds of valor. Let war be breathed, and the first swear to a man that they are ready and anxious to exterminate creation, whilst the latter, not content, like Alexander, to sigh for more worlds to conquer, threaten to destroy the laws of gravity, and lay violent hands upon the whole planetary system. Yet, these war mandarins are all members of the Peace Society, and would no more think of resenting a blow on the cheek, the seduction of a wife, or the dishonor of a daughter, than they would of flying. We have not forgotten how all Massachusetts collected in Boston, when Anthony Burns was to be delivered to his Virginia master, and swore that it should not be done. A single file of soldiers, however, marched the fugitive from State street to the lower end of Long Wharf, through miles of streets packed with valorous fanatics, who did nothing but sing old Puritan hymns, with a most hideous and barbarous disregard to metre.— *Richmond Examiner*.

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JOHN FORSYTH, editor of the *Mobile Register*, vents his indignation upon the North in this way:—

“The cry of the North is for war! War to save the Union, to defend the United States flag, ‘to show that we have a government.’ These are the pretences of sheer hypocrisy. They are the patriotic gloss given to a false cause. The cement that unites the North is rage at the inevitable mischief that has been done to Northern property by the loss of the trade and tribute of ten, perhaps twelve, of the richest and most productive States of the late Union.

“If they want war, give it to them to their heart’s content—to the knife and the hilt. Give them battle every morning and every evening, whenever we can marshal a force for the fight. Nor should we stop to receive it. It ought to be sought for and invited. Nor wait to drive them from confederate soil, but force the war to their own borders. We hold that the enemy should be driven from Washington—not because we want Washington, but because it is in a slave State, and because our brethren in Maryland should be released from the iron heel of military power that is upon their necks. Whose blood does not boil to read of the proud men

of Maryland overrun and subdued by the outcasts of Massachusetts, under the lead of that scoundrel, Gen. Butler, who played his part in the political disturbances that were the immediate cause of this revolution? Maryland should be freed at all hazards, and the enemy driven beyond the Susquehanna.

“Defensive aggression is the Southern policy in this war. The surest and the safest way to defend our homes is to meet the enemy at a distance from them—to keep away the havoc and devastation of conflict from our women and children as far as possible. The North has undertaken to conquer the South. We must make up our minds to conquer the North, at least so far as to dictate the terms of peace. To this end, every man must devote himself to arms. Nothing else is of value, nothing worthy to be thought of in comparison to the sacred duty of defending the liberties of our country in this atrocious war. We must become a nation of soldiers, and every man ready to take the field when called upon. An active and desperate war is always a short one. We cannot make this war too bloody or too desperate.”

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THEY are alarmed for Washington, but they have not yet begun to tremble for New York and Boston. As England and France knew that there would be no stable peace with the treacherous, knavish, cowardly and cruel Chinese, short of Peking, so we know that there can be no lasting peace with the *Chinese counterparts* on this continent until Confederate cannon overawe New York, and Confederate legions *bivouac on Boston Common*. Boston is the Peking of the Western China; and “On to Peking” is the watchword of Southern armies. Washington is a mere circumstance. We don’t want it, any further than to dislodge the *obscene birds* that now infest it. Baltimore, too, which inspires the tyrants with so much terror, is not worth a moment’s consideration—beyond breaking the fetters (in passing) of that outraged people. Our true goal is *Peking*—the headquarters of the *genuine Tartar horde, with their gongs and stink-guns*. The military occupation of the Yankee capital can alone give indemnity for the past and security for the future. Then up with the universal shout, “ON TO PEKING!”—*Richmond Whig*.



THE rapidity with which Northern society has been demoralized is almost incredible. All the domestic relations are affected by it; husband and wife, parent and child, live together there, or rather apart, in a manner which is an outrage in the sight of Heaven, and of the great Eye of Humanity. We do truly hold that it is, perhaps, from utter despair at a state of things of which they seem at once the unavoidable occasion, if not cause, and the victims, that so many of the better sex have singly, or in bands, perpetrated of late years so many extravagancies in that region. They deserve pity rather than condemnation. \* \* \*

The system of education at the North, which is being introduced among us, has been much criticised, and with justice. It contains much that is bad. Indeed, contemplated in some of its aspects and relations, particularly with reference to its effects, we do not think we go further than truth warrants, when we say that it would be a curse in any country. \* \* \*

It is very evident, to many of those who are at all conversant with the details of life at the North, that the people of that section are, whether from the effects of climate acting upon the idiosyncrasy of race, or from some other cause, wonderfully predisposed to insanity. Legislators, theologians, judges, lawyers, physicians, merchants, in very respectable standing, have exhibited characteristics, and used language and performed actions, indicative of a morbid condition of the functions usually attributed to the brain. Here is a society almost wholly touched with an epidemic mental disorder of such a nature as to seem contagious. The very crimes that are committed in all that part of the Union, when not the acts of acknowledged madmen, have something about them in the details and circumstances of their development which similar crimes of other culprits never exhibit. — *Richmond Literary Messenger*.

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IF the hungry and ravenous pack of hyenas who are sent upon their hellish missions of plunder and rapine are driven back into their dens, they will turn upon their silly betrayers, only to make them the victims of their devouring wrath. — *Memphis Appeal*.

THE experiment of republican institutions is lost at the North, and it can only be saved at the South by maintaining as strict non-intercourse with *the moral Sodom and political Pandemonium on our borders* as the nature of the case will permit. We are willing to agree to the cessation of hostilities; but if any foreign mediation shall exact concessions of intercourse, and commercial and political privilege, as a bargain and stipulation, it will exact what cannot be granted without destruction to our social, political and commercial integrity.

The case, therefore, is not one for arbitration. The South cannot refer so grave a question as that of her independence to any arbitration, much less to that of a foreign potentate. Did ever two litigants refer to arbitration the question of either one's slavery? Independence is a question that cannot be referred by the South, and that is, in fact, the only question really involved in the present contest. The Yankee may become sick of the war, and is capable of descending from a demand of our service and fealty to begging the privilege of peddling his wooden nutmegs and bark clocks through our country; but neither of these demands are proper for mediation, and we should be very wary of granting treaty privileges of trade. Despairing of conquering the South by open hostilities, they will try the artifice of the Greeks before Troy, and attempt to introduce, by means of trade privileges, the wooden horse into our midst. It is only some purpose of this sort that mediation can accomplish; and we should distrust and eschew such schemes, as the Trojans learned to distrust their enemies, even when bearing pretended gifts.—*Richmond Dispatch*.

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THE *New Orleans Advocate*, a religious paper, of which Rev. C. C. Gillespie, D. D., is editor, says:—"Davis is the very soul of courage, honor, chivalry; Lincoln is a cowardly sneak. In the midst of the present storm, Davis is calm, cool, generally cheerful, comprehensive in observation, rigidly keeping his own counsel. Lincoln is filled with abject fear, *drunk half the time, occasionally foolishly facetious, whistling to keep his courage up!*"

WHEN a long course of class legislation, directed not to the general welfare, but to the aggrandizement of the Northern section of the Union, culminated in a warfare on the domestic institutions of the Southern States—when the dogmas of a sectional party, substituted for the provisions of the constitutional compact, threatened to destroy the sovereign rights of the States—six of those States, withdrawing from the Union, confederated together to exercise the right and perform the duty of instituting a government which would better secure the liberties, for the preservation of which that Union was established.

Whatever of hope some may have entertained that a returning sense of justice would remove the danger with which our rights were threatened, and render it possible to preserve the Union of the Constitution, must have been dispelled by *the malignity and barbarity of the Northern States in the prosecution of the existing war*. The confidence of the most hopeful among us must have been destroyed by the disregard they have recently exhibited for all the time-honored bulwarks of civil and religious liberty. Bastiles filled with prisoners, arrested without civil process or indictment duly found; the writ of *habeas corpus* suspended by Executive mandate; a State Legislature controlled by the imprisonment of members whose avowed principles suggested to the Federal Executive that there might be another added to the list of seceded States; elections held under threats of a military power; civil officers, peaceful citizens and gentle women incarcerated for opinion's sake, proclaimed the incapacity of our late associates to administer a government as free, liberal and humane as that established for our common use.

The people of the States now confederated became convinced that the government of the United States had fallen into the hands of a sectional majority, who would pervert that most sacred of all trusts to the destruction of the rights which it was pledged to protect. They believed that to remain longer in the Union would subject them to a continuance of a disparaging discrimination, submission to which would be inconsistent with their welfare, and intolerable to a proud people. They therefore determined to sever its bonds, and establish a new confederacy for themselves.

The experiment instituted by our Revolutionary fathers, of

a voluntary union of sovereign States for purposes specified in a solemn compact, had been perverted by those who, feeling power and forgetting right, were determined to respect no law but their own will. *The government had ceased to answer the ends for which it was ordained and established.* To save ourselves from a revolution which, in its silent but rapid progress, was about to place us under *the despotism of numbers*, and to preserve in spirit, as well as in form, *a system of government we believe to be peculiarly fitted to our condition*, and full of promise for mankind, we determined to make a new association, composed of States *homogeneous in interest, in policy, and in feeling.*—*Extract from Jefferson Davis's Inaugural Address.*

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SLAVES WITH THE REBEL ARMY. We clip the following from the *New Orleans Crescent*:—

“Tom, the slave of our citizen, James H. Phelps, took a fancy to go soldiering, and his master willingly gratified him, and Tom was engaged by Capt. Kountz of the De Soto Rifles to attend him through the war. There are hundreds of other slaves like Tom gone to kill the Yankees. Tom's highest ambition appears to be to kill a Yankee. He writes to his mother, who is owned in the family of Mr. Phelps, the letter below. We hope he will be gratified in hunting up and obtaining a Yankee's scalp:—

‘YORKTOWN, Va., July 4, 1861.

DEAR MOTHER, — I take this opportunity of writing to you to let you know that I am well and doing well, and I hope that this letter will find you as well as I am now in Yorktown. I will leave at 4 o'clock p. m. to-day for a scout about the woods for the Yankees. Well, we are only six miles from the Yankees at Young's Mill, where my captain is now, and I am going out to-day at 4 o'clock to find him. I left him at Warwick Court-House, nine miles from Yorktown. I came back to get some blankets, and then moved on to Young's Mill. We are looking out for a fight on the 5th of July by the 5th Regiment Louisiana volunteers. Give my love to Mistress and Master Jim Phelps, and to all of them in New Orleans. You must excuse this bad writing. I am writing in a hurry. I have not time to write. I am about to leave for the Mill. So good by all. No more at present.

Your devoted son,

THOMAS A. PHELPS.

P. S. — Good by to the white folks until I kill a Yankee. ‘T. A. P.’”



TREASONABLE SOUTHERN PIETY. The *Southern Presbyterian* is edited by a Presbyterian minister, and is published at Columbia, S. C., the seat of the State College, and of the Presbyterian Theological Seminary. Its editorial columns bristle with lying paragraphs like these:—

“The phrensy of the North, demoniac in its wrath and its purposes against the South, seems to be unabated, and troops for our subjugation continue to be collected in larger numbers at Washington and central points in the Northern States. The fanatical leaders of the North are impatient at a moment's delay in the march of their legions into our borders, and their most prominent papers openly threaten Lincoln, if he falter an instant, that he will be deposed from his office, and the reins of power put into more faithful hands. To this length has the disorganization of the Northern mind already gone. Law and order, reason and common sense, have fled from the presence of the reign of terror which seems about to overthrow every vestige of free and constitutional government.

“The most brutal and blood-thirsty spirit towards the South prevails at the North. The purpose is openly avowed to plunder, devastate and destroy our country. Placards are put up in New York, calling for volunteers for the invasion of the South, with the heading ‘Booty and Beauty.’

“The battle-ery through the North is, ‘Overrun the South; raise a servile insurrection; proclaim freedom to the slaves; arm them against the whites; and wipe the accursed slavery from the face of the earth!’”

A correspondent of the same paper says:—

“*Hordes of Northern Goths and Vandals, savage as the barbarians of old*, inspired not with a mere lust of rapine, but with vindictive hate and fury, threaten to invade our land, to desecrate the temples of religion, to lay waste our peaceful homes, to murder and destroy our people, to summon our slaves to insurrection, and to make our country a desolation. And among those who encourage and applaud these ruthless designs of the infuriated North are our own ecclesiastical brethren, the venerable, pious, calm, moderate patriarchs of the Old Presbyterian Church! Surely madness is in their hearts. Surely this is the time foretold when

it is said, 'Woe to the inhabitants of the earth and of the sea, for the devil is come down unto you, having great wrath, because he knoweth that he hath but a short time!'

"Nothing would satisfy the North but our implicit submission to be governed by it on its own terms and in its own way. And now they unanimously proclaim their purpose to compel us at the point of the sword to yield that submission; to make our land a desert, and our homes a desolation, if we will not. They will slaughter us at the cannon's mouth, or hang us on the gallows; they will burn us, and drown us, and sweep us from the face of the earth. But they will not allow us to be 'free and independent.'

"But, God help us, and we will! We desire not war. We have done everything possible to be done to avert it, except *submit*. And, if it must come, we can only meet it as it has often been met before by a brave and a Christian people. The threats of the North do not terrify us, fearful as they are. Their ferocious clamor for vengeance only nerves the Southern heart for resistance to the last extremity, and will convert every Southern man into a martyr."

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COLUMBUS, (Ga.,) Sept. 17.

DEAR COUSIN,—I received your letter the other night, and I make haste to write you another. The war-dogs will be upon us, and that soon. Our Governor is making great preparation for coast defences. He has called out all the militia, and calls upon every one to be ready at a moment's notice. When I read your letter to Sis, and came to the part where you said *you would write me a letter in blood*, she shuddered, and said she did not like to hear such. But *I do*, and if I ever go to war, *I shall bring me a scalp home*; and if you have a fight, *I want you to send me one, and I will hang it up in my room, and gaze upon and pity the poor mortal that would dare fight against Southern chivalry*. I am all for the war, and mourn over my lot that I am not allowed to go; but soon eight months will pass away, and then I can go, if the war continues. I will be in, and I will show them what I can do. I pray not for the destruction of my enemies, *but would that I could shoot down six, and see*

*them fall and hear their death-shriek, and then I would be satisfied.* I would then rest from the scenes of war, but not until every enemy is driven from our shores. But I hope I will have a hand in the show here at home, when they invade our State—the Empire State of the South. Times are very dull here. Sister is teaching school now, and she wrote you a letter the day before I received yours. May this find you still alive, and when the time comes for you to lay down your life in the cause of your country, may you lay it down to ascend to the right hand of Jesus Christ and of our Father, where there will be no more wars, or strife, or sorrow, or tears; and may we all be gathered around the Throne, where we will praise the Father, and the Son, and the Holy Ghost forever. Amen!

From your well-wishing cousin,

H. T. EVERETT.

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TO ARMS! TO ARMS! Unless we win the battle, Virginia is really quite ruined. The people who will seize on her are relentless, coarse, greedy and bloody. They will pillage our houses, violate our women, insult and murder defenceless citizens. The truest patriots of the State, who have not had the good sense to get themselves bravely killed in some battle, will die by the hands of lawless and irresponsible ruffians, or on the gallows after mockery of trial, or drag out a poor and miserable remnant of life in exile. The land called Virginia will remain; but so changed, so utterly revolutionized, inhabited by a population sprung from such ruthless confiscations and proscriptions, that it will be not more recognizable than Italy after its partition between the Goths and the Vandals. To prevent the imminent wretchedness, the indescribable calamity that hangs over us, there is but one thing to do—and that is, to hurry up the troops to the places of rendezvous, and to concentrate the armies who must save us, if saved we can be. Virginia alone is perfectly able to turn the current of invasion; and she will do it perfectly well, if her force is handled with decision and intelligence. She can meet and beat an army of fifty thousand volunteers with absolute certainty; and that is more than the North can get here before the crisis of the danger has passed.—*Richmond Examiner.*

THE MULATTO VICE-PRESIDENT. The *Memphis Avalanche* has an article on the "mulatto" Vice-President of the North. It remarks: "We have only been able to account for the remarkable lukewarmness of Hannibal Hamlin, in regard to this abolition war, by attributing it to the general distrust of abolition sincerity entertained by his race. With a decided infusion of African blood in his veins, a fact never successfully controverted, we may suppose that he shares the sentiments and feelings of his African kin. Neither is it improbable that an instinctive sense of incongruity and impropriety of an individual of negro extraction ruling over white people induces his reticence and modesty. Every well-bred negro or mulatto would shrink from such an anomalous position as unbecoming; and Hannibal may be supposed to be well-bred, having received an education superior to that usually bestowed on free mulattoes."

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THE spring of hope must now, with the Yankees, die upon the winter winds. Already the black flag has been hoisted upon the soil of South Carolina, and *war to the knife, and knife to the hilt, and thence to the shoulder*, been proclaimed by her noble sons as the only booty which Yankee hireling invaders shall receive at their hands. This is right. It is the only way to conquer a peace with a people so lost and degraded as those which compose the grand army of the rump government. We look anxiously for news from the sunny South; hopefully, prayerfully, with no misgivings. Now that the rallying-cry is, "No quarter to the invaders of our soil," may we not believe that the course inaugurated by South Carolina will be followed up by our whole army, and thus end the war? "So mote it be."—*Petersburg (Va.) Express*.

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THE intelligence of yesterday, that *the myrmidons of Federal power* had advanced upon the soil of Virginia produced an electrifying effect in our community, and among the soldiery. Every eye brightened, and every heart beat high with stern delight that the hour of vengeance was at hand.—*Richmond Dispatch*.



## PUBLISHER'S NOTE

In Series II No. 23 of ANTI-SLAVERY TRACTS there is a typographical error in pagination in the original edition but no interruption in text continuity between pages 24 and 37.



## ADDRESS TO THE PEOPLE OF GEORGIA.

FELLOW-CITIZENS,—In a few days, the Provisional Government of the Confederate States will live only in history. With it we shall deliver up the trust we have endeavored to use for your benefit, to those more directly selected by yourselves. The public record of our acts is familiar to you, and requires no further explanation at our hands. Of those matters which policy has required to be secret, it would be improper now to speak. This address, therefore, will have no personal reference. We are well assured that there exists no necessity for us to arouse your patriotism, nor to inspire your confidence. We rejoice with you in the unanimity of our State, in its resolution and its hopes. And we are proud with you that Georgia has been “illustrated,” and we doubt not will be illustrated again by her sons in our holy struggle. The first campaign is over; each party rests in place, while the winter’s snow declares an armistice from on high. The results in the field are familiar to you, and we will not recount them. To some important facts we call your attention:—

*First.* The moderation of our own government and the *fanatical madness of our enemies* have dispersed all differences of opinion among our people, and united them forever in the war of independence. In a few border States, a waning opposition is giving way before the stern logic of daily developing facts. The world’s history does not give a parallel instance of a revolution based upon such unanimity among the people.

*Second.* Our enemy has exhibited an energy, a perseverance, and an amount of resources which we had hardly expected, and a disregard of Constitution and laws (!!) which we can hardly credit. The result of both, however, is that power, which is the characteristic element of despotism, and renders it as formidable to its enemies as it is destructive to its subjects.

*Third.* An immense army has been organized for our destruction, which is being disciplined to the unthinking stolidity of regulars. With the exclusive possession of the seas, our enemy is enabled to throw upon the shores of every

State the nucleus of an army. And the threat is made, and doubtless the attempt will follow in early spring, to crush us with a giant's grasp by a simultaneous movement along our entire borders.

*Fourth.* With whatever alacrity our people may rush to arms, and with whatever energy our Government may use its resources, we cannot expect to cope with our enemy either in numbers, equipments or munitions of war. To provide against these odds, we must look to desperate courage, unflinching daring, and universal self-sacrifice.

*Fifth.* The prospect of foreign interference is at least a remote one, and should not be relied on. If it comes, let it be only auxiliary to our own preparations for freedom. To our God and ourselves alone we should look.

These are stern facts; perhaps some of them are unpalatable. But we are deceived in you if you would have us conceal them in order to deceive you. The only question for us and for you is, as a nation and individually, what have we to do? We answer,—

*First.* As a nation we should be united, forbearing to one another, frowning upon all factious opposition and censorious criticisms, and giving a trustful and generous confidence to those selected as our leaders in the camp and the council chamber.

*Second.* We should excite every nerve and strain every muscle of the body politic to maintain our financial and military healthfulness, and, by rapid aggressive action, make our enemies feel, at their own firesides, the horrors of a war brought on by themselves.

The most important matter for you, however, is your individual duty. What can you do?

*The foot of the oppressor* is on the soil of Georgia. *He comes with lust in his eye, poverty in his purse, and hell in his heart. He comes a robber and a murderer.* How shall you meet him? With the sword, at the threshold! *With death for him or for yourself!* But more than this—let every woman have a torch, every child a firebrand—let the loved homes of our youth be made ashes, and the fields of our heritage be made desolate. Let blackness and ruin mark your departing steps, if depart you must, and let a desert more terrible than Sahara welcome the Vandals. Let every



city be levelled by the flame and every village be lost in ashes. Let your faithful slaves share your fortune and your crust. Trust wife and children to the sure refuge and protection of God—*preferring even for these loved ones the charnel-house as a home, than loathsome vassalage to a nation already sunk below the contempt of the civilized world.* This may be your terrible choice, and determine at once and without dissent as honor and patriotism and duty to God require.

Fellow-citizens, lull not yourselves into a fatal security. Be prepared for every contingency. This is our only hope for a sure and honorable peace. If our enemy was, to-day, convinced that the feast herein indicated would welcome him in every quarter of this Confederacy, *we know his base character* well enough to be assured that he would never come. Let, then, the smoke of your homes, fired by women's hands, tell the approaching foe that over sword and bayonet they will rush only to fire and ruin.

We have faith in God and faith in you. He is blind to every indication of Providence who has not seen an Almighty hand controlling the events of the past year. The wind, the wave, the cloud, the mist, the sunshine and the storm have all ministered to our necessities, and frequently succored us in our distresses. We deem it unnecessary to recount the numerous instances which have called forth our gratitude. We would join you in thanksgiving and praise. "If God be for us, who can be against us?"

Nor would we condemn your confident look to our armies, when they can meet a foe not too greatly their superior in numbers. The year past tells a story of heroism and success, of which our nation will never be ashamed. These considerations, however, should only stimulate us to greater deeds and nobler efforts. An occasional reverse we must expect—such as has depressed us within the last few days. This is only temporary.

We have no fears of the result—the final issue. You and we may have to sacrifice our lives in the holy cause; but our honor will be saved untarnished, and our children's children will rise up to call us "blessed."

HOWELL COBB,  
M. J. CRAWFORD,

R. TOOMBS,  
THOS. R. R. COBB.

THE HAND-WRITING ON THE WALL. The North is at blood-heat from Maine to Nebraska. Every city, village and county is in arms. One continuous roll of drums sweeps the land. They outnumber the South more than two to one. They boast of untold millions of wealth, and exhaustless provisions at command. They are armed and equipped; they have monopolized always the manufacture of arms on this continent; and, besides this, while they were professing peace two months ago to the South, they had an agent in Europe buying 500,000 more arms of the most approved pattern. These are being received by every steamer. And what is the spirit that moves the vast North? Revenge and hate stream through every column of their journals. Conciliation, peace and mercy are banished words. "War to the knife," "extermination of the rebels," "crush the traitors," are the common forms of their expression. The South is to be overrun and crushed forever; her proud spirit broken, her property confiscated, her families scattered and slaughtered, and then to remain, through all time, a dependency on the "free and sovereign" North. Powerful armies of fanatics and plunderers are to be quartered in our cities and towns in the South, dictating to us laws at the point of the bayonet, and the slaves to be turned loose with more than savage atrocity on helpless women and children. Every friend we had in the North is silenced, the entire press is against us, and the ministers of religion, without distinction, are praying for the "holy cause,"—the utter reduction of the rebels. At the bottom of all this lies the insane idea, held by many of the leaders, that it is their *religious duty* to exterminate slavery, and make the "Irrepressible-Conflict" doctrine universal. The men who have acted with and for the South,—Pierce, Buchanan, Fillmore, Cass, Everett and Dickinson,—all have bowed before the torrent of fanaticism; all have left us, and chime their voices in the fearful chorus of Northern indignation. Aged ministers of the gospel, presidents of colleges, and editors of religious newspapers,—all, without exception, so far as we know, urge on the maddened and bloody populace. The vast North staggers under its load of wrath, waiting only for orders from the usurper Lincoln to overwhelm the South with blood and chains.—*Nashville (Tenn.) paper.*

THE Yankees are the lineal descendants of the Vi-Kings, the sea-rovers and land-robbers of Norway and Denmark. They retain all the qualities and characteristics of their illustrious ancestry. They are the best privateers, the best pirates, the best fillibusters, and the best kidnapers in the world. They are, besides, the wire-grass of nations, and gradually and insidiously worm themselves among the people of various countries, and cheat them out of their lands, when they are not strong enough to rob them of them.

Yet, they would have a monopoly of dishonesty, and insist that what is honorable and reputable in themselves, is highly unbecoming in other people. For a Yankee to be a sharp fellow and half a rogue is all right, for it is his *metier*; but the chivalrous and honorable Southron disgraces himself, in Yankee eyes, when he takes to Yankee ways. This is all perfectly right. Stealing, lying and cheating are creditable in a Yankee, disgraceful to a Southron. But retaliation is not theft, any more than killing, in self-defence, is murder.

The Yankee threatened, and is attempting to sack, plunder and burn our cities; to stir up our slaves to insurrection; to steal our lands, and to violate our women. When he had done all this, and not until he had done it, we turn round to him, and to make him stay his hand, propose to issue letters of marque and reprisal, to meet him on his favorite element, and to compete with him in his favorite and time-honored pursuit. Instead of admiring our fairness and our chivalry, and complimenting us on the occasion, he sets up a howl of abuse and indignation that pandemonium, let loose, could hardly emulate. — *Richmond Examiner*.

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ETERNAL HATE TO THE NORTH. The *National Intelligencer* says a subscriber writes from Athens, Georgia, May 8, 1861, as follows:—“There is now *no Union or reconstruction party* in the South. My business brings me in intimate connection with the best men of this State, also with the masses. *One universal remark is, ‘undying hate to the North.’* I have been for the Union, but now I am for *eternal hate* to the North. I will advocate, at the next Legislature, a bill making it penal to purchase anything made at the North, ex-

cept munitions of war and things taken in war. This is no personal feeling on my *individual* part, but the feeling of the masses, and I only write to you that you may honestly know how the people stand. The whole State is in arms, and if we fail, many persons propose to desolate the country and retreat; and if that will not do, to *offer* the country to England as a colony. Anybody, anything, rather than the North. This is the universal opinion of the people. I lately met the prominent men of the State at the executive meeting of the Agricultural Society of the State. We gave all our cash (\$4500) to the State; we sold some silver plate for the same purpose. We cut up our large canvass tents to make soldiers' tents, and most of the members present said they belonged to military companies. An old man, seventy-two years of age, who was a sergeant at Lundy's Lane and Chippewa, has joined a company and is now in Virginia, with *three* sons, all in the Georgia army. I mention this that you may know the eternal hate which inspires our people."

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YANKEE "LIONS" AND SPIES. It will scarcely be believed abroad that, in times of flagrant war, while the soil of Virginia is pressed by the foot of a *blood-thirsty and murderous foe*, the most tender and unceasing attentions are yet offered in Richmond, not only to the *vagrant Yankees* who have come here on suspicious errands, but actually to those *whose mission toward us was to cut our throats, burn our houses, and defile our families with the brutal lusts of war*. The evidences of this disposition are patent and brazen enough. The case of Dr. King, a Rhode Islander, who was permitted to come here and take away a son, who had been taken as our prisoner in the battle at Manassas, and to pass his time here in receiving calls from and paying visits to certain social pretenders and jackals who made a "lion" of him, is an illustration of the disgrace that is fastening upon our city, not only for the laxity of the authorities of the government, but for the subserviency and social demoralization of its manners.

The half has not been told of the exploitation of the Yankee family of Kings in the society of Richmond. We are



credibly informed that the young cut-throat and murderer, who was taken fighting against us at Manassas, was actually taken from the hospital and tenderly nursed in the family of a physician in this city. Could not these good Samaritans have found some poor Confederate soldier languishing in the hospitals, an object for their solicitude and kindness, into whose wounds they might have poured oil, rather than the Yankee whom they took into their family circle to nurse, to pet, and to restore to his New England home?—*Richmond Examiner.*

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CHOICE EXTRACTS. The following choice extracts are taken from the *Richmond Dispatch* :—

“Preparing with rapid strides to meet *the Illinois baboon* and his co-workers of iniquity on the borders of our once happy old State, to welcome them with ‘bloody hands to hospitable graves.’ \* \* \* Stepped forward to drive back the half-starved Lincolnites, who, with open mouths, are seeking to devour us with eager avidity. \* \* \* Well, let them come—those minions of the North. We’ll meet them in a way they least expect; we’ll glut our carrion crows with their beastly carcasses. Yes, from the peaks of the Blue Ridge to tide-water, will we strew our plains, and leave their bleaching bones to enrich our soil. \* \* \* Colonel Coreoran has found it very easy to swallow an oath, binding him to come to Virginia to cut our throats, and steal the poor negro from his comfortable home. \* \* \* Lincoln seems to still persist in refusing not only Confederate States’ ships permission to pass Old Point, but he demurs in granting British ships that privilege, and in all probability will continue to do so until the Old Lion gets fully mad, springs to his feet, and brings a roar that will make *the Ape* quake with terror, and his rotten fleet return home. \* \* \* No honest man or nation can do otherwise than execrate the whole batch of politicians, spawned into existence from Black Republican stools. \* \* \* They are all in good spirits, and determined to give Old Abe’s canailles a warm reception, if they come to invade the Valley.”

PROCLAMATION OF GOVERNOR PICKENS. On the 26th of April, 1861, the Governor of South Carolina issued his Proclamation "to the volunteer regiments of the State," which concludes with the following flourish:—

"Soldiers of South Carolina! hold yourselves in readiness to march at the word to the tomb of Washington, and swear that no *Northern Goths and Vandals* shall ever desecrate its sacred precincts, and that you will make of it an American Mecca, to which the votaries of freedom and independence, from the South, shall make their pilgrimage through all time to come. Let the sons of South Carolina answer to the call from the sons of Col. Howard, who led the Maryland line in triumph over the bloody battle-field of Cowpens. Let them know that we will return that blood with full interest, and let them feel that they are now, as they were then, our brothers. March to Virginia, and lay your heads upon the bosom of this mother of States, and hear her great heart beat with new impulses for a renewed and glorious independence.

"Surely the good and the virtuous of the Northern States cannot sanction the lawless and brutal despotism now inaugurated at Washington.

"Be ready! Stand by your arms,—mark time to the tap of independence, and at the word, march forward and onward to the Borders. Our glorious old sister, North Carolina, is with you, and her freemen are in arms. Join them in the struggle for defence; and let tyrants know that there are men who can make them hear the ring and feel the weight of Southern steel. I shall endeavor not to expose our own State, and shall only march you beyond our borders under pressing emergency; but wherever the Confederate flag floats, there too is our country, now and forever.

F. F. PICKENS."

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PREMATURE BOASTING. Among the papers found on the Pea Ridge battle-ground was a letter from a Texas captain to his wife, written just before the battle, in which the writer said:—"Thank God, dear Mary, we've got the Yankees in a trap at last. They cannot escape us now. We have more

than twice as many men as they, and we have a plan to cut them off, and annihilate them. Before a week has passed, you will hear of a terrible defeat of the Lincolnites, such an one as will offset to some extent our mortifying surrender at Donelson. We are certain of success, and I hope I will be able to bring five or six Yankee prisoners to Galveston next summer. The Northern men will not fight when they can avoid it; but we intend to make them this time, or *cut their throats*. The coming battle will free Arkansas and Missouri from the invaders, and we will then march on to St. Louis, and take that Abolition city, and give the oppressed Southerners there an opportunity to be free once more. We hear that we would be welcomed in St. Louis by at least 50,000 people, who have long suffered from *the tyranny of the mercenary Dutch*."

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WHAT THE WAR IS, SOUTH. That Northern readers may see a little of the spirit of the South, we publish an extract from the *Richmond Dispatch*, and we could fill a volume every day with similar extracts from the Southern press:—

"It is not a war of punctilio between sovereigns; nor of conflicting interests between rival nations—admitting of adjustment and compromise. It is a war of fanaticism and subjugation on the part of the North; of *scorn and contemptuous hatred on the part of the South*.

"These angry passions are uncontrollable, transporting and irrepressible. The South would sacrifice everything it holds dear, before it would succumb to the authority of *the despised North*; and the North will forget all schemes of gain, and throw its ledgers into the fire, to indulge its fanatical hatred of slavery, to 'crush out' the slaveholder. \* \* \*

"We cannot build conclusions in regard to the duration of this war upon considerations of interests. *The foes we have to fight are madmen*. The madness which we combat is the same madness which has for thirty years been abusing and villifying the best customers of the people it possessed, which has spread discord and hatred throughout the land, which has diabolically cut the bonds of Union, and pulled down the pillars of the fairest government that ever blessed mankind."

CHALLENGE TO THE SOLDIERS OF MASSACHUSETTS. The following document (says the *Boston Traveller*) was received at this office by mail. The envelope bore the post-mark of Charleston, S. C., and we therefore have no doubt that it is genuine:—

“CHARLESTON, S. C., April 19, 1861.

*To the Editors of the Boston Traveller:*

“GENTLEMEN,—On behalf of the South Carolina Volunteers, I am deputed to request Gov. Andrew, of Massachusetts, through you, that the military contingent of your State be sent to South Carolina. In making this request, I assure you I but express the wish of every man, woman and child in our State. We number about 10,000 men, well armed and accoutred, and anxious for a fight, and cordially invite *any number* from your section to give us a meeting. Do not, however, send them in the fleet that appeared off Charleston harbor during the bombardment of Fort Sumter, for fear their timidity will interfere with their landing. Send all Massachusetts men—none from Pennsylvania, for the regiment of that State *flunked* at Cerro Gordo; nor from New York, for at Cherubusco, (although they claimed and received the right from the Palmetto Regiment,) at the first fire, the gallant New Yorkers fell back, and hid behind a barn; nor from Indiana, for at Palo Alto, the *nimble* regiment from that State fled in inglorious confusion. Send your Sumners, your Wilsons, your Burlingames, and a host of similar notables, and we pledge our honors, our lives, and all that we hold sacred, that none others but the Palmetto Boys shall interfere with them. We want them exclusively for our own use.

“This request is made in good faith, and on signifying your acceptance of our offer, every arrangement will be made to give you a safe passport to our shores.

ON BEHALF OF THE S. C. VOLUNTEERS.”

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THE DRUNKEN MUTINEERS. We would enter into no negotiation now with Lincoln, unless a cannon were planted behind us, prepared to sweep him from the earth, upon the first



indication of perfidy. This is the flag of truce under whose protection we would trust ourselves. None other would be heeded by Abraham Lincoln.

This same man is engaged now in another fraud. He tells us that *the thirty thousand mercenaries that defile the Capital* are for its defence—nothing more. Who believes him? Not we. They are designed for offensive operations. They are intended to menace Virginia, and will make a descent somewhere upon our soil. Very well. Let *the drunken mutineers at Washington* drive on in their crazy craft. The breakers are ahead, and they must evince more statesmanship than they have yet indicated if they weather the storm that is gathering. — *Lynchburgh Virginian.*



MORE SOUTHERN RASCALITY. The following is a copy of a letter received by a manufacturer of boots and shoes in Haverhill:—

“RICHMOND, Va., April 18, 1861.

“Messrs. ———, Haverhill, Mass.:

“Owing to the declaration of *war* against our beloved South, and the necessity of our arming and fighting, instead of pursuing the peaceful avocations of commerce, we have given up ourselves fully and freely to the work before us, and our resources are to be held at the disposal of the State until the issue is finally determined, when, if we have sufficient availabilities or assets left to meet our liabilities, it shall be done.

“But until his fratricidal war *is closed*, we shall decline paying any of our debts due to parties in the North, where they have drawn the sword against us. Hence the protest of our note in your favor this day, *which we have the funds in bank to meet.* Very truly yours,

(Signed)

WESTON & WILLIAMS.”

This is an exact copy, underlined as they underlined it. They owe different parties here to the amount of several thousand dollars. — *Boston Journal.*

Is the North peopled with Christians or with savages? Is the light that shone from Calvary's bloody summit extinguished, and are our Northern foes only guided by the dark and lurid flame that pilots devils to their carnivals? Has the Congress of Hell had its session, and have they commissioned all the legions of the damned to demonize our enemies? Has Lucifer given a furlough to all his infernal cohorts? Has he established his church in every Black Republican's heart, and has he ordained Belial and Moloeh his high priests? Are we to have war with men or with devils? These questions must be answered. Our implacable foes, goaded on by a hatred that is remorseless and unrelenting, because *they* have insulted and injured *us*, have already answered them. They have inaugurated a war of extermination—a war in which no mercy is to be shown or quarter given. Let it be so! The South has never asked a favor of her enemies. She asks none now.—*Vicksburg Whig*.

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VIRGINIA is invaded. The horde of thieves, robbers and assassins in the pay of Abraham Lincoln, commonly known as the army of the United States, have rushed into the peaceful streets of a chief city of the State, and stained the hearth of Virginian homes with the blood of her sons.

One trait of true heroism has signalized this unhappy affair. A citizen of Alexandria, named Jackson, lacked the prudence to haul down the flag of his country, which streamed over his dwelling. That band of execrable cut-throats and jail-birds, known as the "Zouaves," of New York, under *the chief of all scoundrels, called Col. Ellsworth*, surrounded the house of this Virginian, and broke open the door to tear down the flag of the South. The courageous owner of that house neither fled nor submitted. He met the favorite hero of every Yankee there in his hall, he alone, against thousands, and shot him through the heart!—*Richmond Examiner*.

EXTRACT FROM A SPEECH

BY

ALEXANDER H. STEPHENS,

VICE-PRESIDENT OF THE CONFEDERATE STATES,

Delivered in the Secession Convention of Georgia, January, 1861.

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This step, [the secession of Georgia,] once taken, can never be recalled; and all the baleful and withering consequences that must follow, (as you will see,) will rest on the Convention for all coming time. When we and our posterity shall see our lovely South desolated by the demon of war which this act of yours will inevitably invite and call forth; when our green fields of waving harvests shall be trodden down by the murderous soldiery and fiery car of war sweeping over our land; our temples of justice laid in ashes; all the horrors and desolations of war upon us—who but this Convention will be held responsible for it? and who but him who shall have given his vote for this unwise and ill-timed measure (as I honestly think and believe) shall be held to strict account for this suicidal act, by the present generation, and probably cursed and execrated by posterity for all coming time, for the wide and desolating ruin that will inevitably follow this act you now propose to perpetrate?

Pause, I entreat you, and consider for a moment what reasons you can give that will even satisfy yourselves in calmer moments—what reasons you can give to your fellow-sufferers in the calamity that it will bring upon us? What reason can you give to the nations of the earth to justify it? They will be the calm and deliberate judges in the case; and to what cause or *one* overt act can you name or point, on which to rest the plea of justification? What right has the North assailed? What interest of the South has been invaded? What justice has been denied? and what claim founded in justice and right has been withheld? Can either of you to-day name one governmental act of wrong, deliberately and purposely done by the government of Washington, of which the South has a right to complain? I challenge the answer! While, on the other hand, let me show the facts, (and believe me, gentlemen, I am not here the advocate of the North; but I am here the friend, the firm friend and

lover of the South and her institutions, and for this reason I speak thus plainly and faithfully, for yours, mine, and every other man's interest, the words of truth and soberness,) of which I wish you to judge, and I will only state facts which are clear and undeniable, and which now stand as records authentic in the history of our country.

When we of the South demanded the slave trade, or the importation of Africans for the cultivation of our lands, did they not yield the right for twenty years? When we asked a three-fifths representation in Congress for our slaves, was it not granted? When we asked and demanded the return of any fugitive from justice, or the recovery of those persons owing labor or allegiance, was it not incorporated in the Constitution? and again ratified and strengthened in the Fugitive Slave Law of 1850?

But do you reply, that in many instances they have violated this compact, and have not been faithful to their engagements? As individuals and local communities they may have done so; but not by the sanction of government; for that has always been true to Southern interests. Again, gentlemen, look at another fact: when we have asked that more territory should be added, that we might spread the institution of slavery, have they not yielded to our demands in giving us Louisiana, Florida and Texas, out of which four States have been carved, and ample territory for four more to be added in due time, if you by this unwise and impolitic act do not destroy this hope, and, perhaps, by it lose all, and have your last slave wrenched from you by stern military rule, as South America and Mexico were; or by the vindictive decree of a universal emancipation, which may reasonably be expected to follow?

But, again, gentlemen, what have we to gain by this proposed change of our relation to the general government? We have always had the control of it, and can, yet, if we remain in it, and are as united as we have been. We have had a majority of the Presidents chosen from the South; as well as the control and management of most of those chosen from the North. We have had sixty years of Southern Presidents to their twenty-four, thus controlling the Executive department. So of the judges of the Supreme Court, we have had eighteen from the South, and but eleven from the North; although nearly four-fifths of the judicial business has arisen in the Free States, yet a majority of the Court has always been from the South. This we have required so as to guard against any interpretation of the Constitution unfavorable to us. In like manner we have been equally watchful to guard our interests in the Legislative branch of government. In choosing the presiding Presidents (*pro tem.*) of the Senate, we have had twenty-four to their eleven. Speakers of the House, we have had twenty-three, and they twelve. While the majority of the Representatives, from their greater population, have always been from the North, yet we have so generally secured the Speaker, because he, to a great extent, shapes and controls the legislation of the country. Nor have we had less control in every other department of the general government. Attorney-Generals we have had fourteen, while the North have had but five. Foreign ministers we have had eighty-six, and they but fifty-four.



While three-fourths of the business which demands diplomatic agents abroad is clearly from the Free States, from their greater commercial interests, yet we have had the principal embassies, so as to secure the world markets for our cotton, tobacco and sugar on the best possible terms. We have had a vast majority of the higher offices of both army and navy, while a larger proportion of the soldiers and sailors were drawn from the North. Equally so of Clerks, Auditors and Comptrollers filling the Executive department; the records show for the last fifty years, that of the three thousand thus employed, we have had more than two-thirds of the same, while we have but one-third of the white population of the Republic.

Again, look at another item, and one, be assured, in which we have a great and vital interest; it is that of revenue, or means of supporting government. From official documents, we learn that a fraction over three-fourths of the revenue collected for the support of government has uniformly been raised from the North.

Pause, now, while you can, gentlemen, and contemplate carefully and candidly these important items. Look at another necessary branch of government, and learn from stern statistical facts how matters stand in that department. I mean the mail and post-office privileges that we now enjoy under the general government, as it has been for years past. The expense for the transportation of the mail in the Free States was, by the report of the Postmaster General for the year 1860, a little over \$13,000,000, while the income was \$19,000,000. But in the Slave States, the transportation of the mail was \$11,716,000, while the revenue from the same was \$8,001,026, leaving a deficit of \$6,115,735, to be supplied by the North for our accommodation, and without it we must have been entirely cut off from this most essential branch of government.

Leaving out of view, for the present, the countless millions of dollars you must expend in a war with the North; with tens of thousands of your sons and brothers slain in battle, and offered up as sacrifices upon the altar of your ambition,—and for what, we ask again? Is it for the overthrow of the American government, established by our common ancestry, cemented and built up by their sweat and blood, and founded on the broad principles of *Right, Justice, and Humanity*? And, as such, I must declare here, as I have often done before, and which has been repeated by the greatest and wisest of statesmen and patriots in this and other lands, that *it is the best and freest government—the most equal in its rights—the most just in its decisions—the most lenient in its measures, and the most inspiring in its principles to elevate the race of men, that the sun of heaven ever shone upon.*

Now, for you to attempt to overthrow such a government as this, under which we have lived for more than three-quarters of a century—in which we have gained our wealth, our standing as a nation, our domestic safety while the elements of peril are around us, with peace and tranquillity accompanied with unbounded prosperity and rights unassailed—is the height of madness, folly and wickedness, to which I can neither lend my sanction nor my vote.

## VIEWS OF JEFFERSON DAVIS IN 1860.

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In a debate which took place in the Senate of the United States, in May, 1860, between JEFFERSON DAVIS and STEPHEN A. DOUGLAS, with reference to slavery in the Territories, the former scouted the charge that there was any design at the South to dissolve the Union, in the following terms:—

The last point which I will notice is his reference to the Southern League. He reads from the Southern League constitution, or whatever it is—I do not know—to show that there was an organization to dissolve the Union. Does the Senator believe there was a lodge in that Southern League outside of the State of Alabama?

Mr. DOUGLAS. I did suppose so, for the reason that Mr. Yancey refers to it in his letter to Slaughter in terms of approval; and in the letter to Pryor, explaining the Slaughter letter, he says there is a well-matured plan throughout the Southern States, and approved by the best men in Virginia; evidently referring to the Southern League as spreading throughout the Southern States, and then existing in Virginia, with the approval of the best men.

Mr. DAVIS. I know very little about other people's secrets, and have very few of my own to keep; but I will say, that if there was a lodge outside of Alabama, I do not know of it. Further, I will say, that I do not believe there was. And more, I will say, from the best information I have, there was not one hundred in the organization in Alabama; I have been told, about seventy-five. I do not think the Union was in any danger from them. *I have great confidence in the strength of the Union.* Every now and then I hear that it is about to tumble to pieces, that somebody is going to introduce a new plank into the platform, and if he does, the Union must tumble down; until at last I begin to think it is such a rickety old platform that it is impossible to prop it up; but then I bring my own judgment to bear, instead of relying on witnesses, and I come to the conclusion that *the Union is strong and safe—strong in its power, as well as in the affections of the people; that it holds high prizes yet, and the danger is that it will overwhelm the States by its wide-spread patronage.* The danger is consolidation; and I wish it was in my power to-day to strike three-fifths of the patronage of this Government from it, that the States might rise in their relative dignity, and the Union be less strong than it is—more strong perhaps in the affections of a virtuous people, but less powerful in its influence upon those who follow in the wake of spoils. But, sir, I have very little apprehension that the Union is about to be destroyed by seventy-five men anywhere; *very little apprehension that this great Government can be crushed by a secret organization.* No, sir; it will require men, brave men, intelligent men, united and acting openly, defending their firesides, under the promptings of the highest motive that sustained our fathers in the Revolution, whenever war shall successfully be waged against this Government.

THE NEGROES AT PORT ROYAL.

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R E P O R T

OF

E. L. PIERCE, GOVERNMENT AGENT,

TO THE

HON. SALMON P. CHASE,

SECRETARY OF THE TREASURY.

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B O S T O N :

PUBLISHED BY R. F. WALLCUT,

NO. 221 WASHINGTON STREET.

1862.





# R E P O R T .

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PORT ROYAL, February 3, 1862.

TO THE HON. SALMON P. CHASE,

*Secretary of the Treasury:*

DEAR SIR,—My first communication to you was mailed on the third day after my arrival. The same day, I mailed two letters to benevolent persons in Boston, mentioned in my previous communications to you, asking for contributions of clothing, and for a teacher or missionary to be sent, to be supported by the charity of those interested in the movement, to both of which favorable answers have been received. The same day, I commenced a tour of the largest islands, and ever since have been diligently engaged in anxious examinations of the modes of culture—the amount and proportions of the products—the labor required for them—the life and disposition of the laborers upon them—their estimated numbers—the treatment they have received from their former masters, both as to the labor required of them, the provisions and clothing allowed to them, and the discipline imposed—their habits, capacities, and desires, with special reference to their being fitted for useful citizenship—and generally whatever concerned the well-being, present and future, of the territory and its people. Visits have also been made to the communities collected at Hilton Head and Beaufort, and conferences held with the authorities, both naval and military, and other benevolent persons interested in the welfare of these people, and the wise and speedy reorganization of society

here. No one can be impressed more than myself with the uncertainty of conclusions drawn from experiences and reflections gathered in so brief a period, however industriously and wisely occupied. Nevertheless, they may be of some service to those who have not been privileged with an equal opportunity.

Of the plantations visited, full notes have been taken of seventeen, with reference to number of negroes in all; of field hands; amount of cotton and corn raised, and how much per acre; time and mode of producing and distributing manure; listing, planting, cultivating, picking and ginning cotton; labor required of each hand; allowance of food and clothing; the capacities of the laborers; their wishes and feelings, both as to themselves and their masters. Many of the above points could be determined by other sources, such as persons at the North familiar with the region, and publications. The inquiries were, however, made with the double purpose of acquiring the information and testing the capacity of the persons inquired of. Some of the leading results of the examination will now be submitted.

An estimate of the number of plantations open to cultivation, and of the persons upon the territory protected by the forces of the United States, if only approximate to the truth, may prove convenient in providing a proper system of administration. The following islands are thus protected, and the estimated number of plantations upon each is given:—

Port Royal, . . . . .	65	St. Helena, . . . . .	50
Ladies', . . . . .	30	Hilton Head, . . . . .	16
Parry, including Horse, . . . . .	6	Pinckney, . . . . .	5
Cat, . . . . .	1	Bull, including Barratria, . . . . .	2
Cane, . . . . .	1	Daususkie, . . . . .	5
Dathaw, . . . . .	4	Hutchinson and Fenwick, . . . . .	6
Coosaw, . . . . .	2		
Morgan, . . . . .	2		195

Or about two hundred in all.

There are several other islands thus protected, without plantations, as Otter, Pritchard, Fripp, Hunting and Phillips. Lemon and Daw have not been explored by the agents engaged in collecting cotton.

The populous island of North Edisto, lying in the direction of Charleston, and giving the name to the finest cotton, is

still visited by the rebels. A part near Botany Bay Island is commanded by the guns of one of our war vessels, under which a colony of one thousand negroes sought protection, where they have been temporarily subsisted from its stores. The number has within a few days been stated to have increased to 2300. Among these, great destitution is said to prevail. Even to this number, as the negroes acquire confidence in us, large additions are likely every week to be made. The whole island can be safely farmed as soon as troops can be spared for the purpose of occupation. But not counting the plantations of this island, the number on Port Royal, Ladies', St. Helena, Hilton Head, and the smaller islands, may be estimated at 200 plantations.

In visiting the plantations, I endeavored to ascertain with substantial accuracy the number of persons upon them, without, however, expecting to determine the precise number. On that of Thomas Aston Coffin, at Coffin Point, St. Helena, there were 260, the largest found on any one visited. There were 130 on that of Dr. J. W. Jenkins, 120 on that of the Eustis estate, and the others range from 80 to 38, making an average of 81 to a plantation. These, however, may be ranked among the best peopled plantations, and forty to each may be considered a fair average. From these estimates, a population of 8000 negroes on the islands, now safely protected by our forces, results.

Of the 600 at the camp at Hilton Head, about one-half should be counted with the aforesaid plantations whence they have come. Of the 600 at Beaufort, one-third should also be reckoned with the plantations. The other fraction in each case should be added to the 8000 in computing the population now thrown on our protection.

The negroes on Ladies' and St. Helena Islands have quite generally remained on their respective plantations, or if absent, but temporarily, visiting wives or relatives. The dispersion on Port Royal and Hilton Head Islands has been far greater, the people of the former going to Beaufort in considerable numbers, and of the latter to the camp at Hilton Head.

Counting the negroes who have gone to Hilton Head and Beaufort from places now protected by our forces as still attached to the plantations, and to that extent not swelling

the 8000 on plantations, but adding thereto the usual negro population of Beaufort, as also the negroes who have fled to Beaufort and Hilton Head from places not yet occupied by our forces, and adding also the colony at North Edisto, and we must now have thrown upon our hands, for whose present and future we must provide, from 10,000 to 12,000 persons—probably nearer the latter than the former number. This number is rapidly increasing. This week, forty-eight escaped from a single plantation near Grahamville, on the main land, held by the rebels, led by the driver, and after four days of trial and peril, hidden by day and threading the waters with their boats by night, evading the rebel pickets, joyfully entered our camp at Hilton Head. The accessions at Edisto are in larger number, and according to the most reasonable estimates, it would only require small advances by our troops, not involving a general engagement or even loss of life, to double the number which would be brought within our lines.

A fact derived from the Census of 1860 may serve to illustrate the responsibility now devolving on the Government. This County of Beaufort had a population of slaves in proportion of  $82\frac{8}{10}$  of the whole,—a proportion only exceeded by seven other counties in the United States, viz.: one in South Carolina, that of Georgetown; three in Mississippi, those of Bolivar, Washington and Issequena; and three in Louisiana, those of Madison, Tensas and Concordia.

An impression prevails that the negroes here have been less cared for than in most other rebel districts. If this be so, and a beneficent reform shall be achieved here, the experiment may anywhere else be hopefully attempted.

The former white population, so far as can be ascertained, are rebels, with one or two exceptions. In January, 1861, a meeting of the planters on St. Helena Island was held, of which Thomas Aston Coffin was chairman. A vote was passed, stating its exposed condition, and offering their slaves to the Governor of South Carolina, to aid in building earth mounds, and calling on him for guns to place upon them. A copy of the vote, probably in his own handwriting, and signed by Mr. Coffin, was found in his house.

It is worthy of note that the negroes now within our lines are there by the invitation of no one; but they were on the



soil when our army began its occupation, and could not have been excluded, except by violent transportation. A small proportion have come in from the main land, evading the pickets of the enemy and our own,—something easily done in an extensive country, with whose woods and creeks they are familiar.

The only exportable crop of this region is the long staple Sea Island cotton, raised with more difficulty than the coarser kind, and bringing a higher price. The agents of the Treasury Department expect to gather some 2,500,000 pounds of ginned cotton the present year, nearly all of which had been picked and stored before the arrival of our forces. Considerable quantities have not been picked at all, but the crop for this season was unusually good. Potatoes and corn are raised only for consumption on the plantations,—corn being raised at the rate of only twenty-five bushels per acre.

Such features in plantation life as will throw light on the social questions now anxiously weighed deserve notice.

In this region, the master, if a man of wealth, is more likely to have his main residence at Beaufort, sometimes having none on the plantation, but having one for the driver, who is always a negro. He may, however, have one, and an expensive one, too, as in the case of Dr. Jenkins, at St. Helena, and yet pass most of his time at Beaufort, or at the North. The plantation in such cases is left almost wholly under the charge of an overseer. In some cases, there is not even a house for an overseer, the plantation being superintended by the driver, and being visited by the overseer living on another plantation belonging to the same owner. The houses for the overseers are of an undesirable character. Orchards of orange or fig trees are usually planted near them.

The field hands are generally quartered at some distance—eighty or one hundred rods—from the overseer's or master's house, and are ranged in a row, sometimes in two rows, fronting each other. They are sixteen feet by twelve, each appropriated to a family, and in some cases divided with a partition. They numbered, on the plantations visited, from ten to twenty, and on the Coffin plantation, they are double, numbering twenty-three double houses, intended for forty-six families. The yards seemed to swarm with children, the negroes coupling at an early age.

Except on Sundays, these people do not take their meals at a family table, but each one takes his hominy, bread, or potatoes, sitting on the floor or a bench, and at his own time. They say their masters never allowed them any regular time for meals. Whoever, under our new system, is charged with their superintendence, should see that they attend more to the cleanliness of their persons and houses, and that, as in families of white people, they take their meals together at a table—habits to which they will be more disposed when they are provided with another change of clothing, and when better food is furnished and a proper hour assigned for meals.

Upon each plantation visited by me, familiar conversations were had with several laborers, more or less, as time permitted—sometimes inquiries made of them, as they collected in groups, as to what they desired us to do with and for them, with advice as to the course of sobriety and industry which it was for their interest to pursue under the new and strange circumstances in which they were now placed. Inquiries as to plantation economy, the culture of crops, the implements still remaining, the number of persons in all, and of field hands, and the rations issued, were made of the drivers, as they are called, answering as nearly as the two different systems of labor will permit to foremen on farms in the free States. There is one on each plantation—on the largest one visited, two. They still remained on each visited, and their names were noted. The business of the driver was to superintend the field-hands generally, and see that their tasks were performed fully and properly. He controlled them, subject to the master or overseer. He dealt out the rations. Another office belonged to him. He was required by the master or overseer, whenever he saw fit, to inflict corporal punishment upon the laborers; nor was he relieved from this office when the subject of discipline was his wife or children. In the absence of the master or overseer, he succeeded to much of their authority. As indicating his position of consequence, he was privileged with four suits of clothing a year, while only two were allowed to the laborers under him. It is evident, from some of the duties assigned to him, that he must have been a person of considerable judgment and knowledge of plantation economy, not differing essentially from that required of the foreman of a farm in the free States. He

may be presumed to have known, in many cases, quite as much about the matters with which he was charged as the owner of the plantation, who often passed but a fractional part of his time upon it.

The driver, notwithstanding the dispersion of other laborers, quite generally remains on the plantation, as already stated. He still holds the keys of the granary, dealing out the rations of food, and with the same sense of responsibility as before. In one case, I found him in a controversy with a laborer to whom he was refusing his peck of corn, because of absence with his wife on another plantation when the corn was gathered,—it being gathered since the arrival of our army. The laborer protested warmly that he had helped to plant and hoe the corn, and was only absent as charged because of sickness. The driver appealed to me, as the only white man near, and learning from other laborers that the laborer was sick at the time of gathering, I advised the driver to give him his peck of corn, which he did accordingly. The fact is noted as indicating the present relation of the driver to the plantation, where he still retains something of his former authority.

This authority is, however, very essentially diminished. The main reason is, as he will assure you, that he has now no white man to back him. Other reasons may, however, concur. A class of laborers are generally disposed to be jealous of one of their own number promoted to be over them, and accordingly some negroes, evidently moved by this feeling, will tell you that the drivers ought now to work as field hands, and some field hands be drivers in their place. The driver has also been required to report delinquencies to the master or overseer, and upon their order to inflict corporal punishment. The laborers will, in some cases, say that he has been harder than he need to have been, while he will say that he did only what he was forced to do. The complainants who have suffered under the lash may be pardoned for not being sufficiently charitable to him who has unwillingly inflicted it, while, on the other hand, he has been placed in a dangerous position, where a hard nature, or self-interest, or dislike for the victim, might have tempted him to be more cruel than his position required. The truth, in proportions impossible for us in many cases to fix, may lie with both par-

ties. I am, on the whole, inclined to believe that the past position of the driver and his valuable knowledge, both of the plantations and the laborers, when properly advised and controlled, may be made available in securing the productiveness of the plantations and the good of the laborers. It should be added that, in all cases, the drivers were found very ready to answer inquiries and communicate all information, and seemed desirous that the work of the season should be commenced.

There are also on the plantations other laborers, more intelligent than the average, such as the carpenter, the plowman, the religious leader, who may be called a preacher, a watchman or a helper,—the two latter being recognized officers in the churches of these people, and the helpers being aids to the watchman. These persons, having recognized positions among their fellows, either by virtue of superior knowledge or devotion, when properly approached by us, may be expected to have a beneficial influence on the more ignorant, and help to create that public opinion in favor of good conduct which, among the humblest as among the highest, is most useful. I saw many of very low intellectual development, but hardly any too low to be reached by civilizing influences, either coming directly from us or mediately through their brethren. And while I saw some who were sadly degraded, I met also others who were as fine specimens of human nature as one can ever expect to find.

Beside attendance on churches on Sundays, there are evening prayer-meetings on the plantations as often as once or twice a week, occupied with praying, singing, and exhortations. In some cases, the leader can read a hymn, having picked up his knowledge clandestinely, either from other negroes or from white children. Of the adults, about one-half, at least, are members of churches, generally the Baptist, although other denominations have communicants among them. In the Baptist Church on St. Helena Island, which I visited on the 22d January, there were a few pews for the proportionally small number of white attendants, and the much larger space devoted to benches for colored people. On one plantation there is a negro chapel, well adapted for the purpose, built by the proprietor, the late Mrs. Eustis, whose memory is cherished by the negroes, and some of whose sons



are now loyal citizens of Massachusetts. I have heard among the negroes scarcely any profane swearing—not more than twice—a striking contrast with my experience among soldiers in the army.

It seemed a part of my duty to attend some of their religious meetings, and learn further about these people what could be derived from such a source. Their exhortations to personal piety were fervent, and, though their language was many times confused, at least to my ear, occasionally an important instruction or a felicitous expression could be recognized. In one case, a preacher of their own, commenting on the text, "Blessed are the meek," exhorted his brethren not to be "stout-minded." On one plantation on Ladies' Island, where some thirty negroes were gathered in the evening, I read passages of Scripture, and pressed on them their practical duties at the present time with reference to the good of themselves, their children, and their people. The passages read were the 1st and 23d Psalms; the 61st chapter of Isaiah, verses 1-4; the Beatitudes in the 5th chapter of Matthew; the 14th chapter of John's Gospel, and the 5th chapter of the Epistle of James. In substance, I told them that their masters had rebelled against the Government, and we had come to put down the rebellion; that we had now met them, and wanted to see what was best to do for them; that Mr. Lincoln, the President or Great Man at Washington, had the whole matter in charge, and was thinking what he could do for them; that the great trouble about doing anything for them was that their masters had always told us, and had made many people believe, that they were lazy, and would not work unless whipped to it; that Mr. Lincoln had sent us down here to see if it was so; that what they did was reported to him, or to men who would tell him; that where I came from all were free, both white and black; that we did not sell children or separate man and wife, but all had to work; that if they were to be free, they would have to work, and would be shut up or deprived of privileges if they did not; that this was a critical hour with them, and if they did not behave well now and respect our agents and appear willing to work, Mr. Lincoln would give up trying to do anything for them, and they must give up all hope for anything better, and their children and grand-children a hun-

dred years hence would be worse off than they had been. I told them they must stick to their plantations and not run about and get scattered, and assured them that what their masters had told them of our intentions to carry them off to Cuba and sell them was a lie, and their masters knew it to be so, and we wanted them to stay on the plantations and raise cotton, and if they behaved well, they should have wages—small, perhaps, at first; that they should have better food, and not have their wives and children sold off; that their children should be taught to read and write, for which they might be willing to pay something; that by-and-by they would be as well off as the white people, and we would stand by them against their masters ever coming back to take them. The importance of exerting a good influence on each other, particularly on the younger men, who were rather careless and roving, was urged, as all would suffer in good repute from the bad deeds of a few. At Hilton Head, where I spoke to a meeting of two hundred, and there were facts calling for the counsel, the women were urged to keep away from the bad white men, who would ruin them. Remarks of a like character were made familiarly on the plantations to such groups as gathered about. At the Hilton Head meeting, a good-looking man, who had escaped from the southern part of Barnwell District, rose and said, with much feeling, that he and many others should do all they could by good conduct to prove what their masters said against them to be false, and to make Mr. Lincoln think better things of them. After the meeting closed, he desired to know if Mr. Lincoln was coming down here to see them, and he wanted me to give Mr. Lincoln his compliments, with his name, assuring the President that he would do all he could for him. The message was a little amusing, but it testified to the earnestness of the simple-hearted man. He had known Dr. Brisbane, who had been compelled some years since to leave the South because of his sympathy for slaves. The name of Mr. Lincoln was used in addressing them, as more likely to impress them than the abstract idea of government.

It is important to add that in no case have I attempted to excite them by insurrectionary appeals against their former masters, feeling that such a course might increase the trouble of organizing them into a peaceful and improving system,

under a just and healthful temporary discipline; and besides that, it is a dangerous experiment to attempt the improvement of a class of men by appealing to their coarser nature. The better course toward making them our faithful allies, and therefore the constant enemies of the rebels, seemed to be to place before them the good things to be done for them and their children, and sometimes reading passages of Scripture appropriate to their lot, without, however, note or comment, never heard before by them, or heard only when wrested from their just interpretation; such, for instance, as the last chapter of St. James's Epistle, and the Glad Tidings of Isaiah: "I have come to preach deliverance to the captive." Thus treated and thus educated, they may be hoped to become useful coadjutors, and the unconquerable foes of the fugitive rebels.

There are some vices charged upon these people which deserve examination. Notwithstanding their religious professions, in some cases more emotional than practical, the marriage relation, or what answers for it, is not, in many instances, held very sacred by them. The men, it is said, sometimes leave one wife and take another,—something likely to happen in any society where it is permitted or not forbidden by a stern public opinion, and far more likely to happen under laws which do not recognize marriage, and dissolve what answers for it by forced separations, dictated by the mere pecuniary interest of others. The women, it is said, are easily persuaded by white men,—a facility readily accounted for by the power of the master over them, whose solicitation was equivalent to a command, and against which the husband or father was powerless to protect, and increased also by the degraded condition in which they have been placed, where they have been apt to regard what ought to be a disgrace as a compliment, when they were approached by a paramour of superior condition and race. Yet often the dishonor is felt, and the woman, on whose several children her master's features are impressed, and through whose veins his blood flows, has sadly confessed it with an instinctive blush. The grounds of this charge, so far as they may exist, will be removed, as much as in communities of our own race, by a system which shall recognize and enforce the marriage relation among them, protect them against the solicitations of

white men as much as law can, still more by putting them in relations where they will be inspired with self-respect and a consciousness of their rights, and taught by a pure and plain-spoken Christianity.

In relation to the veracity of these people, so far as my relations with them have extended, they have appeared, as a class, to intend to tell the truth. Their manner, as much as among white men, bore instinctive evidence of this intention. Their answers to inquiries relative to the management of the plantations have a general concurrence. They make no universal charges of cruelty against their masters. They will say, in some cases, that their own was a very kind one, but another one in that neighborhood was cruel. On St. Helena Island they spoke kindly of "the good William Fripp," as they called him, and of Dr. Clarence Fripp; but they all denounced the cruelty of Alvira Fripp, recounting his inhuman treatment of both men and women. Another concurrence is worthy of note. On the plantations visited, it appeared from the statements of the laborers themselves, that there were, on an average, about 133 pounds of cotton produced to the acre, and five acres of cotton and corn cultivated to a hand, the culture of potatoes not being noted. An article of the *American Agriculturist*, published in *Turner's Cotton Manual*, pp. 132, 133, relative to the culture of Sea Island Cotton, on the plantation of John H. Townsend, states that the land is cultivated in the proportion of 7-12th cotton, 3-12ths corn, and 2-12ths potatoes—in all, less than six acres to a hand—and the average yield of cotton per acre is 135 pounds. I did not take the statistics of the culture of potatoes, but about five acres are planted with them on the smaller plantations, and twenty, or even thirty, on the larger; and the average amount of land to each hand, planted with potatoes, should be added to the five acres of cotton and corn, and thus results not differing substantially are reached in both cases. Thus the standard publications attest the veracity and accuracy of these laborers.

Again, there can be no more delicate and responsible position, involving honesty and skill, than that of pilot. For this purpose, these people are every day employed to aid our military and naval operations in navigating these sinuous channels. They were used in the recent reconnoissance in



the direction of Savannah; and the success of the affair at Port Royal Ferry depended on the fidelity of a pilot, William, without the aid of whom, or of one like him, it could not have been undertaken. Further information on this point may be obtained of the proper authorities here. These services are not, it is true, in all respects, illustrative of the quality of veracity, but they involve kindred virtues not likely to exist without it.

It is proper, however, to state that expressions are sometimes heard from persons who have not considered these people thoughtfully, to the effect that their word is not to be trusted, and these persons, nevertheless, do trust them, and act upon their statements. There may, however, be some color for such expressions. These laborers, like all ignorant people, have an ill-regulated reason, too much under the control of the imagination. Therefore, where they report the number of soldiers, or relate facts where there is room for conjecture, they are likely to be extravagant, and you must scrutinize their reports. Still, except among the thoroughly dishonest,—no more numerous among them than in other races,—there will be found a colorable basis for their statements, enough to show their honest intention to speak truly.

It is true also that you will find them too willing to express feelings which will please you. This is most natural. All races, as well as all animals, have their appropriate means of self-defence, and where the power to use physical force to defend one's self is taken away, the weaker animal, or man, or race, resorts to cunning and duplicity. Whatever habits of this kind may appear in these people are directly traceable to the well-known features of their past condition, without involving any essential proneness to deception in the race, further than may be ascribed to human nature. Upon this point, special inquiries have been made of the Superintendent at Hilton Head, who is brought in direct daily association with them, and whose testimony, truthful as he is, is worth far more than that of those who have had less nice opportunities of observation, and Mr. Lee certifies to the results here presented. Upon the question of the disposition of these people to work, there are different reports, varied somewhat by the impression an idle or an industrious laborer, brought into immediate relation with the witness, may have

made on the mind. In conversations with them, they uniformly answered to assurances that if free they must work, "Yes, massa, we must work to live; that's the law"; and expressing an anxiety that the work of the plantations was not going on. At Hilton Head, they are ready to do for Mr. Lee, the judicious Superintendent, whatever is desired. Hard words and epithets are, however, of no use in managing them, and other parties for whose service they are specially detailed, who do not understand or treat them properly, find some trouble in making their labor available, as might naturally be expected. In collecting cotton, it is sometimes, as I am told, difficult to get them together, when wanted for work. There may be something in this, particularly among the young men. I have observed them a good deal; and though they often do not work to much advantage,—a dozen doing sometimes what one or two stout and well-trained Northern laborers would do, and though less must always be expected of persons native to this soil than those bred in Northern latitudes, and under more bracing air,—I have not been at all impressed with their general indolence. As servants, oarsmen, and carpenters, I have seen them working faithfully and with a will. There are some peculiar circumstances in their condition, which no one who assumes to sit in judgment upon them must overlook. They are now, for the first time, freed from the restraint of a master, and like children whose guardian or teacher is absent for the day, they may quite naturally enjoy an interval of idleness. No system of labor for them, outside of the camps, has been begun, and they have had nothing to do except to bale the cotton when bagging was furnished, and we all know that men partially employed are, if anything, less disposed to do the little assigned them than they are to perform the full measure which belongs to them in regular life, the virtue of the latter case being supported by habit. At the camps, they are away from their accustomed places of labor, and have not been so promptly paid as could be desired, and are exposed to the same circumstances which often dispose soldiers to make as little exertion as possible. In the general chaos which prevails, and before the inspirations of labor have been set before them by proper superintendents and teachers who understand their disposition, and show by their conduct

an interest in their welfare, no humane or reasonable man would subject them to austere criticism, or make the race responsible for the delinquencies of an idle person, who happened to be brought particularly under his own observation. Not thus would we have ourselves or our own race judged; and the judgment which we would not have meted to us, let us not measure to others.

Upon the best examination of these people, and a comparison of the evidence of trustworthy persons, I believe that when properly organized, and with proper motives set before them, they will, as freemen, be as industrious as any race of men are likely to be in this climate.

The notions of the sacredness of property as held by these people have sometimes been the subject of discussion here. It is reported they have taken things left in their masters' houses. It was wise to prevent this, and even where it had been done to compel a restoration, at least of expensive articles, lest they should be injured by speedily acquiring, without purchase, articles above their condition. But a moment's reflection will show that it was the most natural thing for them to do. They had been occupants of the estates; had had these things more or less in charge, and when the former owners had left, it was easy for them to regard their title to the abandoned property as better than that of strangers. Still, it is not true that they have, except as to very simple articles, as soap or dishes, generally availed themselves of such property. It is also stated that in camps where they have been destitute of clothing, they have stolen from each other, but the Superintendents are of opinion that they would not have done this if already well provided. Besides, those familiar with large bodies collected together, like soldiers in camp life, also know how often these charges of mutual pilfering are made among them, often with great injustice. It should be added, to complete the statement, that the agents who have been intrusted with the collection of cotton have reposed confidence in the trustworthiness of the laborers, committing property to their charge—a confidence not found to have been misplaced.

To what extent these laborers desire to be free, and to serve us still further in putting down the rebellion, has been a subject of examination. The desire to be free has been

strongly expressed, particularly among the more intelligent and adventurous. Every day, almost, adds a fresh tale of escapes, both solitary and in numbers, conducted with a courage, a forecast, and a skill, worthy of heroes. But there are other apparent features in their disposition which it would be untruthful to conceal. On the plantations, I often found a disposition to evade the inquiry whether they wished to be free or slaves; and though a preference for freedom was expressed, it was rarely in the passionate phrases which would come from an Italian peasant. The secluded and monotonous life of a plantation, with strict discipline and ignorance enforced by law and custom, is not favorable to the development of the richer sentiments, though even there they find at least a stunted growth, irrepressible as they are. The inquiry was often answered in this way: "The white man do what he pleases with us; we are yours now, massa." One, if I understood his broken words rightly, said that he did not care about being free, if he only had a good master. Others said they would like to be free, but they wanted a white man for a "protector." All of proper age, when inquired of, expressed a desire to have their children taught to read and write, and to learn themselves. On this point, they showed more earnestness than on any other. When asked if they were willing to fight, in case we needed them, to keep their masters from coming back, they would seem to shrink from that, saying that "black men have been kept down so like dogs that they would run before white men." At the close of the first week's observation, I almost concluded that on the plantation there was but little earnest desire for freedom, and scarcely any willingness for its sake to encounter white men. But as showing the importance of not attempting to reach general conclusions too hastily, another class of facts came to my notice the second week. I met then some more intelligent, who spoke with profound earnestness of their desire to be free, and how they had longed to see this day. Other facts, connected with the military and naval operations, were noted. At the recent reconnoissance toward Pulaski, pilots of this class stood well under the fire, and were not reluctant to the service. When a district of Ladies' Island was left exposed, they voluntarily took such guns as they could procure, and stood sentries. Also at North Edisto,



where the colony is collected under the protection of our gunboats, they armed themselves and drove back the rebel cavalry. An officer here high in command reported to me some of these facts, which had been officially communicated to him. The suggestion may be pertinent that the persons in question are divisible into two classes. Those who, by their occupation, have been accustomed to independent labor, and schooled in some sort of self-reliance, are more developed in this direction; while others, who have been bound to the routine of plantation life, and kept more strictly under surveillance, are but little awakened. But even among these last there has been, under the quickening inspiration of present events, a rapid development, indicating that the same feeling is only latent.

There is another consideration which must not be omitted. Many of these people have still but little confidence in us, anxiously looking to see what is to be our disposition of them. It is a mistake to suppose that, separated from the world, never having read a Northern book or newspaper relative to them, or talked with a Northern man expressing the sentiments prevalent in his region, they are universally and with entire confidence welcoming us as their deliverers. Here, as everywhere else, where our army has met them, they have been assured by their masters that we were going to carry them off to Cuba. There is probably not a rebel master, from the Potomac to the Gulf, who has not repeatedly made this assurance to his slaves. No matter what his religious vows may have been, no matter what his professed honor as a gentleman, he has not shrunk from the reiteration of this falsehood. Never was there a people, as all who know them will testify, more attached to familiar places than they. Be their home a cabin, and not even that cabin their own, they still cling to it. The reiteration could not fail to have had some effect on a point on which they were so sensitive. Often it must have been met with unbelief or great suspicion of its truth. It was also balanced by the consideration that their masters would remove them into the interior, and perhaps to a remote region, and separate their families, about as bad as being taken to Cuba, and they felt more inclined to remain on the plantations, and take their chances with us. They have told me that they reasoned in

this way. But in many cases they fled at the approach of our army. Then one or two bolder returning, the rest were reassured and came back. Recently, the laborers at Parry Island, seeing some schooners approaching suspiciously, commenced gathering their little effects rapidly together, and were about to run, when they were quieted by some of our teachers coming, in whom they had confidence. In some cases, their distrust has been increased by the bad conduct of some irresponsible white men, of which, for the honor of human nature, it is not best to speak more particularly. On the whole, their confidence in us has been greatly increased by the treatment they have received, which, in spite of many individual cases of injury less likely to occur under the stringent orders recently issued from the naval and military authorities, has been generally kind and humane. But the distrust which to a greater or less extent may have existed on our arrival, renders necessary, if we would keep them faithful allies, and not informers to the enemy, the immediate adoption of a system which shall be a pledge of our protection and of our permanent interest in their welfare.

The manner of the laborers toward us has been kind and deferential, doing for us such good offices as were in their power, as guides, pilots, or in more personal service, inviting us on the plantations to lunch of hominy and milk, or potatoes, touching the hat in courtesy, and answering politely such questions as were addressed to them. If there have been exceptions to this rule, it was in the case of those whose bearing did not entitle them to the civility.

Passing from general phases of character or present disposition, the leading facts in relation to the plantations and the mode of rendering them useful and determining what is best to be done, come next in order.

The laborers on St. Helena and Ladies' Islands very generally remain on their respective plantations. This fact, arising partially from local attachment and partially because they can thus secure their allowance of corn, is important, as it will facilitate their reorganization. Some are absent, temporarily visiting a wife, or relative, on another plantation, and returning periodically for their rations. The disposition to roam, so far as it exists, mainly belongs to the younger people. On Port Royal and Hilton Head Islands, there is

a much greater dispersion, due in part to their having been the scene of more active military movements, and in part to the taking in greater measure on these islands of the means of subsistence from the plantations. When the work recommences, however, there is not likely to be any indisposition to return to them.

The statistics with regard to the number of laborers, field hands, acres planted to cotton and corn, are not presented as accurate statements, but only as reasonable approximations, which may be of service.

The highest number of people on any plantation visited was on Coffin's, where there are 260. Those on the plantation of Dr. Jenkins number 130; on that of the Eustis estate, 120; and the others, from 80 to 38. The average number on each is 81. The field hands range generally from one-third to one-half of the number, the rest being house servants, old persons, and children. About five acres of cotton and corn are planted to a hand; and to potatoes, about five acres in all were devoted on the smaller plantations, and from twenty to thirty on the larger.

The number of pounds in a bale of ginned cotton ranges from 300 to 400—the average number being not far from 345 pounds per bale. The average yield per acre on fifteen plantations was about 133 pounds.

The material for compost is gathered in the periods of most leisure—often in July and August, after the cultivation of the cotton plant is ended, and before the picking has commenced. Various materials are used, but quite generally mud and the coarse marsh grass, which abounds on the creeks near the plantations, are employed. The manure is carted upon the land in January and February, and left in heaps, two or three cart-loads on each task, to be spread at the time of listing. The land, by prevailing custom, lies fallow a year. The cotton and corn are planted in elevated rows or beds. The next step is the listing, done with the hoe, and making the bed where the alleys were at the previous raising of the crop, and the alleys being made where the beds were before. In this process, half the old bed is hauled into the alley on the one side, and the other half into the alley on the other. This work is done mainly in February, being commenced sometimes the last of January. A "task" is

105 feet square, and contains twenty-one or twenty-two beds or rows. Each laborer is required to list a task and a half, or if the land is moist and heavy, a task and five or seven beds, say one-fourth or three-eighths of an acre.

The planting of cotton commences about the 20th or last of March, and of corn about the same time or earlier. It is continued through April, and by some planters it is not begun till April. The seeds are deposited in the beds, a foot or a foot and a half apart on light land, and two feet apart on heavy land, and five or ten seeds left in a place. After the plant is growing, the stalks are thinned so as to leave together two on high land and one on low or rich land. The hoeing of the early cotton begins about the time that the planting of the late has ended. The plant is cultivated with the hoe and plow during May, June and July, keeping the weeds down and thinning the stalks. The picking commences the last of August. The cotton being properly dried in the sun, is then stored in houses, ready to be ginned. The ginning, or cleaning the fibre from the seed, is done either by gins operated by steam, or by the well-known foot-gins—the latter turning out about 30 pounds of ginned cotton per day, and worked by one person, assisted by another, who picks out the specked and yellow cotton. The steam-engine carries one or more gins, each turning out 300 pounds per day, and requiring eight or ten hands to tend the engine and gins, more or less, according to the number of the gins. The foot-gins are still more used than the gins operated by steam,—the latter being used mainly on the largest plantations, on which both kinds are sometimes employed. I have preserved notes of the kind and number of gins used on the plantations visited, but it is unnecessary to give them here. Both kinds can be run entirely by the laborers, and after this year, the ginning should be done entirely here—among other reasons, to avoid transportation of the seed, which makes nearly three-fourths of the weight of the unginmed cotton, and to preserve in better condition the seed required for planting.

The allowance of clothing to the field hands in this district has been two suits per year, one for summer and another for winter. That of food has been mainly vegetable—a peck of corn a week to each hand, with meat only in June, when the work is hardest, and at Christmas. No meat was



allowed in June, on some plantations, while on a few, more liberal, it was dealt out occasionally—as once a fortnight, or once a month. On a few, molasses was given at intervals. Children, varying with their ages, were allowed from two to six quarts of corn per week. The diet is more exclusively vegetable here than almost anywhere in the rebellious regions, and in this respect should be changed. It should be added, that there are a large quantity of oysters available for food in proper seasons.

Besides the above rations, the laborers were allowed each to cultivate a small patch of ground, about a quarter of an acre, for themselves, when their work for their master was done. On this, corn and potatoes, chiefly the former, were planted. The corn was partly eaten by themselves, thus supplying in part the deficiency in rations; but it was, to a great extent, fed to a pig, or chickens, each hand being allowed to keep a pig and chickens or ducks, but not geese or turkeys. With the proceeds of the pig and chickens, generally sold to the masters, and at pretty low rates, extra clothing, coffee, sugar, and that necessary of life with these people, as they think, tobacco, were bought.

In the report thus far, such facts in the condition of the territory now occupied by the forces of the United States have been noted as seemed to throw light on what could be done to reorganize the laborers, prepare them to become sober and self-supporting citizens, and secure the successful culture of a cotton-crop, now so necessary to be contributed to the markets of the world. It will appear from them that these people are naturally religious and simple-hearted—attached to the places where they have lived, still adhering to them both from a feeling of local attachment and self-interest in securing the means of subsistence; that they have the knowledge and experience requisite to do all the labor, from the preparation of the ground for planting until the cotton is baled, ready to be exported; that they, or the great mass of them, are disposed to labor, with proper inducements thereto; that they lean upon white men, and desire their protection, and could, therefore, under a wise system, be easily brought under subordination; that they are susceptible to the higher considerations, as duty, and the love of offspring, and are not in any way inherently vicious, their defects coming from their

peculiar condition in the past or present, and not from constitutional proneness to evil beyond what may be attributed to human nature; that they have among them natural chiefs, either by virtue of religious leadership or superior intelligence, who, being first addressed, may exert a healthful influence on the rest. In a word, that, in spite of their condition, reputed to be worse here than in many other parts of the rebellious region, there are such features in their life and character, that the opportunity is now offered to us to make of them, partially in this generation, and fully in the next, a happy, industrious, law-abiding, free and Christian people, if we have but the courage and patience to accept it. If this be the better view of them and their possibilities, I will say that I have come to it after anxious study of all peculiar circumstances in their lot and character, and after anxious conference with reflecting minds here, who are prosecuting like inquiries, not overlooking what, to a casual spectator, might appear otherwise, and granting what is likely enough, that there are those among them whose characters, by reason of bad nature or treatment, are set, and not admitting of much improvement. And I will submit further, that, in common fairness and common charity, when, by the order of Providence, an individual or a race is committed to our care, the better view is entitled to be first practically applied. If this one shall be accepted and crowned with success, history will have the glad privilege of recording that this wicked and unprovoked rebellion was not without compensations most welcome to our race.

What, then, should be the true system of administration here?

It has been proposed to lease the plantations and the people upon them. To this plan there are two objections—each conclusive. In the first place, the leading object of the parties bidding for leases would be to obtain a large immediate revenue—perhaps to make a fortune in a year or two. The solicitations of doubtful men, offering the highest price, would impose on the leasing power a stern duty of refusal, to which it ought not unnecessarily to be subjected. Far better a system which shall not invite such men to harass the leasing power, or excite expectations of a speedy fortune, to be derived from the labor of this people. Secondly: No man,

not even the best of men, charged with the duties which ought to belong to the guardians of these people, should be put in a position where there would be such a conflict between his humanity and his self-interest—his desire, on the one hand, to benefit the laborer, and, on the other, the too often stronger desire to reap a large revenue—perhaps to restore broken fortunes in a year or two. Such a system is beset with many of the worst vices of the slave system, with one advantage in favor of the latter, that it is for the interest of the planter to look to permanent results. Let the history of British East India, and of all communities where a superior race has attempted to build up speedy fortunes on the labor of an inferior race occupying another region, be remembered, and no just man will listen to the proposition of leasing, fraught as it is with such dangerous consequences. Personal confidence forbids me to report the language of intense indignation which has been expressed against it here by some occupying high places of command, as also by others who have come here for the special purpose of promoting the welfare of these laborers. Perhaps it might yield to the treasury a larger immediate revenue, but it would be sure to spoil the country and its people in the end. The Government should be satisfied if the products of the territory may be made sufficient for a year or two to pay the expenses of administration and superintendence, and the inauguration of a beneficent system which will settle a great social question, ensure the sympathies of foreign nations, now wielded against us, and advance the civilization of the age.

The better course would be to appoint superintendents for each large plantation, and one for two or three smaller combined, compensated with a good salary, say \$1,000 per year, selected with reference to peculiar qualifications, and as carefully as one would choose a guardian for his children, clothed with an adequate power to enforce a paternal discipline, to require a proper amount of labor, cleanliness, sobriety, and better habits of life, and generally to promote the moral and intellectual culture of the wards, with such other inducements, if there be any, placed before the superintendent as shall inspire him to constant efforts to prepare them for useful and worthy citizenship. To quicken and ensure the fidelity of the superintendents, there should a director-general or

governor, who shall visit the plantations, and see that they are discharging these duties, and, if necessary, he should be aided by others in the duty of visitation. This officer should be invested with liberal powers over all persons within his jurisdiction, so as to protect the blacks from each other and from white men, being required in most important cases to confer with the military authorities in punishing offences. His proposed duties indicate that he should be a man of the best ability and character: better if he have already, by virtue of public services, a hold on the public confidence. Such an arrangement is submitted as preferable for the present to any cumbersome territorial government.

The laborers themselves, no longer slaves of their former masters, or of the Government, but as yet in large numbers unprepared for the full privileges of citizens, are to be treated with sole reference to such preparation. No effort is to be spared to work upon their better nature and the motives which come from it—the love of wages, of offspring, and family, the desire of happiness, and the obligations of religion. And when these fail,—and fail they will, in some cases,—we must not hesitate to resort, not to the lash, for as from the department of war so also from the department of labor, it must be banished, but to the milder and more effective punishments of deprivation of privileges, isolation from family and society, the workhouse, or even the prison. The laborers are to be assured at the outset that parental and conjugal relations among them are to be protected and enforced; that children, and all others desiring, are to be taught; that they will receive wages; and that a certain just measure of work, with reference to the ability to perform it, if not willingly rendered, is to be required of all. The work, so far as the case admits, shall be assigned in proper tasks, the standard being what a healthy person of average capacity can do, for which a definite sum is to be paid. The remark may perhaps be pertinent, that, whatever may have been the case with women or partially disabled persons, my observations, not yet sufficient to decide the point, have not impressed me with the conviction that healthy persons, if they had been provided with an adequate amount of food, and that animal in due proportion, could be said to have been overworked heretofore on these islands, the main trouble hav-



ing been that they have not been so provided, and have not had the motives which smooth labor. Notwithstanding the frequent and severe chastisements which have been employed here in exacting labor, they have failed, and naturally enough, of their intended effects. Human beings are made up of so much more of spirit than of muscle, that compulsory labor, enforced by physical pain, will not exceed or equal, in the long run, voluntary labor with just inspirations; and the same law in less degree may be seen in the difference between the value of a whipped and jaded beast, and one well disciplined and kindly treated.

What should be the standard of wages where none have heretofore been paid, is less easy to determine. It should be graduated with reference to the wants of the laborer and the ability of the employer or Government; and this ability being determined by the value of the products of the labor, and the most that should be expected being, that for a year or two the system should not be a burden on the Treasury. Taking into consideration the cost of food and clothing, medical attendance and extras, supposing that the laborer would require rations of pork or beef, meal, coffee, sugar, molasses and tobacco, and that he would work 300 days in the year, he should receive about forty cents a day in order to enable him to lay up \$30 a year; and each healthy woman could do about equally well. Three hundred days in a year is, perhaps, too high an estimate of working days, when we consider the chances of sickness and days when, by reason of storms and other causes, there would be no work. It is assumed that the laborer is not to pay rent for the small house tenanted by him. This sum, when the average number of acres cultivated by a hand, and the average yield per acre are considered with reference to market prices, or when the expense of each laborer to his former master, the interest on his assumed value and on the value of the land worked by him,—these being the elements of what it has cost the master before making a profit,—are computed, the Government could afford to pay, leaving an ample margin to meet the cost of the necessary implements, as well as of superintendence and administration. The figures on which this estimate is based are at the service of the Department if desired. It must also be borne in mind that the plantations will in the end be carried

on more scientifically and cheaply than before, the plough taking very much the place of the hoc, and other implements being introduced to facilitate industry and increase the productive power of the soil.

It being important to preserve all former habits which are not objectionable, the laborer should have his patch of ground on which to raise corn or vegetables for consumption or sale.

As a part of the plan proposed, missionaries will be needed to address the religious element of a race so emotional in their nature, exhorting to all practical virtues, and inspiring the laborers with a religious zeal for faithful labor, the good nurture of their children, and for clean and healthful habits. The benevolence of the Free States, now being directed hither, will gladly provide these. The Government should, however, provide some teachers specially devoted to teaching reading, writing and arithmetic, say some twenty-five, for the territory now occupied by our forces, and private benevolence might even be relied on for these.

The plan proposed is, of course, not presented as an ultimate result: far from it. It contemplates a paternal discipline for the time being, intended for present use only, with the prospect of better things in the future. As fast as the laborers show themselves fitted for all the privileges of citizens, they should be dismissed from the system and allowed to follow any employment they please, and where they please. They should have the power to acquire the fee simple of land, either with the proceeds of their labor or as a reward of special merit; and it would be well to quicken their zeal for good behavior by proper recognitions. I shall not follow these suggestions, as to the future, further, contenting myself with indicating what is best to be done at once with a class of fellow-beings now thrown on our protection, entitled to be recognized as freemen, but for whose new condition the former occupants of the territory have diligently labored to unfit them.

But whatever is thought best to be done, should be done at once. A system ought to have been commenced with the opening of the year. Beside that, demoralization increases with delay. The months of January and February are the months for preparing the ground by manuring and listing, and the months of March and April are for planting. Al-

ready, important time has passed, and in a very few weeks it will be too late to prepare for a crop, and too late to assign useful work to the laborers for a year to come. I implore the immediate intervention of your Department to avert the calamities which must ensue from a further postponement.

There is another precaution most necessary to be taken. As much as possible, persons enlisted in the army and navy should be kept separate from these people. The association produces an unhealthy excitement in the latter, and there are other injurious results to both parties which it is unnecessary to particularize. In relation to this matter, I had an interview with the Flag-Officer, Com. Dupont, which resulted in an order that "no boats from any of the ships of the squadron can be permitted to land anywhere but at Bay Point and Hilton Head, without a pass from the Fleet Captain," and requiring the commanding officers of the vessels to give special attention to all intercourse between the men under their command and the various plantations in their vicinity. Whatever can be accomplished to that end by this humane and gallant officer, who superadds to skill and courage in his profession the liberal views of a statesman, will not be left undone. The suggestion should also be made that, when employment is given to this people, some means should be taken to enable them to obtain suitable goods at fair rates, and precautions taken to prevent the introduction of ardent spirits among them.

A loyal citizen of Massachusetts, Mr. Frederick A. Eustis, has recently arrived here. He is the devisee in a considerable amount under the will of the late Mrs. Eustis, who owned the large estate on Ladies' Island, and also another at Pocotaligo, the latter not yet in possession of our forces. The executors are rebels, and reside at Charleston. Mr. Eustis has as yet received no funds by reason of the devise. There are two other loyal devisees and some other devisees resident in rebellious districts, and the latter are understood to have received dividends. Mr. Eustis is a gentleman of humane and liberal views, and, accepting the present condition of things, desires that the people on these plantations should not be distinguished from their brethren on others, but equally admitted to their better fortunes. The circumstances of this case, though of a personal character, may furnish a useful

precedent. With great pleasure and confidence, I recommend that this loyal citizen be placed in charge of the plantation on Ladies' Island, which he is willing to accept—the questions of property and rights under the will being reserved for subsequent determination.

A brief statement in relation to the laborers collected at the camps at Hilton Head and Beaufort may be desirable. At both places, they are under the charge of the Quartermaster's Department. At Hilton Head, Mr. Barnard K. Lee, Jr., of Boston, is the Superintendent, assisted by Mr. J. D. McMath of Alleghany City, Penn., both civilians. The appointment of Mr. Lee is derived from Captain R. Saxton, Chief Quartermaster of the Expeditionary Corps, a humane officer, who is deeply interested in this matter. The number at this camp are about 600, the registered number under Mr. Lee being 472, of which 137 are on the pay-roll. Of these 472, 279 are fugitives from the main land, or other points, still held by the rebels; 77 are from Hilton Head Island; 62 from the adjacent island of Pinckney; 38 from St. Helena; 8 from Port Royal; 7 from Spring, and one from Daufuskie. Of the 472, the much larger number, it will be seen, have sought refuge from the places now held by rebels; while the greater proportion of the remainder came in at an early period, before they considered themselves safe elsewhere. Since the above figures were given, forty-eight more, all from one plantation, and under the lead of the driver, came in together from the main land. Mr. Lee was appointed November 10th last, with instructions to assure the laborers that they would be paid a reasonable sum for their services, not yet fixed. They were contented with the assurance, and a quantity of blankets and clothing captured of the rebels was issued to them without charge. About December 1st, an order was given that carpenters should be paid \$8 per month, and other laborers \$5 per month. Women and children were fed without charge, the women obtaining washing and receiving the pay, in some cases in considerable sums, not, however, heretofore, very available, as there was no clothing for women for sale here. It will be seen that, under the order, laborers, particularly those with families, have been paid with sufficient liberality. There were 63 laborers on the pay-roll on December 1st, and \$101.50 were



paid to them for the preceding month. On January 1st, there were for the preceding month 127 on the pay-roll, entitled to \$468.59. On February 1st, there were for the preceding month 137 on the pay-roll, entitled to something more than for the month of January; making in all due them not far from \$1000. This delay of payment, due, it is stated, to a deficiency of small currency, has made the laborers uneasy, and affected the disposition to work.

On January 18th, a formal order was issued by General Sherman, regulating the rate of wages, varying from \$12 to \$8 per month for mechanics, and from \$8 to \$4 for other laborers. Under it, each laborer is to have, in addition, a ration of food. But from the monthly pay are to be deducted rations for his family, if here, and clothing both for himself and family. Commodious barraeks have been erected for these people, and a guard protects their quarters.

I have been greatly impressed by the kindness and good sense of Mr. Lee and his assistant, in their discipline of these people. The lash, let us give thanks, is banished at last. No coarse words or profanity are used toward them. There has been less than a case of discipline a week, and the delinquent, if a male, is sometimes made to stand on a barrel, or, if a woman, is put in a dark room, and such discipline has proved successful. The only exception, if any, is in the case of one woman, and the difficulty there was conjugal jealousy, she protesting that she was compelled by her master, against her will, to live with the man.

There is scarcely any profanity among them, more than one-half of the adults being members of churches. Their meetings are held twice or three times on Sundays, also on the evenings of Tuesday, Thursday and Friday. They are conducted with fervent devotion by themselves alone or in presence of a white clergyman, when the services of one are procurable. They close with what is called "a glory shout," one joining hands with another, together in couples singing a verse and beating time with the foot. A fastidious religionist might object to this exercise; but being in accordance with usage, and innocent enough in itself, it is not open to exception. As an evidence of the effects of the new system in inspiring self-reliance, it should be noted that the other evening they called a meeting of their own accord, and voted, the

motion being regularly made and put, that it was now but just that they should provide the candles for their meetings, hitherto provided by the Government. A collection was taken at a subsequent meeting, and \$2.48 was the result. The incident may be trivial, but it justifies a pleasing inference. No school, it is to be regretted, has yet been started, except one on Sundays, but the call for reading books is daily made by the laborers. The suggestion of Mr. Lee, in which I most heartily concur, should not be omitted—that with the commencement of the work on the plantations, the laborers should be distributed upon them, having regard to the family relations and the places whence they come.

Of the number and condition of the laborers at Beaufort, less accurate information was attainable, and fewer statistics than could be desired. They have not, till within a few days, had a General Superintendent, but have been under the charge of persons detailed for the purpose from the army. I saw one whose manner and language toward them was, to say the least, not elevating. A new Quartermaster of the post has recently commenced his duties, and a better order of things is expected. He has appointed as Superintendent Mr. Wm. Harding, a citizen of Daufuskie Island. An enrollment has commenced, but is not yet finished. There are supposed to be about six hundred at Beaufort. The number has been larger, but some have already returned to the plantations in our possession from which they came. At this point, the Rev. Solomon Peck, of Roxbury, Mass., has done great good in preaching to them and protecting them from the depredations of white men. He has established a school for the children, in which are sixty pupils, ranging in age from six to fifteen years. They are rapidly learning their letters and simple reading. The teachers are of the same race with the taught, of ages respectively of twenty, thirty, and fifty years. The name of one is John Milton. A visit to the school leaves a remarkable impression. One sees there those of pure African blood, and others ranging through the lighter shades, and among them brunettes of the fairest features. I taught several of the children their letters for an hour or two, and during the recess heard the three teachers, at their own request, recite their spelling-lessons of words of one syllable, and read two chapters of Matthew. It seemed to be a morn-

ing well spent. Nor have the efforts of Dr. Peck been confined to this point. He has preached at Cat, Cane and Ladies' Island, anticipating all other white clergymen, and on Sunday, February 2d, at the Baptist Church on St. Helena, to a large congregation, where his ministrations have been attended with excellent effects. On my visits to St. Helena, I found that no white clergyman had been there since our military occupation began, that the laborers were waiting for one, and there was a demoralization at some points which timely words might arrest. I may be permitted to state, that it was at my own suggestion that he made the appointment on this island. I cannot forbear to give a moment's testimony to the nobility of character displayed by this venerable man. Of mild and genial temperament, equally earnest and sensible, enjoying the fruits of culture, and yet not dissuaded by them from the humblest toil, having reached an age when most others would have declined the duty, and left it to be discharged by younger men; of narrow means, and yet in the main defraying his own expenses, this man of apostolic faith and life, to whose labors both hemispheres bear witness, left his home to guide and comfort this poor and shepherdless flock; and to him belongs, and ever will belong, the distinguished honor of being the first minister of Christ to enter the field which our arms had opened.

The Rev. Mansfield French, whose mission was authenticated and approved by the Government, prompted by benevolent purposes of his own, and in conference with others in the city of New York, has been here two weeks, during which time he has been industriously occupied in examining the state of the islands and their population, in conferring with the authorities, and laying the foundation of beneficent appliances with reference to their moral, educational, and material wants. These, having received the sanction of officers in command, he now returns to commend to the public, and the Government will derive important information from his report. Beside other things, he proposes, with the approval of the authorities here, to secure authority to introduce women of suitable experience and ability, who shall give industrial instruction to those of their own sex among these people, and who, visiting from dwelling to dwelling, shall strive to improve their household life, and give such

counsels as women can best communicate to women. All civilizing influences like these should be welcomed here, and it cannot be doubted that many noble hearts among the women of the land will volunteer for the service.

There are some material wants of this territory requiring immediate attention. The means of subsistence have been pretty well preserved on the plantations on St. Helena; so also on that part of Ladies' adjacent to St. Helena. But on Port Royal Island, and that part of Ladies' near to it, destitution has commenced, and will, unless provision is made, become very great. Large amounts of corn for forage, in quantities from fifty to four or five hundred bushels from a plantation, have been taken to Beaufort. On scarcely any within this district is there enough to last beyond April, whereas it is needed till August. On others, it will last only two or three weeks, and on some it is entirely exhausted. It is stated that the forage was taken because no adequate supply was at hand, and requisitions for it were not seasonably answered. The further taking of the corn in this way has now been forbidden; but the Government must be prepared to meet the exigency which it has itself created. It should be remembered that this is not a grain-exporting region, corn being produced in moderate crops only for consumption. Similar destitution will take place on other islands, from the same cause, unless provision is made.

The horses, mules and oxen, in large numbers, have been taken to Beaufort and Hilton Head as means of transportation. It is presumed that they, or most of them, are no longer needed for that purpose, and that they will be returned to those who shall have charge of the plantations. Cattle to the number of a hundred, and in some cases less, have been taken from a plantation and slaughtered, to furnish fresh beef for the army. Often cattle have been killed by irresponsible foraging parties, acting without competent authority. There can be no doubt that the army and navy have been in great want of the variation of the rations of salt beef or pork; but it also deserves much consideration, if the plantations are to be permanently worked, how much of a draught they can sustain.

The garden seeds have been pretty well used up, and I inclose a desirable list furnished me by a gentleman whose



experience enables him to designate those adapted to the soil, and useful too for army supplies. The general cultivation of the islands also requires the sending of a quantity of ploughs and hoes.

It did not seem a part of my duty to look specially after matters which had been safely entrusted to others; but it is pleasing, from such observation as was casually made, to testify that Lieutenant-Colonel William H. Reynolds, who was charged with the preservation of the cotton and other confiscated property, notwithstanding many difficulties in his way, has fulfilled his duties with singular fidelity and success.

Since the writing of this report was commenced, some action has been taken which will largely increase the numbers of persons thrown on the protection of the Government. To-day, February 10th, the 47th Regiment New York Volunteers has been ordered to take military occupation of North Edisto Island, which is stated to have had formerly a population of 5000 or 6000, and a large number of plantations, a movement which involves great additional responsibility. Agents for the collection of cotton are to accompany it.

Herewith is communicated a copy of an order by General Sherman, dated February 6th, 1862, relative to the disposition of the plantations and of their occupants. It is an evidence of the deep interest which the Commanding General takes in this subject, and of his conviction that the exigency requires prompt and immediate action from the Government.

I leave for Washington, to add any oral explanations which may be desired, expecting to return at once, and, with the permission of the Department, to organize the laborers on some one plantation, and superintend them during the planting season, and upon its close, business engagements require that I should be relieved of this appointment.

I am, with great respect,

Your friend and servant,

EDWARD L. PIERCE.

## EDUCATIONAL COMMISSION.

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The Committee on Teachers and on Finance would call the attention of the friends of the Commission to the importance of additional subscription to its funds.

There are at Port Royal and other places, many thousands of colored persons, lately slaves, who are now under the protection of the U. S. Government. They are a well-disposed people, ready to work, and eager to learn. With a moderate amount of well-directed, systematic labor, they would very soon be able to raise crops more than sufficient for their own support. But they need aid and guidance in their first steps towards the condition of self-supporting, independent laborers.

It is the object of the Commission to give them this aid, by sending out, as agents, intelligent and benevolent persons, who shall instruct and care for them. These agents are called teachers, but their teaching will by no means be confined to intellectual instruction. It will include all the more important and fundamental lessons of civilization,—voluntary industry, self-reliance, frugality, forethought, honesty and truthfulness, cleanliness and order. With these will be combined intellectual, moral and religious instruction.

The plan is approved by the U. S. Government, and Mr. EDWARD L. PIERCE, the Special Agent of the Treasury Department, is authorized to accept the services of the agents of this Commission, and to provide for them transportation, quarters and subsistence. Their salaries are paid by the Commission.

More than one hundred and fifty applications have been received by the Committee on Teachers, and thirty-five able and efficient persons have been selected. Twenty-nine of these sailed for Port Royal in the Atlantic, on the 3d instant. Three were already actively employed at that place, and the others are to follow by the next steamer. Some of these are volunteers, who gratuitously devote their time and labor to this cause. Others receive a monthly salary from the Commission.

The funds in the treasury, derived from voluntary and almost unsolicited contributions, are sufficient to support those now in service for two or three months. But the Commission is as yet only on the threshold of its undertaking. It is stated by Mr. Pierce that at least one hundred and fifty teachers could be advantageously employed in the vicinity of Port Royal alone.

Subscriptions may be sent to Mr. WILLIAM ENDICOTT, Jr., Treasurer, No. 33 Summer street, or to either of the Committee on Finance.

GEORGE B. EMERSON,  
LE BARON RUSSELL,  
LORING LOTHROP,  
CHARLES F. BARNARD,  
H. F. STEVENSON,  
*Committee on Teachers.*

EDWARD ATKINSON,  
MARTIN BRIMMER,  
WILLIAM ENDICOTT, JR.,  
JAMES T. FISHER,  
WILLIAM I. BOWDITCH,  
*Committee on Finance.*

Boston, March 14, 1862.











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