The Anti-Slavery Bugle.

MARIUS R. ROBINSON, EDITOR. "NO UNION WITH SLAVEHOLDERS." ANN PEARSON, PUBLISHING AGENT.

VOL. 10,---NO. 34. SALEM, COLUMBIANA COUNTY, OHIO, SATURDAY, APRIL 7, 1855. WHOLE NO. 496.

ANTI-SLAVERY BUGLE.

MAINE ON THE SLAVERY QUESTION.

The following resolutions were discussed by the Maine Legislature on the 12th ult. They were strenuously opposed and warmly defended:

Resolved, 1. That human slavery is, in all its aspects, an unqualified evil and wrong, and as such merits the reprehension of mankind.

2. That in early periods of our national history, both the opinions of the people and the policy of the government were adverse to the institution.

3. That the constitution of the United States is, and was designed to be, a charter of liberty, and hence, that all acts of the national government, by which slavery maintains a legal existence in territory subject to the exclusive jurisdiction of Congress, are in direct conflict with the whole spirit and with the clear provisions of that instrument.

4. That the act of the thirty-third session of Congress, repealing the law of 1820, known as the Missouri Compromise, by which slavery was forever prohibited in the territory north of the parallel of 36 degrees 30 minutes, was an unjustifiable violation of a solemn compact, and a flagrant breach of faith on part of the the South.

5. That Maine will never consent to the admission into the federal Union of any more states, with constitutions authorizing slavery.

6. that the act of 1850, called the Fugitive Slave law, is unconstitutional, and odious to the whole North; Maine, therefore, demands its immediate and unconditional repeal.

7. That it is the duty of the general government without delay, to abolish slavery wherever it has exclusive jurisdiction; and to exert its influence whenever and wherever it legitimately may on the side of universal liberty.

8. That the third paragraph in the second section of the first article of the constitution of the United States, should be amended by striking out the words, "which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and including Indians not taxed, three-fifths of all other persons," ahd adding in place thereof the words, "excepting Indians not taxed, and all persons deemed and held as chattels personal."

Therefore, Resolved, That our senators in congress be instructed, and our representatives requested, to use all practicable means to secure the passage of the following enactments:

First, An act repealing all laws of the United States authorizing slavery in the District of Columbia.

Second, An act repealing the statute of 1850, known as the Fugitive Slave law.

Third, an act forever prohibiting slavery or involuntary servitude, except for crime, within the the territories of the United States.

Resolved, further, That our senators in Congress be instructed, and our representatives requested, at all times hereafter, most strenuously to oppose in every justifiable way, the admission of any new state into the Union, except upon the condition, to be embraced in the act of admission, that slavery or involuntary servitude, excepting that for crime of which the accused shall have been duly proved guilty, shall be forever prohibited therein.

Resolved, that the Governor be requested to forward a copy of these resolves to each of our Senators and Representatives in Congress.

In the House on the 16th inst., Mr. Cushman introduced a bill further to protect personal liberty, [forbidding officers of this state, under penalty, from aiding in the execution of the Fugitive Slave law.] He advocated the bill in a long speech.

Mr. York, of Temple, said he had been an anti-slavery laborer for ten years. He had not opened his mouth here before, but he could hold out no longer. He should vote for the bill. He was elected by an anti-slavery majority of 366 over the pro-slavery, whig-cat and rum candidate. He had prepared his sentiments in rhyme. He wished to know if it would be in order to sing his song?

Mr. Pike hoped he would sing it.

Mr. York, on the whole, preferred to recite it, which he did, with much gusto, as follows:

FUGITIVE SLAVE SONG.

Awake, ye brave freemen, awake from your slumber,
Gird on the whole armor, your duty perform,
The tempest is gathering, we hear Southern thunder,
The bloodhounds are coming, prepare for the storm.

Our rights are in danger from Southern aggression,
We are beginning to feel their tyranical sway,
We now are the victims of Southern oppression,
For the fugitive hunters are coming this way.

Long have we been waiting, and long have expected
Our rights would be granted, and no more delay,
But alas for our country! our rights are neglected,
Our liberties measurably taken away.

O, where are our Northern Congressional leaders,
Who should have sustained our liberty cause?
Some of them were dodgers, and some were seceders,
And some have been voting for fugitive laws.

Whilst over our heads our flag is now swaying,
And whilst we are boasting of liberty's land,
Hark, far in the distance, the bloodhounds are baying,
The slave has escaped from the old tyrant's hand.

Lo, onward he's bounding, his speed is not slacking,
He cries give me death or slavery no more;
While his master's pursuing, and the rifles are cracking,
Behold he arrives on Her Majesty's shore.

O! could the brave sons of our old revolution,
Who manfully fought in our liberty's cause,
But witness those oceans of blood and polution,
Arising from Southern tyrannical laws,

Could you witness their spirits, you'd hear them a sighing,
No longer they'd boast of the land of the free.
While they saw the poor fugitive, panting and flying,
And seeking protection in old Canada.

There are a few noble spirits still live in our nation,
Who are pleading the cause of the bond and the free,
To them we must look for our country's salvation,
For the abolition of slavery

May Heaven protect them, and give consolation,
And grant that those heroes may never give o'er,
Until liberty's car shall roll through our nation,
And slavery be driven from America's shore.

He hoped the bill would pass, so as to drive slavery from the State of Maine, and likewise every slave-hunter.

Mr. Lincoln, of Hallowell, said he was in favor of the provisions of the bill, and for the purpose of maturing the same, he moved it be referred to a joint select committee.

The motion prevailed.

A Mexican paper announces the organization of a fillibustering party, in Texas, designed to operate against the department of Coahuila.

ANTI-CHRIST.

A NEW VIEW OF KNOW-NOTHINGISM.

We find in the *Christian Inquirer* an extract from a sermon preached by Rev. S. J. May in Rochester, which presents some new and striking views on the subject of the sermon, which was Anti-Christ; and Anti-Christ was defined to be the *Spirit of Fanaticism*. Christ suffered everything from this spirit; he did not, however, retaliate; but on the other hand, steadily taught that when smitten on one cheek we should turn the other also. Still persecution and cruelty continue, and it is now as it ever has been against the teachings of christianity. Mr. May having brought these facts to view, goes on as follows:—*Syracuse Chronicle*.

We have a remarkable illustration of the truth of what I say, in our own country, at this very time. For the last twenty-five years, the friends of humanity—the fellow-laborers of Christ, have been earnestly contending against the two deadliest enemies of the religious and civil welfare of this Republic—*intemperance* and *slavery*. The conflict which each has been severe. All the powers of hell have been summoned to their aid, yet the army of the Lord had been gaining continual accessions of numbers and strength. The strongholds of intemperance seemed about to be carried; and the late daring sortie of slavery to be driven back into its old entrenchments, if not routed from them.

Just at this crisis, the host of Anti-Christ, secretly enrolled, under false pretences, with a banner on which NOTHING was inscribed, came stealthily into the fields, and caused a diversion, that has well-nigh given the victory to the foe.

The right of suffrage in our Republic may be too free. Many of our wisest and best men have thought it was so. The old Federalists forewarned us that universal suffrage would be our ruin. But where should it be restricted? That was the pregnant question. If any men ought to be debarred the elective franchise in a democracy, one would think it sould be those men who have so little respect for humanity that they have robbed thousands of their poor neighbors of all the rights of man, and have reduced them to the condition, of domesticated brutes.

Next to slaveholders, one would think that the men who, of all others, should be denied the great prerogative of freemen, are *intemperate persons*, those who are wont to deprive themselves of their reason, so that they know not what they do. This vice, more than all others, disables a man for the government of himself; and so unfits him to take any part in the government of the nation. But intemperance, and the customs that lead to it, have been so prevalent in our country since the Revolution, that they have hardly been accounted vicious, until within the last thirty years. No provisions were made against them in the formation of our government. Now, therefore, no change can be made touching the elective franchise but by the suffrages of the people, the majority of whom, (excluding the female half,) have hitherto been on the side of Intemperance: and will continue to be until a power higher than the Ballot-Box has converted the people from the dreadful error of their ways.

Seeing then that slaveholders and intemperate men, (the most dangerous of all men in a democracy,) have been from the first admitted to exercise the right of suffrage in our country, with what show of fairness can we withold it from any others? Granted that intelligence and virtue are indispensable to the stability of our institutions, and therefore should be required in the individuals, who uphold them. What amount of intelligence, what measure of moral worth shall be demanded? It cannot be higher than that of the average of those excellences among the people, for the same reason that the stream cannot rise higher than its fountain. So that we must be left as we are to struggle along in our political as well as social relations with all the evils of falsehood, fraud, ignorance, intemperance and slavery, until by the exertion and sacrifices of the friends of truth, knowledge, purity and freedom, the majority are brought over to the side of God and Humanity.

Such seems to be the order of Providence: I do not question its wisdom. The whole body politic is thus made dependent for its welfare upon the health and vigor of each of its members—upon the hands and feet as well as upon the head.—Those members, which we are wont to think less honorable, upon them are thus compelled to bestow the more attention; and even those which seem to be the most feeble, are found to be necessary, and must be cared for.

The intelligence, integrity, purity of every one in a democracy, is a matter of great importance to all. Point me to a boy or a girl in the land, whatever be their parentage, however depressed may now be their condition, of whom you can say with certainty that they will never be so placed that their right or wrong action may affect vitally, the public well-being. For my part I am willing the state and church should suffer, as they must, until the constituents of the one and the other are taught to know, love, and obey the truth and the right.

Great progress has been made towards the redemption of our country from the greatest iniquities, her mortal enemies, Intemperance and Slavery. In several States, the sale of intoxicating drinks has been utterly prohibited; and a law to this effect had passed both branches of our Legislature, and would now be in operation in this State, but for the veto of our late Governor. Slavery, too, has been unmasked, brought out from her entrenchments into the open field, where she may be confronted by Liberty face to face; forced into a conflict hand to hand. There can be no doubt of the issue of the battle when it comes; through the frame work of our present confederacy may not be strong enough to endure the struggle, *Freedom must triumph.*

But just at the moment when Intemperance and Slavery were fairly exposed as the only enemies whom the people had to meet; when the Lord's host were coming out in mighty array against our Gog and Magog, just at this crisis a diversion has been effected; a new party has rushed into the field, not openly on the side of intemperance and Slavery, and yet manifestly averting their discomfiture. This legion comprises, undoubtedly, may well-meaning men, who have been misguided by false alarms or by sectarian prejudices. The leaders of this movement have invoked the Spirit of Anti-Christ—hatred of a portion of the people because of their religious faith. This has given the shrillest, loudest note to their battle-cry.—And this spirit has effected most that they have done.

Of course, 'tis, said we "*know nothing*" of the intentions of this masked body. Yet we everywhere hear, and we read in the papers devoted to its interests, that it is banded against foreigners, against those who, coming to this country from under governments and political institutions wholly different from our own, cannot be reasonably supposed to understand the genius of our State and national government sufficiently well to exercise wisely the elective franchise—certainly not well enough to be eligible to any offices. Let it be granted that we have suffered serious evils from foreign immigrants, and have cause to apprehend still more serious evils. The measure proposed by the Know-Nothings is not adapted to avert those evils. It is by no means the incident of a man's birth and education in a foreign land, that disqualifies him to live and do good service as a citizen in our Republic. Only his ignorance, his love of alcohol and of slavery would disqualify him, and these faults ought to disqualify native Americans not less than foreigners. Who will deny, who can doubt that they are many of foreign birth who appreciate, value, love our democratic form of Government much more truly, and are doing much more to preserve all that is good in our institutions, than many whose ancestors came to this continent two centuries ago?

Moreover, it should be considered, that if the native Americans unite against foreigners, the foreigners may be aroused to unite against the natives; and thus a contest arise, that would be as likely to result unfavorably to the former as to the latter party, and no good be obtained by the triumph of either. But, if all the friends of our Republic will exert themselves to diffuse knowledge without measure, and to give a sound moral and religious culture to all the people, then and not till then will the people generally whether natives or foreigners, appreciate justly the elective franchise, and rise superior to the bribery which the political parties, the aspirants to office, and the General Government have so often plied, with such disastrous effects.

But it is not against *foreigners*, so much as against *foreigners of a particular religious faith*, that this new Anti-Christ has brought out his hosts. The outbreaks of popular violence show that it is against the adherents to the Roman Catholic Church, rather than against foreigners, that opposition is invoked, and political disqualification is denounced. The unscrupulous magicians who now manage the affairs of our country, dreading the onslaught that was about to be made upon that "peculiar institutions" which has become the especial protege of our Federal Government, conjured up the long-cherished hatred of the Protestants to make a new issue with the Roman Catholics; and thus again divert the people from the only vital question there is in the politics of this nation—Liberty or Slavery. But, look at it! Self-contradiction, absurdity glares in the forefront of this movement. The most Anti-Christian the worst of the bad spirits of Popery is invoked to shield us from the imaginary designs of a foreign foe, leaving us all the more a prey to the obvious designs of an intestine enemy, an enemy that has already gotten possession of our citadel, our treasury, our natural Legislature—yes, possession of everything but the moral sentiment of the people, and the favor of God. Look at it steadfastly, and you will see the self-contradiction, the inconsistency of this political hostility to Popery, so long as we permit the institution of Slavery to abide in our land. What is there abhorrent to us, what is there to be dreaded in the Roman Catholic domination, that does not inhere in the Slave Power already established in our land? slaveholding, that "sum of sin," embodiment of all unrighteousness, which has set itself up in our country above God, *scouting his Higher Law*. Compare American Slavery with Roman Catholicism. Does the latter usurp authority over the consciences of men? Much more does the former commit this flagrant wrong. Slavery seizes both the bodies and the souls of its victims (more than three millions,) exacting from them implicit obedience, and demanding the surrender of all independent thought. Does the Roman Catholic Church withhold the Bible from its subjects? American Slavery withholds not only the blessed Book, but the power to read it or any other book. Does the Romish Church forbid marriage, enjoin celibacy upon her priests? Slavery sets at naught the marriage relation in respect to all its victims; and several of the largest religious denominations in our country have given their sanction to this desecration of the connubial tie. Does Popery sustain the Inquisition, and the Auto-da-fe? Slavery has inquisitors ever present throughout the States where it abides, who are prompt to seize, imprison, torture, or put to a summary death any one who may be hostile to its authority; and often are we horrified by the details that come to us of the martyrdom of its victims, *burnt at the stake*, for daring to withstand its oppressions. I might run this parallel much further; but I have said enough. What inconsistency, what absurdity could be greater than the Know Nothings and American party are guilty of in upholding that "peculiar native institution," which comprises all that is hateful and abominable in Popery, without any of the redeeming qualities of that ancient church, while it is exerting itself to resist the assaults of a foreign foe, whose emissaries, when they come amongst us, gradually lay aside their evil designs, if they ever had any, and thousands of whom are continually deserting the Papal for the Protestant standard.

Surely, they know nothing who do not know that Intemperance and Slavery are working our country a thousand times more harm than Roman Catholicism ever has done, or ever can do.

And they know less than nothing who do not know that persecution builds up the party or the sect against which its shafts are directed.

From the Anti Slavery Standard.

FAREWELL MESSAGE FROM CYRUS M. BURLEIGH.

To the Editors of the Anti-Slavery Standard:

PHILADELPHIA, March 19, 1855.

It was my privilege, while ministering at the death-bed of our friend, CYRUS M. BURLEIGH, to receive from his lips the following farewell message to the Executive Committee of the Pennsylvania Anti-Slavery Society, of which he has been long, a valued member. At a meeting of the Committee, on the 15th inst., I was requested by them to send it to the STANDARD for publication.

M. G.

"Tell the executive Committee that my intercourse and long association and co operation with them has been a source of great pleasure and profit to myself. Our personal friendship, which has sprung out of this, has been very gratifying to me; but, what is far better, is, our mutual interest in the great cause, which has been so blessed to our own souls. Tell them that, as I stand in the near prospect of death, and look back upon life, there is nothing that I regard with more unfeigned satisfaction than the devotion of so large a portion of my days and strength to the anti-slavery cause. I feel that in thus devoting myself to the service of my fellow-men, I have been doing truest service to my God; I feel that I have thus proved by my life my faith in those eternal principles taught by Jesus Christ, and embodied in his life, which are alike efficacious for the personal salvation of the soul, and the redemption of the world from sin. There is no part of the time which I have given to the anti-slavery cause, which I remember with more pleasure than that in which I had been associated with them in my labors; while that intercourse has given me cordial respect and love for them, it has given me much satisfaction in a sense of the confidence which they have reposed in me. Tell them that in my weakness and helplessness, I have the same love for that cause and confidence in its fundamental principles, which I had in the days of my strength when I could serve it better; that nothing in my experience has tended to shake my confidence in our peculiar measure for carrying it forward; that as they were adopted in the simple love of truth and obedience to duty, so experience has proved their wisdom, and will continue to prove it, until the triumph of our enterprise. Tell them that my faith is unshaken in the ultimate triumph of our enterprise, that as God lives Slavery is to fall, and Freedom is to prevail, through the day of its success may be far distant.

Tell them that while I do not feel that they need my exhortation, that I hope no discouragement or seeming defeat will ever dishearten them, or cause them to relax their efforts for a moment. I had hoped that I should live long enough to see the final triumph of our cause; I hoped that I might be able to consecrate a longer life in its service in this sphere of action; it has been a trial to me to be disabled for such service, and it is a trial to be removed from such labor and companionship; but as I believe the affections of the soul are not temporary, and my attachment to that cause is a deep and abiding principle, I cannot believe that my sympathy with it or with those engaged in its service will die with the death of my body. Unseen and unknown as the future life is to us, I believe that I shall always watch, with a lively interest, the progress of the great moral enterprise in which I have been so long engaged, and the action of those with whom I have been associated so long.—That if it is permitted to disembodied souls to revisit the scenes of their earthly labous; I shall often be with them in their counsels, that I shall sympathize with them in their trials and their successes, and, if possible, that I shall gladly contribute to their aid."

AT a meeting of the Executive Committee of the Pennsylvania Anti-Slavery Society, held on the 15 inst., the following resolutions were unanimously adopted; and the Secretary was directed to send them to the National A. S. Standard, for publication.

Resolved, That, in the death of Cyrus M. Burleigh, this Executive Committee has lost a valued member, and the members of the Pennsylvania Anti-Slavery Society a most earnest and faithful coadjutor, who, in the various offices which he was called to fill, laboured with untiring devotedness to the cause of Human Freedom.

Resolved, That, in the unswerving fidelity, the self-sacrificing zeal, the unfailing faith of our beloved brother, we have an example which should incite us to renewed diligence in our efforts in behalf of the slave's redemption.

JAMES MOTT, Chairman.

MARY GREW, Secretary.

TRIBUTE TO C. M. BURLEIGH.

At a meeting of the Philadelphia Female Anti-Slavery Society, held March 8th, 1855, the following resolutions were passed and directed to be sent to the *Standard* for publication:

Resolved, That, by the death of Cyrus M. Burleigh, the American Abolitionists have lost a most valuable and faithful fellow-labourer, whose earnest and self-sacrificing devotedness to the Anti-Slavery cause, for many years, has strengthened their hands in their arduous work.

Resolved, That, in the consecration of youth and manhood to an holy but unpopular Reform, and in the fidelity with which he redeemed his early pledge of fealty to it, he has left a noble example to his coadjutors, who deeply deplore the loss which they have sustained in his death.

Extracted from the Minutes.

SUSAN M. SHAW, Secretary.

From the Tribune.

DISGUISES TORN OFF.

It is no uncommon thing for the partisans or apologists of Slavery, including the still large, but, thank Heaven, rapidly diminishing class of Northern doughfaces, when hard pressed, and finding no loophole through which to escape, to turn to bay with the declaration that, after all, it is they who are the true friends of emancipation, and that the Abolitionists and pretended Anti-Slavery people are, in fact, the chief obstacles in the way of the abolition of Slavery.

The evidence chiefly relied upon to maintain this very paradoxical assertion, is the unquestionable fact of the great change which, in the last five-and-twenty years, has taken place in the theoretical views current at the South on the subject of Slavery. It used, they say, in the old times of Patrick Henry, Washington and Jefferson, before modern Abolitionism was heard of, to be fairly admitted by the slaveholders themselves, that Slavery was not only an economical and political, but a moral evil also; while its ultimate abolition was regarded as an essential article of faith—a thing to be looked forward to by all good men, though nobody seemed to have any very accurate idea when or how it was to be brought about.

In this respect there has, beyond doubt, a great change come over the dream of the South. The slaveholders began with denying that Slavery was a moral evil. They did that, some of them, in the Convention that formed the Constitution of the United States; and the same denial was repeated in the First and Second Congress, and in every Congress since in which the discussion of the subject has come up. Afterward they went on to deny that Slavery was either a political or an economical evil. The ground taken by the South in favor of the extension of slaveholding at the time of the Missouri Compromise, forced them all upon this platform, since it would have been too atrocious to argue in favor of extending a confessedly economical and political evil to all the vast regions west of the Mississippi.

Such was the state of theoretical opinion among the slaveholders when the modern Anti-Slavery movement took its rise. Since then the slaveholders and their Northern allies have gone a great way further in the same direction. They now hold that Slavery is not an evil of any sort, but, in fact, a positive good—a great source of wealth, making the Southern States, as a New-York Quaker undertook to prove for them, a great deal richer than the Northarn States—a firm basis, and the only firm basis of democratic institutions; thus giving to the Southern States a grand political advantage over those of the North; and what is more, a state of society resting upon divine authority, and therefore unquestionably righteous and good. All there doctrines we hear now unblushingly and most dogmatically maintained, not by slaveholders merely, but by New-England Doctors of Divinity of the strictest and most orthodox sect, pastors of Boston churches, and Presidents of colleges.

Undoubtedly, so far as theory and speculation go, Slavery has of late exhibited a brazen front such as it had never before assumed. Not content to be tolerated as a confessed evil, but one easier to be winked at than corrected, it now boldly claims admission into the best society, not only demanding to seat itself on the bench with our judges, but insisting upon sharing the pulpit with our ministers. And for all this it must be confessed that the Abolitionists are in a great measure responsible. But for them, Slavery like Satan at the ear of the unconscious Eve, would have been content to lie for indefinite years yet, "squat like a toad," distilling its slow poison into the ear of a drowsy and stupid people. Touched by them as the seeming toad was by Ithuriel's spear.

"Up it starts,
Discovered and surprised. As when a spark
Lights on a heap of nitrous powder, laid
Fit for the tun, some magazine to store
Against a rumored war—the smutty grain,
With sudden blaze diffused, inflames the air:
So started up, in his own shape, the fiend."

And in causing him and it so to start up, Ithuriel and Zephar in the Garden of Eden, and the Abolitionists here in this bear-garden of ours, have merely done the duty which Heaven imposed upon them. It is the lurking devils that are most to be dreaded. Satan is half conquered from the moment he is detected and made to assume his true form. Everybody has read the story of the profligate attempting to slink into Heaven under the disguise of a Capuchin friar. It may not be quite so easy to impose upon St. Peter in that way; but in this undiscerning world of ours, that is a trick which is often successful. So long as Slavery [illegible] about in the disguise of a penitent, [illegible] its sins, and causing prayers to be put up for it in all the churches, it seemed to be a little too harsh to call it very severely to account, or to rebuke very decidedly one who seemed already so overwhelmed with the consciousness of sin. But now that the brazen old creature has been driven to throw off all her hypocritical disguises, and to show herself exactly as she is, undertaking to lord it over us too—we utterly disclaim any allusion to the President of Dartmouth College—as well as over the negroes, it will certainly not be long before she is expelled from all decent society, if not shut up in some house of correction, or at least put under guardianship.

The new position which Slavery has been driven to take, imposing as it may seem to a few thoughtless and weak-minded persons, has stripped it of its most available dogmas; and, surely, in thus laying it open to the batteries of moral sense and common sense, the Abolitionists, so far from strengthening it, have taken a most essential step toward its total destruction.

From the Cincinnati Gazette.

CASE OF ROSETTA ON A WRIT OF HABEAS CORPUS.

This case came up before Judge Parker on the 23d ultimo. The Court intimated that they desired to interrogate Rosetta privately. Mr. Chase and Judge Walker objected to this proceeding as a mere mocking of justice: that to submit to a slave whether she will be retained in bondage or set free, was a farce in any court of justice.

The Court regarded it proper to submit to her whether or not she declined adjudication, as in this State every person is prima facia free, and as there was no evidence that she is a slave, they would interrogate her privately. The court retired with her a few minutes and returned.

Mr. Chase offered in testimony, the record of the Court of Franklin County, by which it appeared that a writ of habeas corpus was issued, and that by the wish of Rosetta, the Court appointed Mr. Van Slyke, of Columbus, as her guardian. Mr. Chambers objected to the introduction of the record, on the ground that it had no relation to the case. He contended that the Court cannot take into consideration the issue of slavery and freedom—they had no jurisdiction in such matters, but it belonged to higher courts.

Mr. Chase doubted whether Mr. Pendery is a U. S. Commissioner for the Southern District of Ohio.

The Court suggested that arguments on these points be reserved until the arguments on the case are made.

Mr. Van Slyke was sworn, and testified—That he first saw Rosetta in the Probate Court room in Columbus, on the 12th of March; on the Wednesday following, had the girl in custody, by direction of the Court, as her guardian; Dennison came to my house, and introduced himself as the claimant of Rosetta, and desired a conversation with her; Mr. D. asked me if I was a party to the agreement that the ultimate determination should be left to the girl to go with him or be free; I replied that I was not; we then had a general conversation of the whole case; Mr. D. then asked if he could see the girl; I replied that he could, and called Rosetta into the room; they shook hands, when Mr. D. asked her "what do you think of this? they have got you into a pretty bad fix." Mr. D. then, in a candid manner, argued with her, that if she was free she could not see her parents or little Bessy, [meaning his own child,] and the friends and acquaintances of her youth: that her labor would be harder in freedom than in servitude. Mr. D. then cited an incident of Aunt Sally, as he called her; the labors and hardships she endured as a free person. He then, very fairly, told her that she would never be cared for and clothed as well as if she returned with him. Mr Dennison then concluded: "Now Rosetta, I leave this matter for you to decide, and it shall be as you say." Rosetta, very much affected, after a moment's hesitation replied, "I desire to be free." Mr. Dennison then rose and bade her good-bye, remarking that they probably would never meet again; Mr. D. and I, then had a conversation at the door, during which I asked him whether or not Rosetta had any foibles of character; he replied that he knew of none—that she was an honest and kind girl; I remarked that she seemed to be quiet; Mr. D. said that she was still in the presence of strangers, but talked freely with her acquaintances; he said she knew enough, meaning that she was intelligent.

In the cross-examination nothing appeared in evidence, except that Rosetta would like to have Mr. Dennison near her, to look to her rights.

Col. Chambers then called, on the part of Mr. Dennison, George Atkins, who testified in substance, that he knew the girl Rosetta as being Mr. Dennison's servant; that he had known her for three or four years; she was always recognized as Mr. D.'s slave; did not know her before Mr. D. brought her to Louisville, but understood from her and others that she was given to Mr. D. by a man named John Tyler, in Virginia: the witness heard a conversation, about the 18th of March, between Mr. D. and a Mr. Miller, as to the proposed transportation of Rosetta from Louisville to Wheeling; that it was determined to go by the river; that they took the boat at Louisville for Cincinnati, but on account of the heavy ice running, they could proceed no further than Cincinnati; witness is a cousin to Mr. D., and was certain that the intention was to go by the river to Wheeling; witness recognized one of the letters published in the *Ohio Statesman* as having been written by Mr. D. Mr. Chase then offered as evidence the letters of Mr. Dennison, which were objected to by Col. Chambers. Col. C. offered two letters written by Mr. Miller, to which Mr. Chase objected.

The Court here took a recess until two o'clock.

2 O'CLOCK P. M.

Mr. Chambers filed the affidavit of Mr. Dennison, objecting to the jurisdiction of the Court.

Mr. Chase opened in favor of the girl, by saying he had no disposition to interfere with the rights of any citizen of a sister State. We had no right to interfere with the institutions of Kentucky, nor had Kentucky any right to interfere with ours.—Harmony between the different States could only be preserved by a quiet, peaceable, but resolute enforcement of their local legislation. Each must acquiesce in the institutions and local laws of the other.

The parties in this case were, on one side, Rosatta, a colored girl, brought before the Court as a claimant of her freedom, with her guardian, Van Slyke; and on the other, Mr. Dennison, who claims the girl as his slave property, and therefore, the right to take her out of the State by a warrant of the Commissioner.

The first question was, whether the return on the writ, made by the Marshal, would authorize the return of the girl to him. The Marshal was bound to arrest any person *known* to be a fugitive from slavery, crossing into another State. The meaning of the constitution and the fugitive law. The warrant of the commissioner stated that the girl had escaped from Mr. Dennison, to whom she owed service in Kentucky; that she was supposed to be somewhere in Ohio. It did not state that she had escaped from Kentucky into Ohio, but that she had escaped from somewhere, in some manner, and to some place, but neither were stated. The Marshal must show a cause of capture and detention, and that must be the precise cause stated in the fugitive law. This return did not show such a cause, and therefore the girl should not be returned to him.

The next question was, even if the return should be held to present a case within the meaning of the constitution and the law, was it a true return? It was not. The girl had not escaped from slavery. Miller, the agent of Dennison, had brought the girl to this city, and taken her to the interior of the State; had stopped over night at Columbus, and then the girl was persuaded to leave him. Was this an *escape* from Kentucky into Ohio? Did any one really suppose it to be an escape? She was enfranchised, even according to decisions in slave States. (Wheeler's law of Slavery, 348; 8th Louisiana reports, 475.) By these decisions, it was not in the power of her former owner to reduce her to slavery. She had been brought here by the act of her master's agent, and though there were some contrary decisions, yet many decisions in slave States held this to be voluntary emancipation. She had not *escaped*.

There is another view of the case. In this State we do not look on slaves as articles of property.—We believe in the Declaration of Independence.—We believe that every law depriving man of his freedom is an oppressive law. Slavery cannot exist beyond the local law that tolerates it. Force, and force sanctioned by law, originated and sustains slavery, and when you pass beyond the reach of that force, master and slave are equal. The slave in Maryland is held by a different law than a slave in Virginia, and some persons, legal slaves in Virginia, are free when they pass into Maryland The Missouri law is different from the Kentucky law, and the Ohio law is different from both. The master holds his slave by one law in one State, by another law in another State, and in Ohio by none at all. Rosetta was therefore free by a double title. 1st, by being brought into this State by her master; and, 2d, by being beyond the local law which makes slavery. Mr. C. referred to several decisions on this point in this State, which settle the point that the right of transit of masters with their slaves through Ohio does not exist in this State. The girl was free at Columbus.

There was another point. The Probate Court, a constitutional court, had intervened between the freeing of this girl and the issue of this warrant. That court had decided the girl free, and appointed a proper person as guardian. The only way to test this proceeding was by a writ of error, as the Probate Court had exclusive jurisdiction in the appointment of guardians. But the opposing party in this case had chosen to trample the laws of their State under foot, and set them aside.

But again, Mr. Dennison had been to Columbus; had ample opportunity to converse with the girl; had submitted the question to her, and she had chosen freedom, and he had bidden her farewell, saying he should see her no more. Had this occurred in Kentucky, and been proved before a Kentucky court, they would have decided it a case of voluntary emancipation.

The only remaining point was respecting the power of this court in reference to a process issued by a U. S. Commissioner. It was the duty of this court to issue a writ of habeas corpus, in all cases of unlawful detentions. The law made no exception in favor of a Marshal or Commissioner. Should they arrest me, said Mr. C., the court would issue a writ quick. If the court can issue a writ in my case, it can in the case of the humblest child. You have no power to withhold the protection of the State, and on this doctrine the courts have frequently acted.

Mr. C. denied the authority of the Commissioners to issue a warrant in this case, or even in any case; but he must show a case within the strict letter of law. He had no jurisdiction in this case. It was not shown that the girl had escaped from slavery. In any event, this court had a right to interfere. The Supreme Court of Wisconsin had interfered, even in a case of conviction before a U. S. Court.

Mr. C. closed by an eloquent appeal in behalf, not only of the support of the constitution of the United States, but also of the State of Ohio, which declared there should be no slavery in Ohio.

Mr. Wolfe, of Louisville, said he should not argue the case before this court, but should argue it before the United States Commissioner—the tribunal they had chosen.

Judge Parker then stated he would give his decision on Thursday Morning, at 9 o'clock.

In the meantime, it is rumored the case will be heard to-day before the Commissioner.

ON THURSDAY,

At 10 A. M., Judge Parker gave his decision on the habeas corpus, that Rosetta was free, and the following order was entered on the minutes of the Court.

The decision had declared that the girl was free and that the warrant was defective.

Attorney Chambers, on the part of the claimant, (Rev. Mr. Dennison,) said that a trial was pending before the Commissioner, and they were only waiting the appearance of the U. S. Marshal, with the girl, to conclude the argument and hear the decision of the Commissioner. If this warrant be defective, the Fugitive Slave Law allows the Marshal to arrest without warrant. We shall be compelled to demand of the Marshal to re-arrest and deliver her over to the Commissioner.

The Court said if the counsel in the care can agree upon any plan different than under the order of the Court, it would be satisfactory, as the Court wished to take no steps to embarrass any ministerial officer, but the process of this Court should be executed by his officers if they have the power.

Attorney Chase said, from the commencement he had been anxious to throw no impediment in the way of the Marshal. He knew the delicate and peculiar duties he had taken upon himself in accepting the office. It involved duties that should not be exercised by any officer, Christian or civilized. But if the Marshal acquiesce in obedience of the decision of the Court, he will be absolved from harm.

Suppose the Marshal interferes. He is subject to an action for false imprisonment, and he commits an assault and battery, a contempt in the presence of the Court. If he acquiesces, at most Mr. D. can only institute a civil suit, and there is not much fear that any Court in christendom would say that the determination of the case by the court made the removal of the girl out of his hands an "escape." It is the plain duty of the Marshal to acquiesce.

Attorney Walker wished to know if the order of the Court was to be formally resisted.

This order of the court was more than a discharge: it invested the guardian with the custody and makes it imperative on the Sheriff to see the order fully executed.

Attorney Walker said he counseled on his side, no force but law. If the Marshal and his posse attempt an arrest, on them be the blame. Our cause will finally prosper, as it is right.

Attorney Flinn was sorry that it had been intimated that we designed to offer force. The Sheriff if he acts does it on his responsibility. The girl may be ordered to be discharged from the Marshal but can she be put in custody of the guardian so called?

The Court said the girl was a minor, and appeared here by her next friend.

Attorney Geo. E. Pugh announced his appearance for the Marshal. The Sheriff has no power to interfere. The court can say to the Marshal, give up the custody, but not assume that there will be interference.

Attorney Hays, counsel for the guardian, contended that it was proper, after the decision that a minor was free, to order her to be delivered to her legal guardian. The court has pronounced Rosetta free; the claimant is a man of peace; his lofty functions and his manly character forbid that he will create disturbance. I appeal to him to relinquish opposition.

Here Rev Mr. Dennison, with some feeling, rose and addressed the court, crying out "I am appeal-