ANNUAL REPORT,

PRESENTED TO THE

American Anti-Slavery Society,

BY THE EXECUTIVE COMMITTEE,

AT THE ANNUAL MEETING,

HELD IN NEW YORK, MAY 7, 1856.

WITH AN APPENDIX.

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REPORT.

The Executive Committee of the American Anti-Slavery Society present, in the following pages, such considerations of the aspect of public affairs relating to the Anti-Slavery Cause as seems to them necessary to continue the current history which the Reports of this and the Massachusetts Society have, for many years, provided, together with a brief statement of the operations of this Society for the past year.

Kanzas.

The absorbing political topic of the past year has been the settlement of Kanzas. Thirty-six years ago, the question whether Slavery should ever be tolerated in that Territory occupied the attention of Congress and the country through two sessions. Kanzas was then a wilderness, into which no white man, except, perhaps, some migratory hunter, had ever penetrated, and only known as a portion of that territory lying north of 36° 30′. But the North was so far in earnest, at that day, in its opposition to the extension of Slavery that it compelled the acquiesence of the South in its prohibition for ever in all that region. True, it reversed the good mercantile rule which no Yankee trader is likely to forget in his private traffickings, and paid a good round price, on the spot, for a prospective and contingent good. Eleven years ago, by the admission of Texas, she made again the same hard bargain, — bought, on the same terms, a second promise that the first should be kept. Five years later this promissory obligation was again made a legal tender, and New Mexico and Utah were made Territories without a prohibition of Slavery, on condition that the agreement should be observed, which had been already twice solemnly ratified, and royally paid for. That the party which had granted the repeated renewal

of this compact, whenever that suited its purpose, should break it altogether when that suited it better, is not to be wondered at. Indeed it is rather surprising that the Slaveholders, finding how ready the North was to accept the old promise, in relation to 36° 30′, in full consideration for any new Slave territory anywhere else that the South asked for, did not keep to that Compromise for all such future exigencies. As they have chosen, however, finally to repudiate it altogether, the North is disposed now to make Kanzas, which she supposed was secured to Freedom by an unalterable guaranty in 1820, a Free State.

Nor is it strange that the South, having gained so much by the constant renewal of a Compromise which she never meant to keep, should struggle desperately for all that she promised herself from her final act of treachery. We will not venture a prophecy as to the result of this contention for the occupancy of Kanzas. The North is certainly more aroused than she has ever been before by this latest act of aggression on the part of the Slave Power. The number of emigrants from the Free States who have poured into the new Territory for the last two years has been very large. The organized associations to aid this emigration are active and efficient. They do not pretend to inquire into the principles of those who, through their agency, are assisted to settle in the new region, but trust, it must be confessed, with a very implicit faith, that all who go from a Free State must be in favor of freedom. This emigration is warmly encouraged by the public at large, and beside liberal contributions in money from all parts of the country, arms are put into the hands of the emigrants to defend their homes against the incursions of the border ruffians of Missouri. The first object is to make Kanzas a Free State by free votes; the second, to assert, by force of arms, if necessary, the right of free voting. The South, on the other hand, is quite as active, and much in the same way. She also has her Emigrant Aid Societies, sends forward her sons with a most unswerving, and unquestionably well-founded faith in their Pro-Slavery proclivities, and also believes in Sharp's rifles. If in these respects she has done less than the North, it is partly because she has a smaller and less enterprising population, and smaller means to draw upon; and partly because she relies upon other measures, which have, up to this time, been quite effectual. She also is determined, if possible, to gain her end by voting, as less open to cavil, and more easily defended, however wide the latitude may be with which that privilege may be exercised. Nor will all her resources have failed when that one is exhausted.

Up to this time she has been entirely successful. The Northern settlers of Kanzas are probably, at least, three-fourths of her whole population. It was easy to ascertain this numerical superiority, and quite as easy to guard against the inconvenience that would arise from its exhibition at the ballot-box. The possibility of such a contingency indeed was guarded against before it occurred. Before the passage of the Kanzas-Nebraska Act, associations were formed in the border counties of Missouri, for the purpose of making Kanzas a Slave State. On the 30th of March, 1855, an election was held for a Legislative Assembly. By the census previously taken by order of Governor REEDER, it was ascertained that there were about three thousand legal voters in the Territory. On the day of the election, from three to four thousand of the "Border Ruffians" of Missouri, acting under the direction of General ATCHISON, late President of the United States Senate, and a vagabond by the name of STRINGFELLOW, invaded the Territory, installed their own judges of elections, where that seemed desirable, filled the ballot-boxes with their votes, and, of course, made their own choice of delegates. Where no objections were made to the returns, the ordinary certificates were granted, the Governor's regard for the formalities of law being too great to permit him to dispute this *coup d' etat* which set all law at defiance. In some cases, however, objections and protests were made to the returns, and in these cases new elections were ordered. This second election was carried, in some places, by a new invasion. A Governor's certificate, however, or the want of it, was a small matter in an Assembly so chosen. Its first act was to rid itself of all obnoxious members, and to put in their seats men not liable to suspicion.

This was the auspicious beginning of the government of the new Territory which was to inaugurate the happy era of "Squatter Sovereignty," in preference to the Compromise which forbad the extension of Slavery North of 36° 30′. And it flourished accordingly. The assembly met at Pawnee, but soon passed an act removing the temporary seat of Government to Shawnee Mission, that it might be nearer its constituency of the border counties of Missouri. The Governor, from the time of its removal, refused to recognize it, but it cared as little for his recognition as for his certificates. It continued in session for two months, created offices, and filled them, and passed a variety of acts for the government of the Territory. To do away with any troublesome questions that might arise in future, as to the legality of Missourians controlling the elections of Kanzas, it decreed that an *inhabitant* of the Territory, who had paid a poll-tax of one dollar,

should be a qualified elector — a qualification which required no residence; — and lest this privilege should be taken advantage of by others than those from Slave States, it provided that the person offering to vote might be required to take an oath to support the Fugitive Slave Acts of 1793 or 1850, and on his refusal his vote to be rejected. Among its other acts was the following piece of atrocious legislation, which deserves to go on record to show how Slavery is to be made secure, if Kanzas shall become a Slave State, over an area of one hundred and fourteen thousand square miles: —

An Act to punish offences against Slave property.

Section 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Kanzas,* That every person, bond or free, who shall be convicted of actually raising a rebellion or insurrection of slaves, free negroes, or mulattoes, in this Territory, shall suffer death.

Sec. 2. Every free person who shall aid or assist in any rebellion or insurrection of slaves, free negroes, or mulattoes, or shall furnish arms, or do any overt act in furtherance of such rebellion or insurrection, shall suffer death.

Sec. 3. If any free person shall, by speaking, writing, or printing, advise, persuade, or induce any slaves to rebel, conspire against, or murder any citizen of the Territory, or shall bring into, print, write, publish, or circulate, or cause to be brought into, printed, written, published, or circulated, or shall knowingly aid or assist in the bringing into, printing, writing, publishing, or circulating in this Territory any book, paper, magazine, pamphlet, or circular, for the purpose of exciting insurrection, rebellion, revolt, or conspiracy, on the part of the slaves, free negroes, or mulattoes, against the citizens of the Territory, or any part of them, such person shall be guilty of felony and suffer death.

Sec. 4. If any person shall entice, decoy, or carry away out of this Territory, any slave belonging to another, with the intent to deprive the owner thereof of the services of such slave, or with intent to effect or procure the freedom of such slave, he shall be adjudged guilty of grand larceny, and on conviction thereof shall suffer death, or be imprisoned at hard labor for not less than ten years.

Sec. 5. If any person aid or assist in enticing, decoying, or persuading, or carrying away, or sending out of this Territory, any slave belonging to another, with intent to procure or effect the freedom of such slave, or with intent to deprive the owner thereof of the services of such slave, he shall be adjudged guilty of grand larceny, and on conviction thereof shall suffer death, or be imprisoned at hard labor for not less than ten years.

Sec. 6. If any person shall entice, decoy, or carry away out of any State or other Territory of the United States any slave belonging to another, with intent to procure or effect the freedom of such slave, or to deprive the owner thereof of the services of such slave, and shall bring such slave into this Territory, he shall be adjudged guilty of

grand larceny, in the same manner as if such slave had been enticed, decoyed, or carried away out of this Territory; and in such case the larceny may be charged to have been committed in any County of this Territory, into or through which such slave shall have been brought by such person; and on conviction thereof, the person offending shall suffer death, or be imprisoned at hard labor for not less than ten years.

SEC. 7. If any person shall entice, persuade, or induce any slave to escape from the service of his master or owner in this Territory, or shall aid or assist any slave in escaping from the service of his master or owner, or shall assist, harbor, or conceal any slave who may have escaped from the service of his master or owner, he shall be deemed guilty of felony, and punished by imprisonment at hard labor for a term of not less than five years.

SEC. 8. If any person in this Territory shall aid or assist, harbor or conceal any slave who has escaped from the service of his master or owner in another State or Territory, such person shall be punished in like manner as if such slave had escaped from the service of his master or owner in this Territory.

SEC. 9. If any person shall resist any officer while attempting to arrest any slave that may have escaped from the service of his master or owner, or shall rescue such slave when in the custody of any officer or other person, or shall entice, persuade, aid, or assist such slave to escape from the custody of any officer or other person who may have such slave in custody, whether such slave may have escaped from the service of his master or owner in this Territory or in any other State or Territory, the person so offending shall be guilty of felony, and punished by imprisonment at hard labor for a term of not less than two years.

SEC. 10. If any Marshal, Sheriff, or Constable, or the Deputy of any such officer, shall, when required by any person, refuse to aid or assist in the arrest and capture of any slave that may have escaped from the service of his master or owner, whether such slave shall have escaped from his master or owner in this Territory, or any State or other Territory, such officer shall be fined in a sum of not less than one hundred, or more than five hundred dollars.

SEC. 11. If any person print, write, introduce into, publish, or circulate, or cause to be brought into, printed, written, published, or circulated, or shall knowingly aid or assist in bringing into, printing, publishing, or circulating within this Territory, any book, paper, pamphlet, magazine, handbill, or circular, containing any statements, arguments, opinion, sentiment, doctrine, advice, or inuendo, calculated to produce a disorderly, dangerous, or rebellious disaffection among the slaves in this Territory, or to induce such slaves to escape from the service of their masters, or to resist their authority, he shall be guilty of felony, and be punished by imprisonment at hard labor for a term of not less than five years.

SEC. 12. If any free person, by speaking or writing, assert or maintain that persons have not the right to hold slaves in this Territory, or shall introduce into this Territory, print, publish, write, circulate, or

cause to be introduced into this Territory, written, printed, published, or circulated in this Territory, any book, paper, magazine, pamphlet, or circular, containing any denial of the right of persons to hold slaves in this Territory, such person shall be deemed guilty of felony, and punished by imprisonment at hard labor for a term of not less than two years.

SEC. 13. No person who is conscientiously opposed to holding slaves, or who does not admit the right to hold slaves in this Territory, shall sit as a juror on the trial of any prosecution for any violation of any of the sections of this act.

This act to take effect and be in force from and after the 15th day of September, A. D. 1855.

J. H. STRINGFELLOW, *Speaker of the House.*

Attest, J. M. LYLE, *Clerk.*

THOMAS JOHNSON, *President of the Council.*

Attest, J. A. HALDERMAN, *Clerk.*

The Free States' party of Kanzas are contending against fearful odds, in a struggle with men so thoroughly unscrupulous in the usurpation of governmental functions, and whose ordinary method of accomplishing that purpose is one of violence. The condition of the Territory, for the past year, has been the anomalous one of a State with the forms of a civilized community in the hands of a mob of brutal, ignorant, semi-barbarous ruffians. To throw a printing-press into the river, or to lynch any one who may come under the suspicion of a zeal for free institutions, are mere pastimes; murder and robbery are ordinary business. ATCHISON, STRINGFELLOW, and their followers, are supposed to be, not a nomadic tribe, but a people possessing, in some degree, the arts of civilized life, with homes, and wives, and children; yet a few hours' notice will call together a horde of these wretches for a raid upon any peaceful village of Northern settlers in Kanzas. Thus the town of Lawrence was besieged, the past winter, for some time, because some obnoxious person had taken refuge there. Steamboats, containing or supposed to contain arms, on freight, have been searched and robbed. And the elections, subsequent to that of the Territorial Assembly, have, in the same way, been carried by intimidation and violence.

By such means it is hoped to make Kanzas a Slave State, and they meet with the full approval, not only of the South, but of the Federal Government. The President has warned, by Proclamation, all persons against combining in opposition to the organized government of the Territory, and Colonel SUMNER, in command of a frontier fort, is ordered to hold his troops in readiness to aid the Governor of the Terri-

tory to compel obedience to the laws, a specimen of which we have already given, and enacted, as we have shown, not by the people themselves, but by armed invaders from another State. From ATCHISON, STRINGFELLOW, and President PEIRCE, however, the people of Kanzas have appealed to Congress. Delegates met at Topeka, in October last, and formed a Constitution, which was subsequently ratified by the people. Under this they are now asking admission to the Union as a Free State. The violence and disorders to which they have been subjected, have also come before Congress on a claim by ex-Governor REEDER to the seat as Delegate to that body, held by WHITFIELD. REEDER was ejected from the Governorship by President PEIRCE as an obstacle in the way of the Pro-Slavery party, and his place supplied by WILSON SHANNON, of Ohio, who has proved a most pliant tool in the hands of the "Border Ruffians." But he was subsequently chosen as Delegate to Congress by the people, notwithstanding WHITFIELD had already been chosen by an election under the spurious Legislature, and received his certificate from SHANNON. A Committee from the House of Representatives has been sent from Washington to Kanzas to inquire into the facts of both elections. It is hardly to be expected, however, that so important a result and so signal a defeat of the Slave Power, as the admission of Kanzas as a Free State, is to be reached by a simple yea and nay vote of the National Legislature. The prestige of power, the pride, and the interest of the South were never more seriously involved than in their success in a measure which was conceived in treachery and dishonor, and has been nurtured by violence, bloodshed, and fraud. A first time is to come when she is to be defeated, and when neither cunning nor compromise will avail her longer. But he is a bold man who ventures to predict that that time has come already.

It would be gratifying to bear witness to a clean record on the part of the Free States' men of Kanzas, and to know that among them is nothing of that spirit of oppression from which they have suffered so much, and with which they are having so desperate a struggle. But even if they succeed, Kanzas is to be a free State only for white men. However much they may command the sympathy of all lovers of liberty, this fact is not to be lost sight of. Even before the passage of the Kanzas-Nebraska bill. Slaves were held in Kanzas Territory, and since that time their number has increased. By the Bill of Rights adopted with the new Constitution, it is declared that "Slavery shall not exist in the State," but it is also provided that this prohibition shall not

take effect till the 4th of July, 1857, thus rendering it inoperative for those persons who are now held there in Slavery, by giving time for their removal should she become a Free State. It was also proposed in the Constitutional Convention that free negroes be prohibited from ever entering the State. It was decided, however, not to embody this prohibition in the Constitution itself, but to submit it as a separate proposition to the people, their acceptance of it to be considered as an instruction to the first Legislature. The vote was in the affirmative, the people thus denying to others the rights which they demand for themselves.

The Political Parties.

It is hardly necessary to reiterate here that our relation to the politics of the country is in no wise changed by any of the events of the past year. On the contrary, even could we lay aside our conscientious scruples against the oath to a Pro-Slavery Constitution, which is virtually made by every voter, the wisdom of our position, that no political party, acting under that Constitution, can work out the problem of Northern Freedom and Southern Emancipation, is justified by every new organization that springs into existence. While, however, we patiently bide our time, and hopefully work for the Dissolution of the Union, we nevertheless recognize the changes in parties as important elements in the progress of the cause, and as unerring indications of popular feeling and opinion. The aspect which these present at this moment is encouraging.

The Feast proclaimed by some Abbott of Unreason at the dismemberment of the two old parties which had so long divided the country, is well nigh ended. In that interval of relaxation between the breaking-up of the old organizations and the forming of new, the emancipated multitude have celebrated a Saturnalia of Politics, and all were admitted to the orgies who assumed the name of Know-Nothing. For a season the game was entered into with a zeal, and, sometimes by designing people, sometimes by those who were only weak, with a seriousness not always given to it when held as a positive duty. But the play is nearly played out with the nomination of Millard Fillmore for the Presidency, as its crowning joke, — a man who is not everywhere despised, because in some sections he is so thoroughly detested. There are now really but two parties in the country — the Democratic, made up of the almost undivided South, and the Pro-

Slavery dregs of the old Northern Democratic and Whig parties; and the Republican, which unites the better parts of both.

The Republicans are so far Anti-Slavery that they resent the repeal of the Missouri Compromise and oppose the introduction of Slavery into new Territory. It is emphatically a Northern party, extending here and there only by some straggling outposts, over the slave boundary. An Anti-Slavery party, even in this limited sense, is necessarily sectional; its opponent is, as necessarily, not only Pro-Slavery, but also national. The Democratic party is therefore Southern, but it has also great strength, perhaps the greatest, at the North, for Northern and Southern are not, unfortunately, interchangable terms with Anti-Slavery and Pro-Slavery. Still it is an encouraging fact that parties have become so far sectional that one of them is almost exclusively Northern, and, therefore, to a degree, Anti-Slavery. So we can only regard this as another step in the right direction. In the progress of events which must tend to the solution of the question of Slavery by Disunion, there must be a constant dissolution and re-formation of political parties in which the sectional line will be more and more strongly marked, the forces, on either side, becoming more concentrated, and more determined, and more inspirited by a single purpose, as the Anti-Slavery idea becomes distinctly developed and firmly fixed in the Northern mind. The old Whig and Free Soil parties so far as they were, or pretended to be, Anti-Slavery, acted in obedience to this necessity. They have gone to their place, and the progress of events has pushed the men that gave them their measure of Anti-Slavery, and many others with them, into an advanced position as Republicans.

This new party counts, in its ranks, a multitude of sincere opponents of Slavery, and its determination to arrest the progress of the Slave-Power, by rendering futile the repeal of the Missouri Compromise, and adding Kanzas to the cordon of Free States, is worthy of success. But that it will succeed in its immediate purpose of excluding Slavery from that Territory we have very little hope; and even if it should, that success will be but a temporary check to the aggressions of the Slave-Power. It is true that its accession to power in the lower house of Congress was inaugurated by an exhibition of spirit and independence hitherto unexampled in any political party professing, in any degree, Anti-Slavery principles. In the struggle for the Speakership, its members maintained their ground, for nearly two months, against the united forces of Slaveholders and their Northern allies, the Democrats and Know-Nothings, and achieved, at length, a

signal triumph in the election of Mr. BANKS, of Massachusetts. This success was the more gratifying, and the more surprising, as there exists indubitable evidence, which was, of course, produced with due solemnity, that Mr. BANKS had, on one occasion, spoken of the Union, in a light-minded and reckless spirit — a crime hitherto as unpardonable as it has been unheard of anywhere except among Garrison-Abolitionists. But the promise given by this manly persistency on the part of the Republican Congressional delegation, has not yet been fulfilled by their subsequent course. It may be urged that no opportunity has been afforded them; with much more force it may be answered that they have made none. Even the victory in the struggle for the Speakership was dimmed by yielding to their opponents the minor offices of the House. As Kanzas is the speciality of the party, the country had a right to expect that some positive steps would, long ere this, have been taken to protect the people of that Territory from the outrages to which they have been subjected, and to ensure its admission to the Union as a Free State; and especially was there reason to expect such vigorous and determined action, as the Republican party claims that it adopts the wisest policy in confining itself to this single object, and in not permitting its attention and its strength to be distracted to the attainment of ends difficult, or impossible, to a party acting within the limits of the Federal Constitution, or on the propriety and expediency of which there is a far greater disparity of opinion than on the question merely of the extension of Slavery. One thing only, however, has yet been done. The seat filled by WHITFIELD as Delegate from the Territory, and who, it is notorious, was chosen by the "Border Ruffians," is claimed by ex-Governor REEDER, who, it is equally well known, was chosen by the actual settlers of Kanzas. The question of which is the rightful representative, is involved in the complicated affairs, and is a part of the history of the series of outrages of which Kanzas, for the last two years, has been the theatre. Authority to send for persons and papers was, at first, contended for; but a proposition to send a Committee to Kanzas to make the examination there was accepted instead. Whether this Compromise on a small scale shall share the fate of its larger precedents remains to be seen. But our faith and hope in the Republican movement is not strengthened by the fact that such should be the only result of six months Congressional labor, that the first step on behalf of Kanzas should be so faltering an one, that it should have yielded even a hair's-breadth in favor of their opponents. In itself, probably,

it is of little moment whether persons and papers are sent for from the Territory, or a Committee be sent thither; but we have seventy years of history in which to read the lesson that the spirit of concession to the Slave-Power, whether in great things or in small, is the spirit of defeat.

But let the Republican party do what it may, we cannot too often, nor too earnestly admonish Abolitionists that, even if it performs all that it promises, it is not the work which they have proposed to do, but only an incidental service demanded by the exigency of the moment, and one which, if done at all, must be done quickly by that overwhelming majority of the people who do not sympathize with, even if they understand, the radical character, the stern necessity, and the deep import of the Anti-Slavery movement. However earnest and sincere the Republicans may be, and however important the end they have in view, they act and must act, as politicians, under the Constitution, and within the limits which it prescribes; and when their end is gained, they will still leave the system of Slavery, with all its constitutional guaranties, unimpaired and unquestioned. They cannot, as a party, even propose the emancipation of a single Slave in any of the Southern States, nor rid themselves, if they should seek to do so, of the responsibility which belongs to the nation for the continuance of the system. It is not merely that their duty will be, should they ever attain to the possession of the Federal Government, to perform, in certain emergencies, certain positive acts for the support, and in defence of Slavery; that the President of their choice must preserve domestic tranquillity by promptly suppressing any attempt of the Slaves to achieve their own freedom by force of arms, provided such an attempt is so far successful that the masters alone are unable to control it; that officers of their choosing, or appointed with their consent, must capture, if they can, and return to bondage every man or woman who has had the spirit or the intelligence to escape from it; that the Government, in their hands, must ensure the due performance of this Constitutional duty, the Congress of their creation voting directly the requisite means; but that they consent to administer a government in conjunction with men in its national council who are there, not as the representatives of the people, but of an oligarchy founded solely upon an assumed right of property in human beings; and that a fundamental principle of that government is that it exists only on condition that it shall assent, without interference and without question, to the enslavement of one-sixth of the people by only one-sixtieth of the whole number. But one character can inhere in a government so viciously constituted as this,

in which the balance of power is thus put into the hands of a small, compact, and intelligent body of men, with whom politics is the chief interest of life, and political success the goal of all ambition; whose existence, as a recognized part of the state, depends upon their loyalty to their own order, the security of that order being the condition of its supremacy. To this subtle despotism, the more dangerous because clothed with the form of a republic, we believe it impossible that there ever will be, as there never has been, any sustained and persistent opposition while a union with it exists. An agricultural and commercial people, absorbed in industrial pursuits, and with whom politics are only an occasional duty, cannot maintain a contest with Slaveholders in their constant, uniform, uncompromising, and unscrupulous efforts to strengthen the system to which they owe all that they are, and all that they have, to extend its dominion, to vitiate every principle that threatens its safety, and to undermine every institution which presents any obstacle to its continuance and extension. The spirit of resistance and the love of independence in the North may, in some special case of Southern outrage and aggression, be so far aroused that there may be a successful assertion of Northern rights. Some achievement of this sort may yet be related of the Republican party. But we cannot, and we ought not to forget that it is only now defending a single outpost against a foe possessing a wide dominion, fortified in numberless strongholds, learned in the art of war, cunning in strategy, wealthy in resources, lavish of rewards, terrible in punishments, not only of treacherous friends, but of uncomplying enemies, and which, if ever conquered, must first be defeated in a thousand battles.

To turn from the politics of the country to its religion, we find there hardly so encouraging a prospect. The Church itself, as such, has made no perceptible advance within the last twelve months, however strong the indications are that its individual members, not as churchmen but as citizens, are more alive to their duty upon the subject of Slavery. How far the religious conscience of the country is aroused is best shown by a review of the present position of certain Evangelical associations, representing, in a degree, the whole Evangelical Church. First, of

The American Board.

At the meeting of the American Board in Brooklyn, in 1845, the Rev. Dr. Bacon, of New Haven, very emphatically characterized as

"nonsense" the assumption that Slavery should be dealt with as a sin. The Board, in its report of that year, is no less positive in its opinion, though, perhaps a little more scrupulous in its choice of terms. Ten years have not enlightened it. It stands now precisely where it did then.

Were the position of this great religious body, at different periods, to be taken as the measure of the growth of public sentiment on the question of Slavery, we should be forced to the conclusion that there is no change. The true measure, however, so far as the Board is concerned, is not what it does but the efforts it puts forth, from time to time, to escape doing anything. It will treat Slavery as other acknowledged sins are treated by Evangelical Christians, when it is compelled to do so by the outside pressure of public opinion, and not before. In the meantime the necessity of a constant resistance to that outside pressure is the best evidence of its increasing force, at the same time that it exposes the corrupt character of the Board.

The Prudential Committee of the Board resolved, in March, 1855, that Mr. Woon, one of the Secretaries, should go to the Choctaw Nation with a view "to a fraternal conference with the brethren in that field, in respect to the difficulties and embarrassments which have grown out of the action of the Choctaw Council in the matter of the boarding schools, and also in respect to any other question which may seem to require his attention."

"Embarrassments and difficulties," then, it seems, still existed, notwithstanding the action of the Board at its previous annual meeting, and the endorsement, by resolution, of the "TREAT Letter." The apprehension, no doubt, was entertained, that discussion and complaint would still have to be met. How, indeed, could it be otherwise when Mr. TREAT's own comment upon his famous Letter was that he did not undertake, on the part of the Board, "to persuade missionaries to exclude Slaveholders from the communion." nor "to treat them with threats that if they persisted in their course, the Board would cut them off"? The question of the admission of Slaveholding converts to the Church — the only one of any importance — was clearly as far from being settled as in 1845. How should it be met when it again came up for discussion, as inevitably it must, at the ensuing Annual Meeting? We are not in the secrets of the Prudential Committee, and do not, therefore, positively know what end they expected to gain through Mr. WOOD's mission and his report thereon. But we do know that the report served for one year's action of the Board, and postponed, for another indefinite period, the consideration of a question involved in

hopeless embarrassment to men who have neither the disposition nor the courage to meet it in a straight-forward, candid, and Christian spirit.

Some of the missionaries, whom Mr. Wood was deputed to visit, would seem to be very impracticable and inconsiderate persons, with very positive notions upon the subject of Slavery, and not easily persuaded to make any sacrifice of their own convenience in a Slaveholding community in consideration of the delicate position of the Board, with Anti-Slavery on one side to molest it, and Pro-Slavery on the other to make it afraid. To this state of things the "*any other question*" of the Resolution, no doubt, related, though the ostensible purpose of the visit was a conference on the subject of the schools. For the Board had avowed its approbation of the decision of the Prudential Committee, in which they concurred with the missionaries, in a determination not to conduct the boarding schools of the Choctaw Nation in accordance with the Act of 1853, of the Choctaw Council. That Act forbad the teaching of a Slave, or the child of a Slave, to read or write, and provided for the removal of any person connected with the schools, who was known to be an Abolitionist, or who attempted to disseminate, directly or indirectly, Abolition doctrines. If the Act were enforced, therefore, the schools, by the determination both of the missionaries and the Board, were to be given up. If it were not enforced, then there was an end of the matter.

Mr. Wood, however, fulfilled his mission, and at the Annual Meeting of the Board, at Utica, in September last, made his report. On the subject of the schools, it appears, a correspondence had been going on for more than two years before his visit, between the missionaries and the Prudential Committee, in the course of which the latter had addressed a letter to the Choctaw Council, remonstrating against the obnoxious law. This letter the missionaries, for reasons of expediency, of the sufficiency of which they assumed to be the sole judge, chose not to deliver. It also appears that the schools are and have been going on as usual; that no attempt has been made by the Council to put the School Act of 1853 in force; that the Trustees and General Superintendent under it, have never entered into the required bonds, nor assumed, in any way, the duties of their office; that, in short, the law is a dead letter, and likely to remain so. It appears, moreover, according to Mr. Wood, that "the teaching of Slaves in these schools has never been practised or contemplated," and that "the law was aimed at such teaching in their families and Sabbath schools." It is difficult

to believe that it was necessary to send a special deputation, on a journey of some thousands of miles, to the Choctaw Nation, to ascertain such facts as these, and that the Prudential Committee did not know that this law, which so absorbed the attention directed to the Board's Pro-Slavery position, which led to so much warm discussion at the previous Annual Meeting, was, in reality, a statute which had never been, and was never likely to be, enforced, and the first formalities of which even had never been executed. The whole course of the Committee and the Board, as we see it now in the light of these new facts, seems to have been merely an attempt to distract attention from actual shortcomings by a show of over-zeal in a direction where none whatever was required. It was not difficult to direct, or permit a great deal of indignation against a law so oppressive and outrageous, and it was perfectly safe to allow of a full expression of that indignation, as the law never had been, and was never likely to be, enforced. Perhaps it may have occurred to the Committee that here was provided a convenient safety-valve for all the Anti-Slavery enthusiasm of members, and that the far more difficult question of the admission of Slaveholders to the Mission Churches would thereby, for the present, be overlooked.

To enter into some understanding with the missionaries was undoubtedly the real object of the deputation. "It was," Mr. Wood says, "the *second* subject of conference," and he gives it a second place in his report, "but," it was, he adds, "the one first considered." He found "certain misapprehensions" on the part of a portion of the missionaries as to the "origin and circumstances of the action at the Board," at Hartford, which he "was happy to correct," but the character of which he does not state. There were "several of the members," he found, who had always approved the principles of the Committee, as given in their correspondence. Here, doubtless, he refers to the Treat Letter. There were "others" — how many is not stated — who, it is evident, did *not* approve of those principles, though the fact of their disagreement is conveyed by Mr. Wood in a disingenuous circumlocution intended to conceal their real opinions, as he says, they "expressed their agreement with these views," but it was only "as they were freely explained in *personal intercourse*, with an exhibition of his *intended meaning* of his own written language by the Secretary who was the organ of the Committee in communicating them." Here the reference evidently is to the *second* letter of Mr. Treat, which we have already quoted, and in which he expresses his surprise that any one should suppose him "capable of such conduct" as to "endeavor to

persuade missionaries to exclude Slaveholders from the Communion," or to threaten that "the Board would cut them off" if they "persisted in their course." But there was still a third class, and these "*supposed* themselves to differ, in some degree, from these principles when correctly apprehended." These uncertain members were in the minority. The majority was conveniently made up of those who approved of the principles of the Committee — the doctrine of the TREAT Letter without the gloss; and of those who approved of them only when they were enlightened by "personal intercourse" with Mr. WOOD, and the "exhibition of Secretary TREAT'S *intended* meaning," which, of course, differed with his *apparent* meaning, to which they could not agree. A full comparison of views, however, resulted in a statement of principles, which, after careful discussion, was unanimously adopted. It is as follows: —

1. Slavery, as a system, and in its own proper nature, is what it is described to be, in the General Assembly's Act of 1818, and the Report of the American Board adopted at Brooklyn in 1845.

2. Privation of Liberty in holding slaves is, therefore, not to be ranked with things indifferent, but with those which, if not made right by special justificatory circumstances and the intention of the doer, are morally wrong.

3. Those are to be admitted to the communion of the church, of whom the missionary and (in Presbyterian churches) his session have satisfactory evidence that they are in fellowship with Christ.

4. The evidence, in one view of it, of fellowship with Christ, is a manifested desire and aim to be conformed, in all things, to the spirit and requirements of the word of God.

5. Such desire and aim are to be looked for in reference to slavery, slaveholding, and dealing with slaves, as in regard to other matters; not less, not more.

6. The missionary must, under a solemn sense of responsibility to Christ, act on his own judgment of that evidence when obtained, and on the manner of obtaining it. He is at liberty to pursue that course which he may deem most discreet in eliciting views and feelings as to slavery, as with respect to other things, right views and feelings concerning which he seeks as evidence of Christian character.

7. The missionary is responsible, not for correct views and action on the part of his session and church members, but only for an honest and proper endeavor to secure correctness of views and action under the same obligations and limitations on this subject as on others. He is to go only to the extent of his rights and responsibilities as a minister of Christ.

8. The missionary, in the exercise of a wise discretion as to time, place, manner, and amount of instruction, is decidedly to discountenance indulgence in known sin and the neglect of known duty, and so to

instruct his hearers that they may understand all Christian duty. With that wisdom which is profitable to direct, he is to exhibit the legitimate bearing of the gospel upon every moral evil, in order to its removal in the most desirable way; and upon slavery, as upon other moral evils. As a missionary he has nothing to do with political questions and agitations. He is to deal alone, and, as a Christian instructor and pastor, with what is morally wrong, that the people of God may separate themselves therefrom, and a right standard of moral action be held up before the world.

9. While, as in war, there can be no shedding of blood without sin somewhere attached, and yet the individual soldier may not be guilty of it; so, while slavery is always sinful, we cannot esteem every one who is legally a slaveholder a wrong-doer for sustaining the legal relation. When it is made unavoidable by the laws of the State, the obligations of guardianship, or the demands of humanity, it is not to be deemed an offence against the rule of Christian right. Yet missionaries are carefully to guard, and in the proper way to warn others to guard, against unduly extending this plea of necessity or the good of the slave, against making it a cover for the love and practice of slavery, or a pretence for not using efforts that are lawful and practicable to extinguish this evil.

10. Missionaries are to enjoin upon all masters and servants obedience to the directions specially addressed to them in the Holy Scriptures, and to explain and illustrate the precepts containing them.

11. In the exercise of discipline in the churches, under the same obligations and limitations as in regard to other acts of wrong-doing, and which are recognized in the action of ministers with reference to other matters in evangelical churches where slavery does not exist, missionaries are to set their faces against all overt acts in relation to this subject, which are manifestly unchristian and sinful; such as the treatment of slaves with inhumanity and oppression; keeping from them the knowledge of God's holy will; disregarding the sanctity of the marriage relation; trifling with the affections of parents, and setting at naught the claims of children on their natural protectors; and regarding and treating human beings as articles of merchandise.

12. For various reasons, we agree in the inexpediency of our employing slave labor in other cases than those of manifest necessity; it being understood that the objection of the Prudential Committee to the employment of such labor is to that extent only.

13. Agreeing thus in essential principles, missionaries associated in the same field should exercise charity towards each other, and have confidence in one another, in respect to differences which, from diversity of judgment, temperament, or other individual peculiarities, and from difference of circumstances in which they are placed, may arise among them in the practical carrying out of these principles; and we think that this should be done by others towards us as a missionary body.

Resolved, That we agree in the foregoing as an expression of our views concerning our relations and duties as missionaries in regard to the subject treated of; and are happy to believe that, having this

agreement with what we now understand to be the views of the Prudential Committee, we may have their confidence, as they have ours, in the continued prosecution together of the great work to which the great Head of the church has called us among this people.

To this statement of the Choctaw Mission the Cherokee Mission, a few days later, gave its approval, by a resolution of concurrence.

Mr. Wood's report was referred, at Utica, to a Special Committee, consisting of Dr. Beman, Dr. Thomas De Witt, Dr. Hawes, Chief Justice Williams, Doct. L. A. Smith, Dr. J. A. Stearns, and Hon. Linus Child. The report made by these gentlemen was adopted by the Board. They state "their unanimous conviction that this visit [of Mr. Wood] will mark an auspicious era in the history of these missions." They believe that "the great end which has been aimed at by the Prudential Committee in their correspondence with these missions, for several years past, and by the Board in their resolutions adopted at the last Annual Meeting, has been substantially accomplished." And they are unanimously of the opinion that the Prudential Committee and the missionaries "may go forward, on the basis adopted, in perfect harmony in the prosecution of their future work." But, nevertheless, there is this reservation,—"that the Committee cannot take it upon themselves to predict what new developments calling for new action hereafter *may* take place,"—certainly a remarkable admission to be made by these reverend and learned representative men of the American Evangelical Church, that the duty of the Board of Missions in relation to Slavery is one to be developed by circumstances, and managed as a question of expediency, and not one to be acknowledged as settled by any rule of Christian ethics.

The Board stands, then, precisely where it did ten years ago. The agitation of the School Act has been without practical result, and settles nothing, as no attempt has been, or is likely to be, made to carry out the provisions of that law. True, the Board does not defend Slavery as a Bible institution, and as a blessing to the African race. On the contrary, it acknowledges it to be, according to the General Assembly's Act of 1818, "a gross violation of the most precious and sacred rights of human nature, as utterly inconsistent with the law of God, and totally irreconcilable with the spirit and principles of Christ." Slaveholders, nevertheless, are admitted to the Mission Churches, and even if the neophite be one whose life is thus offensive to the law of God, the spirit of Christ, and the rights of humanity, he is not, therefore, debarred from the Christian fellowship of these missionaries.

At the time of Mr. Wood's visit, there were *Twenty* Slaveholders in the churches among the Choctaws, and three of these have been admitted "on a profession of faith" since 1848. At the Cherokee mission, there were *Seventeen* Slaveholders among the church members. The missionaries themselves are not Slave-*owners*, but they sanction the system by still hiring Slaves of their masters. Several are so hired in both missions, on the plea of convenience — a defence which would be equally good for a trade in stolen horses, on the part of missionaries, among the Pawnees or Black Feet Indians.

The American Tract Society.

The system, hitherto carefully and persistently pursued by the American Tract Society, in expurgating from its republications of religious books all condemnation of, and even allusion to, American Slavery, was fully exposed in our last Report. It gratifies us to be able to state that this method of dispensing spiritual truth in the peddling spirit of a huckster who sorts his wares to suit his customers, is meeting with the contempt it merits. The subject has attracted the attention of several religious bodies, and has been discussed with a good deal of animation in various secular and religious newspapers during the past year. The opinion is growing rapidly into favor, that the direction of the affairs of the Society, should either pass into new hands, or that those now holding it should be compelled to a new course of action.

It is certainly a pitiable sight to see a great religious body which absorbs so large a share of the spiritual enthusiasm of the country directed to the duty of calling sinners to repentance, carefully culling its phrases and guarding its speech, lest sinners be offended. And it is a striking evidence of the spiritual imbecility of the American Church, so far as Slavery is concerned, that till only within a few months has the remonstrance against the course of the Tract Society been strong enough to compel the Managers to break the contemptuous silence with which they had covered their guilt, and enter upon their justification and defence. The plea they make in their own behalf, is briefly this: — that as the Society was formed, is supported by, and represents "Evangelical Christians," the tracts which it issues should be acceptable to all that class of Christians, and that it has no right to issue any others. This is a good defence, and if not satisfactory to

Evangelical Christians, should put them also upon the defensive. It amounts to a charge from the Society against their Evangelical brethren of being accessory before the fact. The Society might appeal to nearly the whole body of Northern Christians of this class, and ask the pertinent question — Is not a Slaveholder a Christian? We all know what the answer must be from their practice. The Committee of the Tract Society representing the Presbyterian, Episcopalian, Baptist, Methodist, Dutch Reformed, and Calvinistic Congregational Churches, may, with great force, plead the example of those churches. If you, they may ask, separate and independent Ecclesiastical bodies, refuse, or neglect, to declare that the fact of Slaveholding is a bar to Christian Communion, and, in itself, an evidence of a want of Christian character, with what right or propriety can you ask us, an irresponsible body, bound in honor to do nothing offensive to our common faith, to go beyond the record and permit that to be rebuked, in our publications, as a sin, which you, by your daily practice, refuse to recognize as such? If all Slaveholders were Hicksite Quakers, or Unitarians, we might take it upon ourselves to decide upon and rebuke their sinfulness, for they are not Evangelical Christians. But it is not for us to presume that Evangelical Christians, recognized as such by the Church, and numbering many thousand persons, need, because of their Slaveholding, special instruction in "vital godliness and sound morality."

This argument might be pushed with great force, and the Tract Society fortify itself in an impregnable position against the assaults of *The Independent* and other religious newspapers, so long as their editors and the religious bodies they represent, extend the right hand of Christian fellowship to the holders of Slaves. Indeed, some of these assailants betray their consciousness of how pertinent the answer to them would be — "Physician, heal thyself!" It is the accidents of Slavery, such as the parting of families, the breach of the marriage relation, and other enormities, and not the essential wickedness of the system itself, against which, they maintain, the Society should hurl its thunders.

But, unfortunately for themselves, the Managers of the Society have not, by their course, on other questions, reserved to themselves the privilege of this justification. They have not halted in opinion upon various indulgences which the rigidly righteous among evangelical people hold to be sins, but which, nevertheless, are very generally practised. They assume, therefore, to decide that one may be an Evangelical Christian, and yet a sinner, and as the conservators of

"vital godliness and sound morality" they esteem it a duty to rebuke the backslidings and shortcomings of the children of light. They issue tracts against "special immoralities," as guides and warnings to the young and thoughtless. In one of these against Dancing, they pathetically exclaim, "Oh, Christian parent! pause and pray long and earnestly, and you will never consent that a child of yours shall be seen in a ball-room." Would it be any greater assumption over the rights of conscience to recognize the fact that children are sent by Evangelical Christians to the auction-block, as well as to the dancing school? And would not an exhortation be quite as pertinent to the Christian Slaveholder to pause and pray ere he snatches a child from its mother's bosom to send it to the human shambles? Another tract is aimed at the immorality of the "Theatre, the Circus, and the Horse-Race." Might not that place of public assembly, peculiar to the South, the Slave-Pen, and the free and cruel use of the horse-whip upon the naked backs of men and women, come also, with equal propriety, under the reprehension of the Society? It advocates Total Abstinence, and rebukes, not merely the lay member for his moderate drinking, but sharply accuses the anointed "band clothed in white, enlisted soldiers of the Church," for yielding to the "witchery" of the wine-cup, and opposing so good a cause. Would it be a greater stretch of authority to issue a tract with special reference to the graceless and besotted condition of the Rev. NEHEMIAH ADAMS, one of its own Publishing Committee, and many others of the "band clothed in white," who find a justification of American Slavery, with all its numberless atrocities, in the Divine Law, and in Apostolic example? It anathematizes tobacco, and sees "the garments of the priesthood unclean from its defilements." Is the use of tobacco so universally recognized an immorality among Evangelical Christians that they may rebuke it who hesitate to point to the pollutions of Slavery, because the brethren are not agreed upon the sinfulness of adultery? Novel-reading is also deemed worthy of a special tract; but is not the prohibition, by law, to learn to read at all, though it be even the Bible, an immorality that may be contemned without hesitation?

It were easy to multiply instances to show that the Tract Society has no hesitation in pronouncing upon the daily habits and behavior of Evangelical Christians, and when there is, by no means, an agreement among them as to the immorality of their conduct in those particular instances. The Managers, therefore, are left without excuse. Their defence is both evasive and false, and the broad, uncontradicted,

incontrovertible fact stands out before us, that this Society, the representative of nearly the whole body of Evangelical Christians of this country, not only has not the disposition, and does not dare to treat as an immorality, a single one of the flagrant and open vices of Slavery, but that it basely and fraudulently suppresses, in all its publications, any allusion to the system which condemns its outrages, or exposes its inherent character.

Case of Passmore Williamson.

A striking proof of the tendency of the Slave Power, whether consciously or unconsciously, to enlarge its dominion and bring into subjection to it every opposing force and principle, has occurred, within the last year, in Pennsylvania. Of later years, the doctrine of State Rights has been, in a degree, lost sight of, as it has become to be the well understood and acknowledged polity of the Republic, that the Federal Government is a government only of limited and delegated powers, and that each State is a separate and independent sovereignty supreme — with certain well-defined exceptions — within its own domain. The fear of the centralization of power has unhappily died away, and is succeeded by a blind and unreasoning devotion to the Union of the States. Slavery obtained sufferance at the adoption of the Constitution through reverence for State Rights. The inevitable result of the consideration given to the system in the Constitution was its usurpation of the powers of the Federal Government. As sufferance there, in due time, became supremacy, so, through the popular devotion to the Union, the complete subversion of the rights of the States will follow if the Union continue. The case of Passmore Williamson is an indication of this tendency of the Slave Power, if it is not a step in that direction.

On the 18th of July last, information was received at the Anti-Slavery Office, in Philadelphia, that some persons, held as Slaves, were at Bloodgood's Hotel, in that city, who desired to escape from the custody of their master. Mr. McKim, the Agent in the office, immediately sent word to Passmore Williamson, whose duty it was to take charge of such cases, as Secretary of the Acting Committee of the Pennsylvania Abolition Society, established in the last century, for the purpose of extending aid to persons illegally held in bondage. As Mr. Williamson was about to leave town on business, he at first

declined to interfere, but changing his mind in a few moments, he followed the messenger, Mr. WILLIAM STILL, to Bloodgood's Hotel. On arriving there he learned that a woman and two children, supposed to be Slaves, had just gone with their master on board the boat about to start for the New York train. He immediately followed, and found the party seated on the upper deck, and learning from the man that he claimed the woman and her two children as Slaves, and from the woman that she desired freedom for herself and her children, he informed her that, by the law of Pennsylvania, they could not be held there as Slaves, and were free to go where they pleased. A brief altercation ensued, which attracted the bystanders, and among them several colored men. The woman presently arose, voluntarily, to go, taking the children with her. The master attempted to detain her, and was held back, for a moment, by Mr. WILLIAMSON; one of the colored men, also, uttered some threatening words to deter him from interfering with the woman's wishes. Both these actions were simply to prevent violence on the part of the master. He was, in no other way, interfered with, nor his rights, personal or legal, in any way invaded. The woman and children were immediately put into a carriage, and driven away to a place of safety. The parties were soon ascertained to be the Hon. JOHN H. WHEELER, of North Carolina, United States Minister to the Republic of Nicaragua, and his former Slaves, JANE, DANIEL, and ISAIAH.

If the judicial decisions be correct which, on several different occasions had been given, both in Slave and Free States, and which, up to this time, had never been questioned, that a Slaveholder who voluntarily brings his Slaves into a State where Slavery does not exist, by that act emancipates them, then WHEELER, in this case, had forfeited all legal title to JANE and her children. Nor was it then, or at any subsequent time pretended that they were "fugitives from labor," and could be claimed, therefore, under the Constitution and Laws providing for the rendition of persons of that class. Whatever his title to them might have been in a Slave State, he clearly had none to them as Slaves in Pennsylvania, where he had voluntarily brought them, and where Slavery is prohibited by law. Mr. WILLIAMSON, in informing them of their rights, had performed a simple and praiseworthy act of humanity, on which no shadow of wrong could rest. And JANE had exercised a clearly natural and legal right in seizing the first opportunity to escape, with her children, from the custody of one whose only relation to them, from the moment they crossed the border of a Free State, was that of a

kidnapper. If, on the other hand, this were not a correct statement of the principles which governed such a case, then the right to completely prohibit Slavery, within her own domain, by a Free State, did not exist; but the right to establish and continue Slavery was unlimited by State lines, and it became the duty of the Federal Government to protect all in the enjoyment of that right who needed protection. No fairer occasion could arise by which to test the question whether Liberty be national and Slavery sectional, or Slavery national and Liberty no where.

No sooner had JANE JOHNSON and her children left the custody of Mr. WHEELER, than he petitioned Judge KANE, of the United States District Court, for a writ of *habeas corpus*, to be directed to PASSMORE WILLIAMSON, who, he averred, detained from him "three persons held to service or labor by the laws of the *State of Virginia*," and of whom he was the "owner." The writ was at once allowed, returnable the next day. Mr. WILLIAMSON, however, being temporarily absent from the city on business, EDWARD HOPPER, Esq. appeared, on his behalf, and stated that doubtless the writ would be responded to on his return. An alias writ of *habeas corpus* was then allowed, and to this Mr. WILLIAMSON made return on the 20th of July, "that the within-named JANE, DANIEL, and ISAIAH, or by whatsoever names they may be called, nor either of them, are not now, nor was, at the time of the issuing of said writ, or the original writ, or at any other time in the custody, power, or possession of, nor confined, nor restrained their liberty by him, the said PASSMORE WILLIAMSON. Therefore he cannot have the bodies of the said JANE, DANIEL, and ISAIAH, or either of them, before your Honor, as by the said writ he is commanded."

If Slavery had no legal existence in Pennsylvania, and JANE, DANIEL, and ISAIAH, were there as free persons, and not the Slaves of WHEELER, then this brief return to the writ was a complete and truthful statement of facts. As free persons they had never, for a single instant, been in the possession of WILLIAMSON, and in informing them of their freedom he had infringed upon no legal right of any other person.

If, however, "the three persons held to service or labor by the laws of Virginia" were, *therefore*, Slaves in Pennsylvania, and Mr. WHEELER was as much their legal owner in the one State as in the other, then Mr. WILLIAMSON, by invading that ownership, had taken possession of the Slaves, if only for a single moment; and his return, that they had never been in his possession, was untrue, and an evasion of the writ.

The real question at issue then was, whether Slavery legally existed in Pennsylvania. Mr. WILLIAMSON had taken for granted in his return, that it did not. The United States Judge, in granting the writ, had proceeded on the supposition that it did. The return of the respondent, therefore, was not only false, but a defiance of the authority of the court.

Mr. VANDYKE, the counsel for Mr. WHEELER, asked permission of the court to introduce testimony to rebut the statements of the respondent in his return. To this Mr. HOPPER replied, that the return was sufficient and conclusive, and as it was a complete denial of the custody, power, or control, they could not go behind it. Mr. VANDYKE stated what he was prepared to prove, which was that, taking for granted that JANE and her children were, though in Pennsylvania, the Slaves of WHEELER, they had been removed, by WILLIAMSON, from the possession of their master. Mr. HOPPER then asked, if testimony was to be heard, for time to prepare. The course, he said, which the case had taken, "*was certainly a surprise!*"

It seems very evident that, up to this stage of the proceedings, there had been a complete misunderstanding of the legal purpose of the writ. The respondent and his counsel presuming that there could be no Slaves in a Free State — except as provided in the case of "fugitives from labor" — had supposed that he was directed to produce certain *free persons* whom, it was thought, he held in unlawful custody. His reply was the natural and truthful one, that such persons were not, and never had been, in his possession. But such a return was evasive and untruthful, if the writ referred to *Slaves*, and not to free persons. Judge KANE replied, therefore, to Mr. HOPPER'S request for time, that that could be considered when the bodies of the three servants were produced in court. "The conduct," he remarked "of those who interfered with Mr. WHEELER'S RIGHTS, was a CRIMINAL, WANTON, AND CRUEL OUTRAGE." "It would be sufficient to have a *prima facie* case made out," that is, that Mr. WILLIAMSON had taken Mr. WHEELER'S *Slaves* [that they were *Slaves* being taken for granted] out of his possession. The evidence of that fact would show the defendant to have been guilty of contempt in the return to the writ of *habeas corpus*, inasmuch as he had presumed to consider these as free persons, and therefore never in his custody, whom the Court considered as Slaves, of whom he had taken illegal and violent possession, and commanded him to produce. It was clear, then, that it was for an outrage on the legal rights of a citizen of another State, and not a question of the

restraint of certain free persons, for which Mr. WILLIAMSON was held to answer. To the request of Mr. WHEELER'S Counsel for permission to traverse the return to the writ, Judge KANE, therefore, said : —

"It has been settled by this Court, that the relator, where the truthfulness of the return is denied, and a different state of facts alleged to exist, may show those facts to the Court ; that a person *who has the possession or control of* PROPERTY *will not be permitted, by an evasion or a manufactured return*, to destroy the effect of this writ and render it powerless. In this case, a state of facts totally different from the return were alleged. Under these circumstances, the Court would hear the evidence traversing the return : and, second, the Court thought it its duty to ascertain and satisfy its conscience whether, if a different state of facts were established, it was not matter for the judicial notice of the Court sitting as a Committing Magistrate, if a *prima facie* case were made out, to bind the defendant over to answer on a charge of perjury."

Mr. WHEELER was then called to the stand to give his testimony. The facts, as he stated them, were substantially the same as we have already given. He said : —

"The defendant, PASSMORE WILLIAMSON, stepped up to me, and asked me to allow him to have some conversation with my servants ; I told him if he had anything to say he could say it to me ; he laid his hands on the woman's shoulder very pointedly, and said, "Do you know that you are in a free State, and have only to go ashore to be free ;" I told him they knew where they were going and with whom ; the defendant said to me that he did not want to hear me talk, but would hear the woman ; he asked her if she was a slave ; she replied, yes ; he said just step on shore and you are free."

He alleged the use of violence on the part of WILLIAMSON and others, which was, however, afterward disproved by other testimony, and he asserted an unwillingness in his servants to leave him, which was subsequently shown to be false on the best evidence — that of JANE herself. The *prima facie* case referred to by Judge KANE, however, was made out by his testimony and that of other witnesses — namely, that WILLIAMSON did relieve JANE JOHNSON and her children from his custody ; a fact which, it should be borne in mind, was never denied. The really important point, and that on which the whole case hung, he thus stated : "*I am the owner* of three colored persons, named JANE, DAN, and ISAIAH ; and have been for some time ; I hold them to labor under the laws of the State of North Carolina, and OF MY COUNTRY." This assertion of the nationality of Slavery was permitted to pass unquestioned by Court or Counsel.

When the testimony was closed on behalf of the plaintiff, a motion was made by his Counsel for an attachment against the defendant for making an insufficient return, and another to answer for wilful and malicious perjury. His Counsel again asked for time for preparation and consultation, which the Judge denied, but permission was given to the defendant to purge himself of contempt. Mr. WILLIAMSON then took the stand. His statement of the occurrence on board the boat was as follows: —

"I went on board the boat, looked through the cabin, and then went up on the promenade deck; I saw that man, (pointing to Mr. WHEELER,) sitting sideways on the bench on the farther side; JANE was sitting next to and three or four feet from him, — the two children were sitting close to her; I approached her and said, 'you are the person I am looking for, I presume:' WHEELER turned towards me and asked what I wanted with him; I replied nothing, that my business was entirely with this woman; he said, she is my slave, and anything you have to say to her you can say to me; I then said to her, you may have been his slave, but you are now free, he brought you here into Pennsylvania, and you are now as free as either of us, — you cannot be compelled to go with him unless you choose; if you wish your liberty, all you have to do is to walk ashore with your children. Some five minutes were consumed in conversation with WHEELER, JANE, and a stranger, when the bell rang, and I told her if she wished to be free she would have to act at once, as the boat was about starting; she took one of her children by the hand and attempted to rise from her seat; WHEELER placed his hands upon her shoulders and prevented her; I then for the first time took hold of her arm and assisted her to rise; the colored people who had collected around us, seized hold of the two children, and the whole party commenced a movement towards the head of the stairs leading to the lower deck, Mr. WHEELER having at the start clinched JANE, and during the progress repeatedly and earnestly entreated her to say she wished to stay with him; at the head of the stairway I took WHEELER by the collar and held him to one side; the whole company passed down and left the boat, proceeding peacefully and quietly to Dock and Front streets, where JANE and her children, with some of her friends, entered a carriage and were driven down Front street; I returned to my office. After the colored people left Dock street in the carriage, I saw no more of them, — have had no control of them, and do not know where they are. My whole connection with the affair was this."

In conclusion Mr. WILLIAMSON declared to the court, "that in the proceedings he had not designed to do violence to any law, but supposed that he had acted throughout in accordance with the law, and the legal rights of the respective parties."

A week later, on the 27th of July, to which time Judge KANE had adjourned the case, holding WILLIAMSON, in the meantime, in bonds of $5,000, he gave his opinion.

He commenced by a one-sided statement of the case in passionate terms, which, however common they may be with a certain class of practitioners at the bar, are not generally considered in accordance with the dignity and impartiality of the bench, but which, nevertheless, were quite in keeping with the despotic and unscrupulous determination exhibited by Judge KANE, in all cases which have come before him, where the question of Slavery was concerned. He assumed, at the outset, that a violent abduction of *Slaves* had been made by WILLIAMSON, assisted by a "mob of negroes." Of the return to the writ he says: —

"I cannot look upon this return otherwise than as illusory — in legal phrase, as evasive, if not false. It sets out that the alleged prisoners are not now, and have not been since the issue of the *habeas corpus*, in the custody, power, or possession of the respondent; and in so far it uses legally appropriate language for such a return. But it goes further, and by added words, gives an interpretation to that language essentially variant from its legal import.

"It denies that the prisoners were within his power, custody, or possession *at any time whatever*. Now, the evidence of respectable, uncontradicted witnesses, and the admission of the respondent himself, establish the fact beyond controversy that the prisoners were at one time within his power and control. He was the person by whose counsel the so-called rescue was devised. He gave the directions, and hastened to the pier to stimulate and supervise their execution. He was the spokesman and first actor after arriving there. Of all the parties to the act of violence, he was the only white man, the only citizen, the only individual having recognized political rights, the only person whose social training could certainly interpret either his own duties or the rights of others under *the Constitution of the land.*"

He proceeded then to show how futile, and worse, it is for one "who has organized, guided, and headed a mob to effect the abduction and imprisonment of others," to excuse himself from responsibility by the assertion that the actual assault was made by the hands of subordinates. As if Mr. WILLIAMSON had done any such thing — as if he had not frankly and unequivocally, and in open court stated precisely his share in, and the motives which impelled him to the transaction under consideration. Indeed the Judge had already said of him, "he admitted the facts substantially as in proof." But — and here was the real crime — "he had chosen to decide for himself upon the *lawfulness*, as

well as the *moral propriety* of his act." "He has put himself in contempt of the process of this court, and challenges its action." His offence was, not so much that he had been guilty of an abduction of property, for that there was a remedy in a civil action for damages; nor that he had committed an assault, which might have been more properly tried in an Alderman's Court, than in a District Court of the United States, under a bond of $5,000; but that he denied that the mere selling a free woman of her rights was an abduction, and that the gentle use of restraint over one attempting by force to prevent that woman from exercising her right to freedom, was an assault. It was a contempt of the court, a challenge of its action, and a refusal to recognize the "own duties, and the rights of others under the Constitution of the land," to decline to acknowledge that Slavery had a legal existence in the State of Pennsylvania. To this point, the real issue, the Judge came presently in his opinion.

"The respondent, relying on the truthfulness of the return to the writ, based on the supposition that he could have assumed no custody or control of persons whom he had simply informed that, under the laws of the State, they were entitled to freedom, had submitted the cause to the court without argument by counsel. The court, therefore, affects to be at some loss to understand the grounds on which they would claim the discharge of their client. One, however, occurred to him, which he condescended to consider. He says: —

"It is this; that the persons named in this writ as detained by the respondent were not legally slaves, inasmuch as they were within the territory of Pennsylvania when they were abducted."

And of this position he thus disposes: —

"1. That I know of no statute of Pennsylvania which affects to divest the rights of property of a citizen of North Carolina, acquired and asserted under the laws of that State, because he has found it needful or convenient to pass through the territory of Pennsylvania.

"2. That I am not aware that any such statute, if such a one were shown, could be recognized as valid in a court of the United States."

In other words, any statute of Pennsylvania prohibiting the holding of Slaves within her borders did not apply to Slaves held by citizens of other States, who might be impelled by necessity or convenience to bring such Slaves within her jurisdiction. And further, if any law of Pennsylvania *did* so prohibit the Slaveholders of other States from

bringing their Slaves within the State, it would not be recognized by a Federal Court.

But this bold declaration of the impotency of the Free States, the supremacy of the Federal Government, and its duty to render the Law of Slavery paramount all over the Union, was not so frank as it seems when taken out of its connection. It was preceded and followed by propositions disingenuously calculated both to strengthen the position assumed by the court, in the case before it, as well as to disguise the character of the novel and obnoxious principle by which it was governed. We have quoted above the 2d and 3d propositions. The 1st was that no statute of Pennsylvania permitted the forcible abduction of persons or property without due process of law; a general assertion which might safely be made of the statutes of any civilized community on the face of the globe; but its special intention here was to convey the impression that a forcible abduction of property had been made in this case. That this property was Slaves is clearly intimated in 2d and 3d. Then follows the 4th:—

"4. That it seems to me altogether unimportant whether they were slaves or not. It would be the mockery of philanthropy to assert that, because men had become free, they might therefore be forcibly abducted."

Yet, notwithstanding this cunning and impudent assertion, Judge KANE knew very well that it must be plain to the most careless observer that the really important point was whether they were Slaves or not, and that on this depended the whole case before him. The Judge had granted the writ of *habeas corpus* on the prayer of WHEELER as "*owner* of three persons held to service or labor by the laws of Virginia," and "detained from the possession of the petitioner by one PASSMORE WILLIAMSON." If they were free persons, as WILLIAMSON had presumed to consider them, then his return to the writ was truthful and complete, and the court had nothing to do but discharge the defendant; for neither the alleged prisoners, nor any one else, on their behalf, had prayed for their relief as free persons restrained of liberty. It was only on the assumption that they were Slaves, property taken illegally from its owner, that the previous propositions, marked 3 and 4, had the least significance or relevancy. To pretend, at the same time, that it was unimportant whether they were Slaves or not, was an unworthy expedient to disguise the character of a despotic decision.

The court adjudged that "Mr. WILLIAMSON, the respondent, be

committed to the custody of the Marshal without bail or mainprize, as for a contempt of the court in refusing to answer to the writ of *habeas corpus*, heretofore awarded against him at the relation of Mr. WHEELER."

Mr. WILLIAMSON, therefore, was consigned to Moyamensing Prison, in Philadelphia. His real offence was a presumption that Slavery could not exist in Pennsylvania, and an overt act in accordance with that belief. The contempt of court for which he was committed was a contumacious neglect to acknowledge such an act as a crime.

On the 31st of the same month (July) Mr. WILLIAMSON sought, as a citizen of Pennsylvania, the protection of his own State against this outrage upon his rights by a Federal Court. He applied to the Hon. ELLIS LEWIS, Chief Justice of the Supreme Court of Pennsylvania, for a writ of *habeas corpus* for his relief. The application was refused by Judge LEWIS. The refusal was based mainly upon the opinion that the adjudication of contempts belongs exclusively to the respective courts, and that, therefore, it was not in his power to reverse the decision of the United States Court in this case. But he went further than this, and threw the weight of his judicial influence into the scale against the prisoner. After briefly discussing the allegations of the petitioner's counsel, that the United States District Court had no jurisdiction, and that the right of property cannot be determined on *habeas corpus*, on both which points he was disposed to sustain the District Judge, he summed up by saying: —

"But granting, for the purpose of the argument, (which I am far from intimating,) that the District Judge made an improper use of the writ; that he erred in deciding that the prisoner refused to answer it — that he also erred in the construction of the answer which was given, and that he otherwise violated the rights of the prisoner; it is certainly not in my power to reverse his decision."

It is an interesting incident in the progress of this case, that on the day on which this petition was presented to Judge LEWIS, JANE JOHNSON, herself, with her two children, voluntarily appeared before Judge E. D. CULVER, of the City Court of Brooklyn, New York, and testified, under oath, that she gladly, and of her own accord, left the custody of her late master, WHEELER, as soon as she learned that she had the right to do so; that, before she left Washington, she formed the purpose of leaving him the moment a safe opportunity should occur after their reaching a free State; that she acquainted two of the servants at

Bloodgood's Hotel, in Philadelphia, with her wish, by whom, probably, the information was conveyed to the Anti-Slavery office, and thence to PASSMORE WILLIAMSON; and that she made this affidavit in the hope that this voluntary declaration on her part might be of service to the person to whom she felt grateful for the great service he had rendered to her and her children. This affidavit was published the next day in the leading newspapers of New York, and subsequently was widely circulated all over the country. It unquestionably did much to correct the false impression, as to the real nature of the transaction, which had been created by the *ex parte* proceedings before Judge KANE.

Disappointed in his application to Judge LEWIS, Mr. WILLIAMSON next determined to seek relief from the full Bench of the Supreme Court of Pennsylvania. At a special session of the court, held at Bedford, on the 13th of August, Messrs. HOPPER and GILPIN appeared, and presented a petition from WILLIAMSON for a writ of *habeas corpus* to bring the body of the petitioner before the court. The petition set forth with great care and minuteness all the facts of the case, the motives which had impelled the petitioner, and the principles by which he had been governed throughout; and it laid down thirteen distinct propositions which, "on abundant grounds of reason and authority," his counsel hoped to establish before the court. The majority of these propositions related to certain points of law, as to the right and duty of one court in regard to the writ of *habeas corpus*, and the want of jurisdiction of the other in the present case; but the real and important question at issue was thus stated in the four following propositions: —

"That no writ of *habeas corpus* can be issued to produce the body of a person not in custody under legal process, unless it be issued in behalf and with the consent of said person."

"That a person held as a slave under the laws of one State, and voluntarily carried by his owner for any purpose into another State, is not a fugitive from labor or service within the true intent and meaning of the Constitution of the United States, but is subject to the laws of the State into which he has been thus carried, and that, by the law of Pennsylvania, a slave so brought into this State, whether for the purpose of passing through the same, or otherwise, is free."

"That neither the District Court of the United States nor the Judge thereof, had any shadow or color of jurisdiction to award the writ of *habeas corpus* directed to your petitioner, commanding him to produce the bodies of the said JANE, DANIEL, and ISAIAH, and that such writ was void; that your petitioner was in no wise bound to make return thereto; that the return which he did make thereto was unevasive, full,

and complete, and was conclusive and not traversable; that the commitment of your petitioner as for a contempt in refusing to return said writ, was arbitrary, illegal, and utterly null and void; that the whole proceedings, including the commitment for contempt, were absolutely *coram non judice.*"

"That, in such oppression of one of her citizens, a subordinate Judge of the United States has usurped upon the authority, violated the peace, and derogated from the sovereign dignity of the Commonwealth of Pennsylvania; that all are hurt in the person of your petitioner; and that he is justified in looking with confidence to the authorities of his native State to vindicate her rights by restoring his liberty."

On the 17th of August, the counsel, Messrs. GILPIN and MEREDITH, gentlemen of the highest legal reputation and social standing, the former having been, for several years, Mayor of the City of Philadelphia, and the latter a member of the Cabinet of President Taylor, addressed the full court, on behalf of the petitioner, at great length, with signal ability. There was nothing wanting of acute legal argument and authoritative citation, covering every question involved, to convince the court that it was both its right and its duty to grant the prayer of the petitioner, arrest this usurpation of jurisdiction in a Federal Court, and relieve a citizen of a sovereign State from an outrage committed upon him, and, through him, upon the State, by a Federal Judge. The application was refused. The court not only sustained the view of Chief Justice LEWIS in his answer to the previous petition, but it examined the cause of detainer, decided against the prisoner, and upheld the decision of the District Judge. It declared, though granting that "there might be cases in which it ought to check usurpations of power by the Federal Courts," that it would "do nothing to impair the constitutional vigor of the general government, which is the sheet anchor of our peace at home and our safety abroad." And it concluded by saying that the petitioner "carries the key of his prison in his own pocket. He can come out when he will, by making terms with the court that sent him there. But if he choose to struggle for a triumph, if nothing will content him but a clean victory or a clean defeat — he cannot expect us to aid him. Our duties are of a widely different kind. They consist in discouraging as much as in us lies all such contests with the legal authorities of the country." The tone and spirit of the entire Opinion showed that the Supreme Court of Pennsylvania is ready to become, at any time, a fitting instrument for the betrayal of the rights of the State to the aggressions and usurpations of the Federal Government and the Slave Power.

In this Opinion, however, Justice KNOX declined to concur, and gave, at length, the reasons why, in his judgment, the writ ought to be granted. "I believe this," he said, "to be the first recorded case where the Supreme Court of a State has refused the prayer of a citizen for the writ of *habeas corpus*, to inquire into the legality of an imprisonment by a Judge of a Federal Court for contempt, in refusing obedience to a writ void for want of jurisdiction." And he showed, very conclusively, the dangers that must ensue to the most cherished rights of the citizen of the State, should such a precedent become the rule. His argument was fortified by a clear statement of the law in regard to the writ of *habeas corpus*, a careful discrimination as to the functions of our complex system of government, and was characterized throughout by directness of purpose and manly determination. On the question of jurisdiction, and that of the existence of Slavery in Pennsylvania, involved in it, in the final recapitulation of the grounds of his opinion, he said: —

"That when the owner of a slave voluntarily brings his slave from a slave to a free State, without any intention of remaining therein, the right of the slave to his freedom depends upon the law of the State into which he is thus brought.

"That if a slave so brought into a free State escapes from the custody of his master while in said State, the right of the master to reclaim him is not a question arising under the Constitution of the United States or the laws thereof, and therefore a Judge of the United States cannot issue a writ of *habeas corpus* directed to one who, it is alleged, withholds the possession of the slave from the master, commanding him to produce the body of the slave before the said Judge.

Mr. WILLIAMSON had now been confined in jail with common felons, in the height of summer, from the 27th of July to the 8th of September, and it was evident that no relief would be extended to him by the judicial authorities of his own State. The next movement in his behalf was one made without his knowledge, and originated with JANE JOHNSON. On the 3d of October a petition was presented from her, by her attorneys, JOSEPH B. TOWNSEND and JOHN M. READ, Esqs. to Judge KANE, in which, after recounting the facts of her release, and that of her children, from the custody of WHEELER, and declaring that she was not at that time, and had not been since, in the power or control of WILLIAMSON, or any other person, having exercised her right to go whither she pleased, with her children, she says: —

"Your petitioner is advised, and respectfully submits to your honor, that the said writ of *habeas corpus* ought to be quashed under the facts above stated, and for the following among other reasons : —

"1st. The said WHEELER had no control over, or right to, the possession of your petitioner, or her said children, at the issuing of the aforesaid writ, they being then free.

"2d. Because the said writ was issued without the knowledge or consent of your petitioner, and against her wish.

"3d. Because, in truth and in fact, at the issuing of the said writ, and at all times since, your petitioner left the company of said WHEELER as aforesaid, neither she nor her said children have been detained or restrained of their liberty by said WILLIAMSON or any other person whatever.

"4th. Because, under the writ of *habeas corpus*, which is a writ devised and intended to restore freemen to liberty when unduly restrained thereof, the said JOHN H. WHEELER seeks to reclaim and recover your petitioner and her said children, and reduce them again into Slavery."

She therefore prayed that the writ, and all the proceedings under it, be quashed, and that PASSMORE WILLIAMSON especially, be discharged from imprisonment. To the truth of the facts stated, she made oath before a magistrate in Boston.

Counsel were heard on behalf of this petition on the 6th of the month. They had only to show that if the petition were received, and its statements accepted, that there was necessarily an end to all the proceedings under the writ. If JANE JOHNSON and her children were free, WHEELER had no right to a writ for the recovery of his property — namely, themselves; and they had asked for no process to release them from custody, for they had not been restrained of their liberty, either by WILLIAMSON or any one else. There was, therefore, no jurisdiction, in the case, of the United States Court; and even if there were, WILLIAMSON'S return had been truthful and complete, and he had, therefore, committed no contempt. But Judge KANE had no intention of submitting to be tossed on the horns of such a dilemma. He took six days to consider of the matter — till the 12th of October — and then decided that JANE JOHNSON had no *status* in court, and that her petition, therefore, could not be received. While asserting, in his opinion, that the merits of the case on which he was to adjudicate were, whether WILLIAMSON was entitled to the writ of *habeas corpus*; whether JANE and her children were Slaves or not; and whether they had been deprived of their liberty, or their alleged master of his property; and that these could be considered only when the defendant had

rendered obedience to the writ which called him into court; he yet, in the same breath, evinced his prejudgment of the case in avowing his acceptance of the allegations of WHEELER and his witnesses, as to the abduction of Slaves, while he refused to give any consideration to the implied denial of these allegations, by the return, their positive denial in the testimony of WILLIAMSON himself, and, at the same time, throwing difficulties in the way of admitting any other testimony on his behalf. And, as if under some providential necessity of accomplishing judicial dishonor, he proceeds to enforce, at length, his unscrupulous purpose of giving the sanction of his court to the infamous doctrine of the right of the Slaveholder to bring his Slaves into a Free State. He denies that any statute of the State deprives the Slaveholder of this right. He goes even farther than this, and bases the right upon the Law of Nations. The right of property in Slaves, he considers as unquestionable as that in any other property. To prohibit the introduction of one sort might lead to the prohibition of the introduction of all other sorts. A State that begins with a doubt of property in man, may end in an outlawry of sugar, cotton, and rum. "How can it be," he exclaims, indignantly, "that a State may single out this one sort of property among all the rest, and deny to it the right of passing over its soil — passing with its owner, parcel of his travelling equipment, as much so as the horse he rides on, his great coat, or his carpet bag?" He does not pretend to be unconscious that this revolting confusion of human creatures with beasts and bags may excite indignation and contempt; but he reminds those who may be shocked at such language from the bench, that it is less than fifteen years since they, in Pennsylvania, have been accustomed "to regard men as men, and things as things." Pennsylvania may, indeed, deserve a far keener rebuke than this so long as she tolerates a government which places the rights of her citizens at the mercy of such a Judge; but his sneering reproach was predicated, merely, on the fact that, in the census of 1840, among her seventeen hundred thousand people, some fourscore persons were returned as Slaves.

In the course of this opinion Judge KANE observed, incidentally, that the respondent's duty was to declare, under oath or affirmation, what had become, so far as he knew, of the alleged Slaves, if they had passed beyond his control, and that there could be no evasion of this duty, or the restraint imposed to enforce it. On the same occasion an explanation was made of an alleged misunderstanding at the time of the commitment, between the court and the counsel for WILLIAMSON, when the court did not, as counsel supposed, refuse to receive a mo-

tion to amend the return, but asked that it be reduced to writing. The court added that it never expressed any purpose to overrule such a motion if it should be presented. This suggested to Mr. WILLIAMSON's counsel another method of attempting his release.

On the 17th of October, the counsel for the prisoner moved the court for leave to file an affidavit, in which he affirmed, in substance, that he had no knowledge whatever, except through the newspapers, of JANE and her children, since he saw them in a carriage in Dock Street on the 18th of July, and had had, therefore, no control over them. Judge KANE suggested that this must come in the form of a petition. On the 22d of October, therefore, counsel moved for leave to present and file a petition embodying the same statement of facts, and praying, at the same time that it protested against the action of the court, and its jurisdiction in the case, that the petitioner be discharged from further custody. The 26th was assigned to hear argument on the motion and petition. But a new difficulty had to be met. The court announced itself as prepared to receive application from WILLIAMSON to relieve himself from contempt, but doubted the propriety of receiving any other application. He consented, however, to hear counsel, who argued the point at great length, and to examine the paper. On the 27th, the court said that he did not find in the petition a purgation of contempt, or any expression of a wish to make such purgation, but said he would hear counsel still further if they wished to go on. Argument, therefore, was listened to for another day, in which the counsel, Mr. MEREDITH, endeavored to impress upon the court the propriety of its calling upon the respondent, to answer interrogatories in relation to the contempt. The clearance of the contempt, he contended, must be, according to law and precedent, in the answer to the interrogatories. But how, he asked, could questions be answered which had never been put? Whether the interrogatories should first be propounded by the court, or the party in contempt should first signify his willingness to answer, was a question which elicited much grave discussion. The point, however, was so far finally yielded by the court, that, on the 29th instant following, a paper was filed, in which, after recording its refusal to receive the petition under consideration, because it neither made, nor expressed a wish to make, purgation of contempt, the court adds,

"That, whenever by petition in writing to be filed with the clerk, PASSMORE WILLIAMSON shall set forth under his oath or solemn affirmation, that he 'desires to purge himself of the contempt, because of which he is now attached, and to that end is willing to make true an-

swers to such interrogatories as may be addressed to him by the court, touching the matters heretofore legally inquired of by the writ of *habeas corpus* to him directed, at the relation of JOHN H. WHEELER,' "

Then the said WILLIAMSON might be brought before the court, or the Judge in chambers, to abide the further order of the court. Thereupon, on the 2d day of November, five days later, a petition from Mr. WILLIAMSON was presented to the court, "that he desires to purge himself of the contempt because of which he is now attached, and to that end is willing to make true answers to such interrogatories as may be addressed to him. The petition was received, and the next day, the petitioner being brought before the court, was required to make his solemn affirmation that in his return to the writ, and the proceedings thereupon, he intended no contempt of the court and its process, and that he was now willing to make true answers to such interrogatories as might be addressed to him. Mr. VAN DYKE, counsel for the United States, then put the following interrogatories : —

"Did you, at the time of the service of the writ of *habeas corpus*, at the relation of JOHN H. WHEELER, or at any time during the period intervening between the service of said writ and the making of your return thereto, seek to obey the mandate of said writ, by bringing before this honorable court the persons of the slaves therein mentioned?

"If to this interrogatory you answer in the affirmative, state fully and particularly the mode in which you sought so to obey said writ, and all that you did tending to that end."

Two forms of answer were offered in reply to the question, which were successively objected to by Mr. VAN DYKE as evasive. *At the suggestion of the Judge*, who sustained the objections, the following reply was finally made, and accepted : —

"I did not seek to obey the writ by producing the persons in the writ mentioned before this court.

"I did not so seek, because I verily believed that it was entirely impossible for me to produce the said persons agreeably to the command of the court."

Mr. VAN DYKE inquired as to any mental reservation on the part of the defendant, but the question was overruled by the Judge. A similar question, tending to elicit the opinion of the defendant as to the rightfulness of his share in the action which resulted in the escape of the alleged Slaves, was also overruled. The Judge then announced that

the contempt was regarded as purged, and that the party was now before him on the return to the writ, and in the position he occupied before the contempt was committed. Thereupon Mr. VAN DYKE announced that his client WHEELER, finding it impossible, in consequence of the contumacious conduct of the defendant, "to repossess himself of his property," had instituted a suit in another court, and ceased, therefore, to have any part in the proceedings here. Mr. WILLIAMSON was then discharged.

Before this termination of the case was reached, Mr. WHEELER had left Philadelphia for his post of duty as Minister to Nicaragua, where he has since signalized his mission by giving his official and personal influence to the cause of fillibusterism in that region. Of the suit instituted in his name against Mr. WILLIAMSON for the value of his alleged Slaves, nothing further has been heard. Mr. WILLIAMSON himself, however, has brought an action against Judge KANE for false imprisonment, but the case has not yet come to trial. If it ever shall, or whatever may be its result, it cannot change the character of the proceedings beginning with the escape of JANE JOHNSON and her children, and terminating with the release of WILLIAMSON from Moyamensing prison. These, and the principles involved in them, if there are any, stand alone, unaffected by the personal relations of Judge KANE and the victim of his judicial tyranny.

Was there then "a clean victory or a clean defeat" in the manner of the termination of Mr. WILLIAMSON's imprisonment? On this point, there is a difference of opinion. If the only question involved were the freedom of JANE JOHNSON and her children, and their production in Judge KANE's court, in obedience to the writ of *habeas corpus*, then, certainly, it was a clean victory. And such it is believed to be by many, probably by the majority of those who have taken a warm interest in the case. JANE JOHNSON is, at this moment, a free woman in a neighboring State, occupying a respectable position, and training her sons to become free citizens. It is by no means certain, however, that her obscurity is not her best protection, and that, should any Slave-hunter gain possession of her, such Commissioners as LORING, MORTON, CURTIS, or PENDERRY, or, indeed, any of those who are base enough to wear the badge of that office, would not return her to bondage. She has never been brought before Judge KANE's court, as the writ commanded; but twice, since her release, she has appeared in public in Pennsylvania, unmolested — once at Norristown, at an Anti-Slavery meeting, and again in court at the trial of WILLIAM STILL, WILLIAM

Curtis, James P. Braddock, John Ballard, James Martin, and Isaiah Moore, who were brought to trial upon a charge of assault upon Wheeler, at the time of her rescue, but who were all acquitted mainly, perhaps, through her evidence, save that upon two of them a trifling fine was imposed. But the friends who had her in charge at that time, were careful to conceal their intention of producing her in Court, and her safety, even then, from the United States authorities, was only secured by measures of precaution and strategy, promptly and fearlessly executed. So her appearance at Norristown was without previous public announcement, and a surprise to the audience; and as she came from, so she went to, a place of concealment. There was no disposition, at any time, to trust, for her freedom, to the protection of the law.

On the one hand, also, it is urged that Williamson not only never obeyed, but never sought to obey the writ of *habeas corpus*, and that Judge Kane, after a fruitless attempt to compel obedience by three months' imprisonment, discharged him of the contempt for which he was committed, without requiring or receiving any further concession than he was willing to make at the outset. And those who urge this view of the case believe that Judge Kane was ready to avail himself of any pretext to escape from an awkward position, and retire from a futile contest. But, it is answered on the other hand, that Judge Kane must have been satisfied, at the outset, that the recovery of the alleged Slaves was improbable, if not impossible, and that that soon ceased to be his object; but that his purpose in inflicting punishment upon Williamson, was to strike a decisive blow at a well-known, and hitherto universally acknowledged principle of Common Law, established by many judicial decisions, that a Slave brought by his master into a free State is *ipso facto* free; to substitute for it the new and monstrous doctrine, that the right of the master to his Slave, under the laws of his own State, he carries with him all over the Union, the laws of the Free States to the contrary notwithstanding; and to familiarize the public mind with this new exposition of law, and impress upon it that any interference between Slaveholder and Slave, even in a free State, is an act deserving of punishment: That though he may have been very well satisfied that he could not compel Mr. Williamson to acknowledge in terms that he had committed this crime of abducting Slaves from their lawful owner, it sufficiently answered the end he had in view, if he could reduce him to the condition of a non-contestant, and compel him to recede from the implied assertion that the persons in question were not Slaves; and that whereas Mr. Williamson, in

his first return, had said that he could not obey the writ which commanded him to bring certain Slaves before the court, as no such Slaves were or had been in his possession, by which language the court and the public understood him to mean that he would not even if he could obey such a requisition, inasmuch as he did not recognize JANE JOHNSON and her children as Slaves; so in his final answer to the interrogatory — an answer suggested by Judge KANE — he waived altogether the point whether these persons were Slaves or not, in saying that he did not seek to obey the writ because it was not in his power; and in thus merely alleging inability as a reason for not complying with the required duty, the duty itself was acknowledged, and its character undisputed. It is contended, therefore, that putting aside the individual men concerned, and looking at the matter as an issue between Slavery and Freedom — between the Union and the State — that the cause of Liberty has suffered a clean defeat: that however little value may be attached by legal men to the opinions of Judge KANE; that even if his rulings in this case should never be referred to as judicial precedents; yet the fact that a man, for believing that Slavery has no legal existence in a free State, for so informing a Slave that happens to come in his way, and for afterwards avowing the belief and the act in open court, has been punished by three months' imprisonment in the common jail, must, it is thought, exercise a most baneful influence, of far more importance than any mere judicial action, in familiarizing the public mind with the idea that such an act as that of WILLIAMSON's is deserving of, or, at least, liable to, punishment, and in unsettling the belief, hitherto universal and unquestioned, that the right of the Slaveholder to his Slaves was limited to his own State, except in the case of "fugitives from labor," provided for in the Federal Constitution.

In suggesting these different views of the subject, held by different members of your Committee, there is no intention of reflecting, in any degree, upon the conduct of Mr. WILLIAMSON. All are agreed that to him is due, in large measure, the sympathy and admiration which belong to those who, for conscience sake, patiently and bravely submit to cruel and vindictive punishment, suffered, in his case, under circumstances of peculiar hardship, from despotic and unscrupulous authority. We all cherish, as it deserves, the example of promptitude and directness with which he confronted the impudent Slaveholder, who dared to defy the laws of a Free State, and the unhesitating determination which delivered an ignorant and helpless woman and her children out of the hands of a kidnapper. And we shall all rejoice to be assured by the

next Slave case that occurs in Pennsylvania, that his example is more powerful to prompt similar action, than his sufferings are to deter others from like devotion and sacrifice.

The Garner Family.

If the Fugitive Slave Act of 1850 has been a successful assertion of arbitrary power in almost every instance in which it has been exerted, so has it also served to bring the system of Slavery, in its undisguised deformity, with all its sorrows and cruelties, home to the people of the North, as it had never been brought before. Many of those who, under this tyrannical law, have been returned to bondage, and who, but for it, might have escaped, unnoticed and unknown, out of the hands of the spoilers, have been persons who commanded, not merely sympathy, but respect and admiration. The circumstances, in some cases, under which they made their escape, the bravery with which, in others, they have defended themselves, their coolness and self-possession in the hour of trial, and their fortitude under the heaviest affliction which can befal a human being, are so many evidences to the character of the people from whom they sprung, and of the system that makes them Slaves. The most remarkable case that has yet arisen under that Act, the most touching, and the most terrible in some of its attending circumstances, occurred during the past winter at Cincinnati.

On the 27th of January last, a party of eight persons, known as Simon Garner, and his wife, Mary Garner, and Robert Garner, their son, Slaves of one John Marshall, and Margaret Garner, the wife of Robert, with their four children, Slaves of one Archibald K. Gaines, all of Kentucky, escaped in a sleigh, and with a pair of horses belonging to Marshall, and drove to the Ohio River. Here leaving their vehicle, they crossed upon the ice, and soon found refuge at the house of one Kite, a free colored man, near a place called Mill Creek Bridge, in Cincinnati. Their escape was soon discovered by Gaines, who immediately started in pursuit, and traced them to their place of retreat. Procuring from John L. Penderry, a United States Commissioner, the necessary warrant, and securing the services of a United States Deputy Marshal, with assistants, Gaines went to the house of Kite to arrest the fugitives. Admission was demanded and refused. An attempt was made to force an entrance through a window, but one of the assailants was shot at and badly wounded by Robert, one of the

fugitives, and the party retired. Gathering more force, they made, after a short delay, a second attack. ROBERT and MARGARET fought bravely and desperately to protect themselves, their parents, and their children, in their right to liberty, but were soon overpowered. But all were not to be taken alive. One of the children was already dead or dying, two others were bleeding profusely from severe wounds on the throat, and the fourth, an infant, was shockingly bruised in the face and head. The mother had attempted to save them all from Slavery by death. She had succeeded, however, in taking the life of only one of them, a little girl, of about three years of age, whose head was nearly severed from its body. Such a deed excited universal horror and much sympathy. Some trembled as they reflected upon what must have been the sufferings of a woman who would rather take the lives of her children with her own hands than that they should live to go back to that condition in which she had passed all her days. Some blamed her rashness, assuming that even if death for her children was preferable to Slavery, she should have awaited the decision of the law before invading "the bloody house of life." But others feared that the instinct of the frantic mother was truer than reason, and that she had nothing to hope for when the officers of the government had once laid their hands upon her and her family. The result proved that she was right.

The first effort in behalf of the fugitives was to procure a writ of *habeas corpus* from Judge BURGOYNE, of Cincinnati, which was put into the hands of Deputy Sheriff BUCKINGHAM. This officer faithfully discharged his duty, in keeping close to the prisoners, and in endeavoring to get possession of them, in the name and authority of the State of Ohio. The United States Marshal, however, refused to obey the writ, and he was left, the next day, in quiet possession, by order of the Sheriff, BRASHEARS. In the meantime a Coroner's Jury had brought in a verdict of murder against MARGARET GARNER, for the death of the child, and against her husband and his father as accessories.

The State of Ohio and the United States were thus brought face to face on a question of jurisdiction. The prisoners were guilty, under a law of the Federal Government, of having run away from certain men in Kentucky, to whom they owed service or labor; three out of the four adults of the party were amenable to the State on an accusation of the highest crime known to the laws.

No stronger case could have been created in which to test the character and the constitutionality of the Fugitive Slave Act of 1850, and to decide the relation of a sovereign State to the Union. The result,

as everybody knows, was, as it always has been in every conflict between the Federal Government and a Free State, to signalize anew the arrogance and the strength of the Slave Power, and the imbecility and pusillanimity of a Northern State. The decision of the Coroner's Jury, the writ of *habeas corpus* granted by Judge BURGOYNE, the subsequent finding of a true bill by the Grand Jury against MARGARET GARNER, as principal, and two of her companions as accessories, in a murder, were each and all of them sufficient authority on which the officers of the State of Ohio might, and should, at every hazard, have taken and maintained possession of the prisoners. They failed lamentably and completely in this duty. Perhaps it was not possible for the Executive of the State, without an illegal assumption of authority, to coerce these officers in the fulfillment of so evident a duty, or to find others willing and ready to discharge it; but it is unfortunate for the fair fame of Ohio that she had not a Governor, who, in such a crisis was ready to override, if necessary, all forms of law, and assert the dignity and rights of the State. The Governor, the Sheriff, and the Courts, however, acted, as, we are sorry to be compelled to believe, the authorities of any other Northern State would have acted under similar circumstances. For four weeks the fugitives were detained in Cincinnati on trial before Commissioner PENDERRY, as Fugitive Slaves, and were held, during that time, in the possession of the United States Marshal, or subject to his authority. Perhaps had they been brought to trial for an offence against the laws of Ohio, a jury of freemen would have found a mitigation of the crime in the sudden frenzy of the mother, who saw the utter destruction of her hopes of freedom, and believed that there was no deliverance for her child from Slavery except in death. And to all the prisoners, undoubtedly, a Penitentiary would have been a welcome exchange for a life of bondage. But there was no trial except for the crime of being "fugitives from labor." The defence was conducted, on behalf of the prisoners, by Mr. JOLLIFFE, of Cincinnati, with great zeal and ability. He claimed and endeavored to show by a mass of evidence that MARY GARNER, SIMON GARNER, Jr., and MARGARET GARNER, had all, at a previous period, been voluntarily brought into Ohio by their masters, and that they, therefore, as well as MARGARET'S children born since that time, were entitled to their freedom under the laws of that State. He relied, however, far more upon the Divine than the human law, in relation to Slavery, in his argument before the court, but probably was not surprised to find that the Statutes of the Almighty were not recognized in the court of Mr. Commissioner PENDERRY, who

fell back upon certain precedents in the records of the Supreme Court of the United States, and decided that, even if the Slaves had been entitled to freedom, at any former period, by being taken into a Free State by their masters, they had forfeited that right by voluntary returning to a Slave State. He therefore decided against the prisoners, and remanded them into the custody of the claimants.

It was said during the progress of the trial, both publicly and privately, on behalf of GAINES, the alleged owner of MARGARET GARNER, that there would be no attempt, on his part, to evade a requisition from the Governor of Ohio upon the Governor of Kentucky, should one be made for MARGARET, as a fugitive from justice. Faith seems to have been given to this Slaveholder's promise, and the requisition was sent, and granted by the Kentucky Governor. But, as might have been expected, care was taken by GAINES to render it futile. MARGARET and her children were on their way to a South-Western State — the dreaded "down the river" of the Kentucky Slave — before the messenger from Ohio could reach him.

But death came once more as an angel of mercy. An accident occurred to the boat on which they were embarked, and MARGARET, with her infant child in her arms, was either thrown or sprang overboard. The child was lost. Whether the mother was incapable of saving it, or whether she chose to leave it to its fate, is known only to her and to God. It is certain that she looked calmly upon the waters that closed over it, and was heard to rejoice that it also was free.

And here ends all public knowledge of her and her companions. No further attempt has ever been made by the Executive of Ohio to assert the sovereignty of that State and the dignity of her laws. MARGARET GARNER and her surviving children, her husband and their parents have, ere this, probably, been separated forever at the auction-block, and are expiating on some of the plantations of the South-West, where the average duration of the life of a Slave is estimated to be but seven years, the crime of an attempt to escape from bondage.

OBITUARY.

The members of this Society have had to deplore, within the last year, a severe loss in the death of Mr. J. B. ESTLIN, of Bristol, England. He died early in June, his last conscious act being one of devotion to the Anti-Slavery cause, as it was at an Anti-Slavery meet-

ing at his own house — which he was too ill to leave — that he was seized with a final paralytic attack, which, in a few hours, terminated in death.

For many years Mr. ESTLIN has been a leading and influential mind in the small band of intelligent, uncompromising, and devoted opponents of American Slavery in Great Britain. His great benevolence early attracted him to the beauty, the excellence, and the necessity of the Anti-Slavery cause; and his directness of purpose, guided by a clear intellectual insight, led him to recognize, in the American Anti-Slavery Society, the only probable instrument of the peaceful abolition of Slavery. He made himself familiar with all the relations of the question in this country; he weighed and measured all the obstacles which met the cause in every step of its progress; he learned to detect its enemies under every guise, whether of faint-hearted friends, or of open or treacherous foes; and no emergency arose, either at home or abroad, that he was not ready to meet with counsel and action. To him, more than to any other man, is it due that the object, the measures, and the character of the friends of the American Society are understood and appreciated by the most intelligent and most sincere of the English Abolitionists. And the individual representatives of this Society, who, from time to time, have found in England no safer councillor, and no more steadfast friend. "His death," said GEORGE THOMPSON, in *The* (London) *Empire*, on the occasion of that event,

"Will fill with sorrow the hearts of multitudes in the United States, who, though most of them have seen him not, have yet learnt to regard him with feelings of reverence and affection for his disinterested labors in the cause of American freedom. The CHAPMANS, WESTONS, FOLLENS, GARRISONS, BUFFUMS, PILLSBURYS, DOUGLASSES, BROWNS, and CRAFTS, were cherished guests at his hearth, and a kind and gentle host was he. He was preëminently and emphatically a working Abolitionist. For many years — indeed, until his strength almost altogether failed him — he was engaged in an active correspondence with the friends of the cause in this country and the United States, promoting their friendly coöperation and affording them such information and advice as at once showed how extensive was his knowledge and how wise was his counsel. Many and valuable were the contributions, on the subject of slavery, which he made, during a long course of years, to various newspapers and periodicals. He was the life and soul of the Bristol and other Anti-Slavery Associations. His drawing-room was the gathering-place of the choicest anti-slavery spirits in the West of England. He spoke but seldom, but his speeches were always delivered at the right time, in the right spirit, and in the right place; and

this may be truly said of the simple and unadorned but faithful addresses which he delivered before the religious body with which he was associated. Our readers need scarcely be told that he was munificent in his contributions to the anti-slavery cause. He, indeed, was a "cheerful giver." Many are the fugitive slaves in this country who owe their home, education, and employment to him. For nearly three years he has been the chief support of an anti-slavery paper, which has worthily represented his views, and which, we trust, will long continue to do so, although he has departed."

The testimony of R. D. WEBB, of Dublin, in *The* (London) *Anti-Slavery Advocate*, is no less emphatic.

"It is not," he says, "too much to say that within the last fifteen years, during which an interest in the anti-slavery cause in the United States has been developed in England, that cause has sustained no greater loss than by the death of Mr. ESTLIN. The American Abolitionists have had no fellow-laborer on this side of the Atlantic more respected for his personal qualities, and for the whole-heartedness with which he devoted time, talents, and money to the promotion of their common object. He fully apprehended the greatness of their enterprise; he knew that it was no effort of sentimental romantic sympathy with people merely because they are black and far off. He felt that in laboring with and for the Abolitionists he was doing what in him lay for the American people, and for the cause of civil liberty and human progress throughout the world. * * * * *

"Our acquaintance with Mr. ESTLIN commenced about ten years ago, in similarity of interest in this cause; and it soon ripened into a friendship which was truly delightful to us from the cordiality of his kindness and the completeness of his confidence. It was a blessing such as one rarely meets with in a lifetime.

"It was entirely owing to his earnest wish that the objects and efforts of the American Abolitionists should be impartially brought before the British public that *The Anti-Slavery Advocate* was first published, and it has been sustained chiefly by his bounty. We do not hesitate to mention this fact, as it is well known how rarely any periodical having only a reformatory object pays its own expenses; and that, unless the deficiency in the returns were made up by their supporters, few such publications could continue to exist.

"It will interest our readers to know that, only the day before the attack of illness which terminated his valuable life, Mr. ESTLIN sent us the manuscript of the letter which appears in the present number, resigning his membership in the British and Foreign Anti-Slavery Society. He believed that faithfulness to the anti-slavery cause required him to bear his testimony thus publicly, and he never shrank from the performance of a duty because it was disagreeable.

So the Rev. S. Alfred Steinthall, of Bridgewater, England, says, in a letter to the Rev. S. May, Jr., published in *The Liberator:*

"We, in England, have suffered a heavy loss indeed in the death of our good and noble leader, Mr. Estlin. There is no one amongst us able to take his place; and yet we need not despair. We should not have learned the lesson his life is able to teach, did we not feel faith in the great truth, that God is able to raise up men suited to the work required, and able to accomplish it. I am rejoiced that you are writing a memorial of his excellence for our American friends. Such a man deserves to be known and reverenced. His example is an encouragement to all, and, being dead, he yet speaketh. There are few individuals who have accomplished more than he did. I remember very well when I thought he was *absorbed* in the one great question of Slavery, (and no disgrace would it be to be absorbed in such a question, involving all the holiest interests of humanity,) and it was only by degrees that I learned to estimate him rightly, and to feel that wherever there was suffering, he was ready to assist. The Eye Dispensary, which he established in Bristol, and which remains a monument worthy of his name, is indeed a wonderful proof of what persevering benevolence, founded upon religious principle, can accomplish. We cannot mourn for him. He lived and died working for his fellow men; and who is there amongst us that would not rejoice if he could live as he lived, and die as he died? He was a noble man, and we who knew him must be grateful unto God that we were permitted to see how devotedly a fellow mortal could consecrate his whole being to the service of our Father who is in heaven! In our denomination, we shall miss him frequently. His voice and his influence will no longer be exerted visibly and audibly among us, but his spirit will, I hope, not be lost, and we need not fear that he has lived in vain."

The devotion of Mr. Estlin to the cause of Emancipation, was, indeed, only the index to his general character. He was the friend of progress, and the enemy of oppression everywhere, and no cause, whether directed to the spiritual or intellectual benefit, or to the material interests of his fellow creatures, appealed to him in vain. In his own immediate neighborhood, he illustrated his principles by the largest and most enlightened benevolence, as a citizen and in the practice of his profession, and great as the reverence must be in which we, in this country, shall hold his memory, there are, in his own, a multitude who mourn for him as a personal benefactor.

It is proper to add that Mr. Estlin made, by will, a bequest to this Society of £100.

WILLIAM H. ASHURST. — We have to record another death among our friends in England — that of WILLIAM H. ASHURST, Esq., of London, who died in November last. The readers of *The Liberator* have long been familiar with him as a correspondent of that paper, under the signature of "*Edward Search*," and the few who enjoyed that privilege will recall with pleasure their brief acquaintance with him on his visit to this country in the summer of 1853.

The place of such a man as Mr. ASHURST, in the ranks of reformers, is not easily filled. By his writings, and his personal influence and efforts, he has done more than most men to advance the various important practical movements by which his time is distinguished. The Postage reform, in Great Britain, has given a world-wide reputation to ROWLAND HILL, as one of the benefactors of the age. In that long and laborious struggle, Mr. HILL found no assistant so zealous and so efficient as Mr. ASHURST; and to him, next to ROWLAND HILL himself, if not equally with that distinguished man, is due the introduction of a system which has been productive of so much good throughout the British Empire, and which may serve as the model for that department of Government wherever the Post is known.

Mr. ASHURST was a liberal in politics and theology, and every movement, whether at home or abroad, that promised to benefit the human race, had his hearty support. In his house, the friendless and needy exile whom oppression had driven from his own country, found a welcome, and, if need be, a home; and the man who wanted aid or comfort in any good cause, or who needed succor when he had failed in its advocacy, or subjected himself to persecution for his earnestness, was sure to find in him a ready and a steady friend. The Anti-Slavery Cause has always enlisted his warmest sympathies. A Fugitive Slave never appealed to him in vain. He delighted to know and to extend his generous hospitality to the American Abolitionist, and those of them who were present at the exciting scenes of the World's Convention of 1840, will not forget the earnest and manly way, and the clear and eloquent words, in which he rebuked the narrow sectarianism of the managers of that meeting.

His social and professional position was a high one. As a lawyer he took a high rank, and especially in ecclesiastical law was looked up to as an authority. Without doubt, however, his fine and cultivated mind, and his great industry and perseverance, would have been sure to win distinction in any walk of life, as his urbanity, his gentle breeding,

and kindness of heart secured for him the respect and love of all who knew him.

Anti-Slavery Operations — The Lecturing Field.

The Society, during the year past, has gone to the very verge of its ability in sending forth the living heralds of Anti-Slavery Truth and Righteousness. It has had its agents, for longer or shorter periods, in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, Ohio, Michigan, Indiana, Illinois, and Wisconsin.

In doing this work, it has to acknowledge, which it gratefully does, the important assistance received from the Auxiliary State Societies in Massachusetts, Pennsylvania, Ohio, and Michigan.

The following persons have acted as Lecturing Agents of the Society during the year past: — Abby Kelley Foster, Stephen S. Foster, Charles C. Burleigh, Andrew T. Foss, Charles L. Remond, William Wells Brown, Aaron M. Powell, John H. Philleo, Giles B. Stebbins, Joseph A. Howland, and William H. Fish. An appointment was made of Alonzo J. Grover, as an Agent in the State of Illinois, but unforeseen circumstances prevented his entering the field. Samuel May, Jr., the General Agent of the Massachusetts Anti-Slavery Society, has acted in part as General Agent of this Society, arranging the meetings and lectures of several of the Agents, and himself attending some of them. The Society has also been favored with the occasional aid, in the lecturing field, of William Lloyd Garrison and Wendell Phillips.

Mrs. Foster's health has prevented her doing anything through the autumn and winter past for the cause. Previously to that, both as General Financial Agent, and as lecturer, she was actively engaged in the Society's service.

Mr. Foster has labored in New Hampshire, Massachusetts, Rhode Island, and, especially, in Ohio, Michigan, and Wisconsin.

Mr. Foss's labors were in New Hampshire, Massachusetts, &c.

Mr. Remond's field of service was mainly in New England.

Mr. Burleigh, while Agent of this Society, visited and lectured in Rhode Island, Massachusetts, Connecticut, Ohio, &c.

Mr. Brown, as an Agent, visited and labored in New Hampshire, Vermont, Massachusetts, Maine, Rhode Island, and Connecticut.

Mr. POWELL labored for a short time in the State of New York, but from August, 1855, until April, 1856, was actively and uninterruptedly engaged in Ohio, Michigan, and Indiana.

Mr. STEBBINS's services to the cause were rendered wholly at the West.

Mr. PHILLEO's labors have been wholly in the Western country, — for a time in Ohio, and, subsequently, from September to March, in Michigan, Wisconsin, &c.

Mr. HOWLAND's lecturing labors have been in Massachusetts, (Worcester and Essex counties,) in New Hampshire, and in Maine.

Mr. FISH has labored, as an Agent of this Society, wholly in the State of New York.

In carrying forward this work, our lecturers have had the hearty cooperation of the Agents of the Auxiliary Societies, among whom we may name, in addition to several of those already mentioned as Agents for a time of this Society, Rev. ROBERT HASSALL, of Massachusetts; Miss SALLIE HOLLEY, of New York; Mrs. J. H. PHILLEO, of Michigan; and MARIUS R. ROBINSON, JAMES BARNABY, and CHARLES S. S. GRIFFING, of Ohio.

The Society has had a most able representative and efficient Agent in Great Britain, for the past two years, in the person of PARKER PILLSBURY. Single-eyed devotedness to the highest and truest interests of Freedom, searching discrimination in detecting every form of Pro-Slavery hostility, and intelligent perception of the best means of aiding the cause, have characterized his labors in the old world, and entitle him to the most cordial regard and gratitude of this Society, and of every friend to it. His return, which is now daily expected, will be joyfully greeted by troops of friends, from every one of whom, we believe, he will receive the well-merited tribute, Well done, good and faithful servant of the Cause of Humanity.

TRACT DEPARTMENT.

The publication and gratuitous distribution of the series of brief TRACTS of the Society, have been steadily continued during the year, to the extent of the means placed in our hands for that purpose. Last year we reported the publication of *thirteen tracts*. During the past year, four additional Tracts have been prepared and published, as follows: —

No. 14. "How can I help to Abolish Slavery?" By Mrs. Maria W. Chapman.

No. 15. What have we as Individuals to Do with Slavery? By Miss Susan C. Cabot.

No. 16. The American Tract Society; and Its Policy of Suppression and Silence. Being the Unanimous Remonstrance (against said Society's course) of the Fourth Congregational Church, Hartford, Conn. By Rev. W. W. Patton, Pastor.

No. 17. The God of the Bible Against Slavery. By Rev. Charles Beecher.

The whole number of Tracts printed during the year past was eighty-five thousand seven hundred and fifty. At an average of ten pages to each tract, and we think the average of those printed is rather above this, it will show nearly nine hundred thousand pages of tracts printed and distributed. To which, if we add a very large number of other publications, (including a large supply of the Tracts of the *Leeds [Eng.] Anti-Slavery Association,*) gratuitously distributed by this Society, we have a total of not less than a million and a quarter pages of sound Anti-Slavery doctrine, appeal, and exhortation, scattered abroad through the land, during the year past; and we have reason to believe judiciously and effectively scattered. Adding this to the one million and three quarters pages of tracts distributed during the previous year, and we have the total of three millions pages of sound Anti-Slavery reading disseminated by this Society, since the establishment of the Tract Fund.

In order to further the wisest distribution of these Tracts, the Society has employed, during the past year, three Colporteurs, so called, viz: Joseph A. Howland, Caroline F. Putnam and Daniel S. Whitney, the last for a much briefer period than could have been desired. Miss Putnam has generally accompanied Miss Holley, (a Lecturing Agent of the Massachusetts Anti-Slavery Society,) in her lecturing tours, and has done a good work for the cause wherever she has gone. With regard to Mr. Howland, we quote the language of Mr. May, in his last Annual Statement to the Massachusetts Anti-Slavery Society: —

"Mr. Howland's labors as a Colporteur of the American Anti-Slavery Society, have been of the most persevering and uncompromising sort. He has travelled through town after town in Massachusetts, visiting every school-district, every house and shop, passing by none

whom a word of counsel or instruction could reach, and has carried sound doctrine, the undiluted truth of God to many hearts and homes, where before it had been known but partially, if at all, on this subject. It is obvious that, in doing so minute and thorough a work, many disagreeable and painful experiences must occur, as well as those of an opposite description. These close personal inquiries and conferences did not fail to reveal much of the sources and nature of the opposition existing in the Northern States to the Anti-Slavery cause. At some future time, it may be that Mr. HOWLAND will prepare for publication in our papers a record of his experiences as an Anti-Slavery colporteur and lecturer. Viewed only in a philosophical point, and with reference to the better study and understanding of the New England mind, and of those sectarian and clerical, or political and self-seeking influences which go to shape and form it, such a record would be a valuable one."

Mr. HOWLAND has also spent several weeks in the cities of New York and Brooklyn, engaged in various labors in behalf of the Society.

We regret to inform the Society that the Fund for the publication and circulation of the tracts is now entirely exhausted. This branch of our operations should not be allowed to be crippled and brought to an end, and therefore we earnestly recommend the Society to take the measures needful to replenish the tract-treasury. On this point, also, we use the words of Mr. MAY : —

"The *Tract Fund* of the American Society needs replenishing and enlarging. Our friends should remember this fund. In nearly every town in New England, [and the remark should not be limited to New England,] if a moderate effort were made, by an intelligent person resident in the town, a handsome sum might be collected for this fund ; and many would contribute to it who would not help the cause in any other way. Our tracts may safely challenge the scrutiny of the most fastidious and the most prejudiced. In respect of logical force, clear statement, abundant authority for their startling facts and disclosures, and moral and truly Christian character, they invite and will bear the closest inspection. Millions of their pages have gone over the land, doing a silent but irresistible work in behalf of justice and humanity ; and we ask the true, the unselfish, the real friends of the Anti-Slavery cause, to continue their support of this work, and see to it that it does not languish and fail through their forgetfulness and lack of timely aid."

NEWSPAPERS.

The newspaper press, under the control and influence of this Society and its auxiliaries, remain in the same position as at our last Report.

No new publications have been undertaken, nor, so far as we are informed, has there been any material increase or diminution in the number of readers to those already existing. The number of newspapers, however, in the country, which are, to a certain degree, of an Anti-Slavery character, is rapidly increasing. The recent outrages and aggressions of the Slave-Power have developed an ardent and active hostility to Slavery, in the Northern people, and it finds no more effective and speedy expression than through the popular press. That hostility takes chiefly a political direction, and does not seek, indeed is hardly patient of a press that is not positively partisan, or at least of political proclivities. Such a press advances *pari passu* with popular enthusiasm, and meets, therefore, the popular demand. The public do not go beyond their own acknowledged necessities, and seek in the Anti-Slavery newspapers the instruction and guidance which would lead them to labor for and demand the Immediate and Unconditional Emancipation of the Slave, or their own complete freedom from all moral and political responsibility for the continued existence of Slavery. The necessity for such publications, however, is as great now as it ever was, and their influence increases as others approach their moral standard. It is a fact well known to all Abolitionists, that the staple of political Anti-Slavery speeches and the Anti-Slavery editorials of popular journals, are drawn from the great mass of materials which for a quarter of a century has been heaped together in the books, papers, and pamphlets of the various Anti-Slavery Societies; and not only this, but the method of treatment, the line of argument, the moral aspect, and the political bearing of the whole subject, are mainly those with which the speakers and writers among us have so long endeavored to arouse the attention of the people. To continue to do this service will still be the duty we owe to the cause till our work is finished, and which we cannot do without all the instrumentalities which we have hitherto so successfully used.

Unquestionably the work would be done more speedily and more directly if our field of influence could be extended, and particularly if our newspapers could be brought to the knowledge of a larger class of readers who need them without wishing for them, and who, perhaps, are not aware of their existence or character. And this we are confident could be done if every one among us felt a stronger interest in their circulation, and made it a personal duty to excite that interest in others.

FAIRS.

It is not necessary in this brief review of the appliances and means at the command of this Society, or used in its behalf, to do more than refer to the several Fairs held periodically in different parts of the country, as the reports of their managers are, no doubt, familiar to all under whose notice these pages are likely to fall. It is not out of place in us, however, to bear our grateful and cordial testimony to the zeal and efficiency with which these important purveyors of material aid are conducted. It is not easy to conceive how active efforts against Slavery and for the creation of a healthy Northern sentiment in regard to it, could have been maintained without the support afforded by these instrumentalities. The Anti-Slavery organization, from the necessity of the case, has been, and indeed is, a very limited one, including not many rich, nor many powerful, and yet dependent wholly upon the voluntary contributions of those disposed to promulgate its principles. Unlike most movements appealing professedly to the moral and religious convictions of the people, it asked for aid of those toward whom its missionary efforts were directed — the public at large. It naturally aroused anger, hostility, and contempt in a Pro-Slavery community, and the more faithful it was to its proposed purpose, the more certainly it cut itself off from all chances of general support. It would have been easy to make it a popular movement by compromising and half-way measures, and weak and timid advocates have, from time to time, yielded to this temptation, and have met with their reward. It might, by such a course, have enlisted the Church, and have commanded the support of charitable but conservative people who are lavish of means for the advancement of popular schemes of benevolence. It might thus have gained the whole world, but it would have lost its own soul. It has been, and is, content to be poor, that it may continue to be righteous. But to meet this emergency of poverty the happy expediency of Fairs was hit upon, through which the public have been willing to give an indirect support to the cause, and supply, in great part, the means of an agitation directed first to the conversion of the Northern people. To a few energetic women in Boston, Philadelphia, Cincinnati, and other places, it is due that the movement has not been, to a great degree, crippled for the want of these necessary pecuniary resources. These have been seconded by the zealous efforts of hundreds of smaller

"circles" in villages and towns, and particularly by the generous and unceasing efforts of our friends abroad to supply the Fairs with merchandise of a character sure to meet with a demand not easily satisfied in other marts. The larger proportion of the sum expended annually by this Society comes from this source, and we cannot too often acknowledge our sense of a duty faithfully discharged by those, both at home and abroad, who thus add to our means of effectual service to the Cause of Freedom.

WILLIAM LLOYD GARRISON, *President.*

EDMUND QUINCY,
SYDNEY H. GAY, } *Secretaries.*

DR. *Annual Account of the American Anti-Slavery Society, from May 1st, 1855, to May 1st, 1856.* CR.

To Balance from old Account,	$4,953 33	By Standard Account,	$7,102 72
" Donation and Standard Accounts,	12,862 91	" Agency Account,	3,659 33
" Publication Account,	76 95	" Expense Account,	1,488 57
		" Publication Account,	1,566 53
		" Balance to New Account,	4,076 04
	$17,893 19		$17,893 19

(E. E.)

S. H. GAY, *Assistant Treasurer.*

Receipts for the Year, ending May 1st, 1856, of the American Anti-Slavery Societies and its Auxiliaries,	$33,646 53
Expenditures,	29,138 90
	$4,507 63

I have examined the above Account and the vouchers, and found it to be correct.

J. S. GIBBONS.

OFFICERS OF THE SOCIETY.

PRESIDENT.

WILLIAM LLOYD GARRISON, Massachusetts.

VICE PRESIDENTS.

Peter Libbey, Maine.
Luther Melendy, New Hampshire.
Theodore B. Moses, "
Jehiel C. Claflin, Vermont.
Francis Jackson, Massachusetts.
Edmund Quincy, "
Asa Fairbanks, Rhode Island.
James B. Whitcomb, Connecticut.
Samuel J. May, New York.
Cornelius Bramhall, "
Amy Post, "
Pliny Sexton, "
Lucretia Mott, Pennsylvania.
Robert Purvis, "
Edward M. Davis, "
Thomas Whitson, "
George Atkinson, New Jersey.
Alfred Gibbs Campbell, "
Thomas Garrett, Delaware.
Thomas Donaldson, Ohio.
William Stedman, "
Benjamin Bown, "
William Hearn, Indiana.
William Hopkins, "
Joseph Merritt, Michigan.
Thomas Chandler, "
Cyrus Fuller, "
John Wichell, Illinois.
James A. Shedd, Iowa.
Caleb Green, Minnesota.
Georgiana B. Kirby, California.

CORRESPONDING SECRETARY.

SYDNEY H. GAY, New York City.

RECORDING SECRETARY.

WENDELL PHILLIPS, Boston.

TREASURER.

FRANCIS JACKSON, Boston.

EXECUTIVE COMMITTEE.

William Lloyd Garrison.
Francis Jackson.
Edmund Quincy.
Maria Weston Chapman.
Wendell Phillips.
Anne Warren Weston.
Sydney Howard Gay.
Eliza Lee Follen.
James Russell Lowell.
Charles F. Hovey.
Samuel May, Jr.
William I. Bowditch.

APPENDIX.

TWENTY-THIRD ANNIVERSARY OF THE AMERICAN ANTI-SLAVERY SOCIETY, MAY, 1856.

The Society held its Twenty-third Anniversary at the City Assembly Rooms, No. 446 Broadway, New York, on Wednesday morning, May 7.

The meeting was called to order by the President of the Society, Mr. Garrison, at 10½ o'clock, who read a few verses from the 6th and 7th chapters of Jeremiah; after which, an opportunity being offered to any one who felt disposed to offer vocal prayer, a prayer was offered by Theodore Parker.

The President then stated to the Society that their Treasurer, Francis Jackson, was detained at home by illness, but his report will be presented at a subsequent meeting, likewise the report of the Secretary. It was worthy of remark that this was the only time for the last twenty-one years that their beloved and respected friend, Francis Jackson, had not been present at the Anniversary; it was not deemed prudent, in the present precarious state of his health for him to leave home.

The President then read the following resolutions, which were to be the subject of action at the future meetings:—

1. *Resolved*, That, organized as it was to effect the entire abolition of chattel Slavery in our country, the American Anti-Slavery Society will not have fulfilled its mission until the last Slave shall have been set free, and "liberty proclaimed throughout all the land to all the inhabitants thereof."

2. *Resolved*, That in a cause so humane and righteous, we can know nothing of weariness or despondency — nothing of concession or compromise — nothing of effecting a truce or beating a retreat; but, recognizing in every Slave "a man and a brother," asserting his right to immediate and unconditional emancipation, and proclaiming the sinfulness of Slaveholding under all circumstances, we shall continue to call men and things by their right names — to "agitate, agitate, agitate," giving the oppressor no repose in his iniquity, and the land no rest, so long as a single fetter remains to be broken.

3. *Resolved*, That Slavery has not only cloven down the rights of its victims, but impaired the reason and paralyzed the conscience of the Slaveholder — turning the South into one vast Bedlam, without any restraint upon its madness; fulfilling the ancient declaration that, "whom the gods intend to destroy, they first render insane."

4. *Resolved*, That the Anti-Slavery sentiment, which is "bounded by 36 deg. 30 min. north latitude," is unbounded foolishness and measureless infatuation.

5. *Resolved*, That we are struggling not for the non-extension, but for the non-existence of Slavery — not to make it sectional, but to drive it out of the land — not to restore the Missouri Compromise, but to terminate all compromises — not to repel the aggressions of the Slave Power upon Northern rights, but to secure Freedom and Equality to all who dwell upon the American soil — making the imbruted Slave the test of all Statesmanship, all patriotism, all philanthropy, and all true religion,

6. *Resolved*, That the right to enslave a human being, on any pretence whatever, is not a debatable question, any more than is the right to commit adultery, burglary, highway robbery, or piracy; and to every defence or apology for its exercise, ours is the good old Revolutionary reply, "We hold these truths to be self-evident — that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness."

7. *Resolved*, That all constitutional liberty has ceased to exist in this country; that none but "the traffickers in Slaves and souls of men" are permitted to enjoy freedom of speech and of the press, wherever they plant their feet; that we are living under the sway of "Border Ruffianism," incarnated in the person of FRANKLIN PIERCE — no longer the legitimate President of the United States, but one deserving of immediate impeachment and removal for his perfidy and treason as the unscrupulous tool of the Slave Power; and, therefore, that we are in the midst of a revolution, to throw off the chains of a Slaveholding oligarchy, a thousand times more intolerable to be borne than any ever imposed upon our Revolutionary fathers, by the mother country.

8. *Resolved*, That we shall neither give nor ask for any quarter; but our motto is, "Victory or Death."

The President then introduced to the meeting the Rev. SAMUEL J. MAY, of Syracuse, New York, who addressed it at length. He was followed by Mr. CHARLES LENOX REMOND, of Salem, Mass; Mrs. LUCY STONE BLACKWELL, of Cincinnati, Ohio; and the Rev. THEODORE PARKER, of Boston, successively. Full phonographic reports of their speeches appeared in *The Standard*, of May 16th and 24th.

WEDNESDAY AFTERNOON.

The Society again assembled at the City Assembly Rooms, and was called to order by the President.

SAMUEL MAY, Jr., from the Committee of Arrangements, reported the following nominations for Committees, &c., for the more perfect organization of the meeting: —

Business Committee. — SAMUEL J. MAY, LUCRETIA MOTT, OLIVER JOHNSON, JAMES MILLER MCKIM, ABBY KELLEY FOSTER, CHARLES L. REMOND, MARIUS R. ROBINSON, WILLIAM WELLS BROWN, C. C. BURLEIGH.

Committee to Nominate Officers for ensuing Year. — EDMUND QUINCY, of Massachusetts; ROBERT PURVIS, of Pennsylvania; MARIUS R. ROBINSON, of Ohio; PLINY SEXTON, of Palmyra, New York; AMY POST, of Rochester, New York; EDMUND JACKSON, of Boston, Massachusetts; LAUREN WETMORE, of New York City.

Finance Committee. — JOSEPH A. HOWLAND, SUSAN B. ANTHONY, LYDIA MOTT, ROWLAND JOHNSON, PHEBE H. JONES.

Secretaries of Meeting. — SAMUEL MAY, Jr., of Massachusetts; AARON M. POWELL, of Ghent, New York.

The Society, by a unanimous vote, adopted the organization recommended.

The President read the eight Resolutions which had been presented in the morning.

ARNOLD BUFFUM detailed a conversation he had recently had with a Slaveholder from a Southern State. This man, he said, took the ground that the Northern States were as directly involved, and as guilty, in regard to the Slavery of the millions of Southern Slaves, as the Southern Slaveholders themselves; and in this Mr. B. thought the Southerner was clearly right. He went on to illustrate this point, very effectively. He remarked that he did not like to hear the Slaves or others spoken of as Africans, or as negroes, or as colored persons. For they were not Africans; neither were they, as a class, negroes, nor were they colored persons exclusively — no more so, indeed, than everybody is, for all are *colored* in one way and degree or another. He had seen, in the District of Columbia, a coffle of forty Slaves, of whom *sixteen* were pointed out as the children of their white owners, some of whom were as white as his own children. The father of the Slaveholder, said Mr. B., (with whom I conversed yesterday,) lived at Newport, where, it is well known, many families acquired vast wealth by the Slave trade; I asked if it were true that those wealthy Slave-trading families had become extinct. He said that it was even so. Mr. B. also alluded to the fact that of the seven distinguished Southern men who had been Presidents of the United States — WASHINGTON, JEFFERSON, MADISON, MONROE, JACKSON, POLK, and TAYLOR — not one of them had left a son — certainly not a legitimate son. Mr. BUFFUM saw something more than an accident in this. It was, to his mind, the manifest finger of God, setting a mark upon these men for the part they had borne in the great iniquity of Slavery.

HENRY C. HOWELLS, of New Jersey, wished to bear his dying testimony to the value of the principles of the American Anti-Slavery Society, to which he had been led by degrees, from his early days, and which he rejoiced to hold.

CHARLES C. BURLEIGH traced the successive demands which the Slave Power had made of the country, till now they demanded not only Kanzas and Nebraska, and the mastery of the whole territory of the Union, but also the right to go into every Northern State with their Slaves, for transit or for temporary sojourn — an entering wedge to the full establishment of Slavery there. Mr. BURLEIGH showed how wholly inadequate, how useless, and how absurd it is to attempt to resist the single and local encroachments of Slavery

— what folly it is to make the mere non-extension of Slavery an issue with the South. There is no safety, and can be no success, in anything short of striking at the monster's very existence. SLAVERY MUST DIE THE DEATH. No other principle, or policy, or measure, is adequate to save us. Kanzas is no better to me than Virginia; I have no more interest to keep Slavery out of the former than I have to root it out of the latter. Do you say it should be shut out of Kanzas because it is a gross immorality, and an unqualified infraction of every law of God, I say it is equally so everywhere, all over the vast region which it now occupies. Whoever commanded at Sebastopol would have been considered as wholly unintelligent, and unequal to his position, who should confine himself to preventing the Russians from erecting new works, leaving his main fortress wholly untouched.

Mr. BURLEIGH proceeded to show what a tremendous power was brought to bear in favor of Slavery by that large class of men who claim that American Slavery is justified by God and by the patriarchal institutions of the Bible, as do the leading religious teachers and churches of the land, either directly or by their religious union and fellowship with Slaveholders.

STEPHEN S. FOSTER said it was the glory of our platform that every man's idea, opinion, and course were freely criticised here. We are charged by our opponents with being do-nothing abolitionists. What is *work?* Is not that the best work which consists in the promulgation of the great truths which arouse the conscience, warm the heart, and quicken every man to action? But there is a sense in which we are *Do-nothings;* we do nothing to help hold the Slave in his chains, as even our Republican friends are doing by their position in this Slaveholding Union. They are working, it is true, but much they do tends to strengthen the chains of the Slave. We are certainly using the whole force of our moral indignation against Slavery in Kanzas as well as they. But they are seeking to elevate WILLIAM H. SEWARD, or some other man, to the Presidential chair, where his first act must be to take an oath to carry the obligations of the Constitution into effect. By that oath, WILLIAM H. SEWARD must become Kidnapper-General of the Nation — the Head of a nation of twenty millions of people who have entered into solemn covenant to give protection and privileges to the Slaveholder, and to withhold both from the Slave. I am not denying that a strong and sincere Anti-Slavery feeling prevails among the Republican party; but such feeling is also found in the Democratic party, and in the Whig party, if that can be spoken of as an existing party. It is the position of all these parties, as supporters of a Government and Union which is the deadly foe of the Slave, that I protest against and condemn. And we must continue to rebuke the Free Soil Republican party, or we must give up rebuking anybody. We must be impartial; we must not consent to wrong or injustice in any one; we must not seek to cover it up, especially when those who are, in many respects, our friends, are in a guilty position.

S. J. MAY (being in the chair) said he thought the position of the Republican party essentially different from that of the other parties.

Mr. FOSTER invited Mr. MAY to take the platform and show what the difference is.

Mr. MAY declined speaking at present.

Mr. FOSTER read a portion of a recent debate in the United States Senate, when Senator BROWN, of Mississippi, read an extract from a London paper, *The Telegraph*, (said by Mr. CASS to have the largest circulation of any paper in England.) The article distinctly took the ground that, in a contest with the United States of America, Great Britain would arm the Slaves of the United States. Mr. BROWN characterized the article as an atrocious one; he said he would do his friend who handed him the paper, (Senator FOOT, of Vermont,) the justice to say that he assured him (Mr. BROWN) that, in case of such a contest with any foreign power, every Northern State would come with alacrity to the support of the Slaveholding States. And this was Mr. FOOT, one of those Northern politicians whom Mr. PARKER eulogized, this morning, as one of the staunch friends of freedom!

Mr. STEPHEN P. ANDREWS said he could take the oath to support the United States Constitution, even if understanding it just as S. S. FOSTER does, and with the full determination in his mind, at the time he took the oath, not to comply with a single provision in it which he deemed wrong. He should justify the act thus — the law and common sense recognize the fact, that a man is not held to fulfill certain promises because made under physical constraint and duress; so he should argue that his oath was taken under a *moral* duress.

C. C. BURLEIGH remarked briefly on a few points in Mr. FOSTER's speech. He thought there was a decided and marked growth of Anti-Slavery in the country.

The Society adjourned to 7½ o'clock, P. M.

WEDNESDAY EVENING.

The Society met according to adjournment, a very large audience being present, and listened with the closest attention to a most able and eloquent address, relating to the question of Kanzas in part, but having a far more comprehensive reach, from Rev. THEODORE PARKER, of Boston, continued until 10 o'clock, when the Society adjourned to Thursday, 10 o'clock, A. M.

This speech of Mr. PARKER's also was published in *The Standard* of May 24th.

THURSDAY.

The Society met at 10 o'clock, A. M., at the City Assembly Rooms. The President in the chair.

Mr. GARRISON desired to call attention to the gross misrepresentations of our meetings that had appeared in one or more of the papers. He said there were men who made it their business to come to our meetings and take advantage of our proffered kindness, in providing tables and other accommodations for reporters of the press, to caricature our proceedings. Such men

were not gentlemen, but blackguards. The New York *Herald* was an illustration of the blackguardism to which he referred, but nothing better could be expected from that paper with its present proprietorship and management.

S. May, Jr. thought the papers that had given unfair reports should be designated; for while the *Herald* and *Sun* have grossly misrepresented our proceedings, the New York *Daily Times* had given a very fair report.

Charles Lenox Remond referred to the disgraceful language of the New York *Sun*, and denounced its editor as a Slaveholder and a villain at heart.

Mr. Garrison, on behalf of the Business Committee, presented the following Resolutions: —

9. *Resolved*, That the strength and success of Slavery lie not in its principles — for it is most unprincipled; nor in its resources — for they are few and poor; nor in its fruits — for they are frightfully impoverishing, profligate, and tyrannical; nor in the number of actual Slaveholders — for it is utterly insignificant; but they are found solely in Northern selfishness and corruption; complexional hatred, political and religious affiliation, and constitutional co-operation; hence the work of emancipation lies north of Mason and Dixon's line — at our own doors.

10. *Resolved*, That so long as Slaveholding is regarded at the North as compatible with a Christian profession; so long as abolitionism is branded as an "infidel" movement; so long as the Bible continues to be interpreted on the side of Slavery, and yet accepted as the inspired word of God; so long as church fellowship and denominational unity exist between the Episcopalians, Presbyterians, Congregationalists, Baptists, and Methodists of the North and South, just so long will the Slave Power succeed in lengthening its cords and strengthening its stakes, and accomplishing all its purposes, however desperate and diabolical.

11. *Resolved*, That (making all due allowance for exceptional cases) the American Church continues to be "the bulwark of American Slavery," and, therefore, impure in heart, hypocritical in profession, dishonest in practice, brutal in spirit, merciless in purpose — "a cage of unclean birds, and the synagogue of Satan."

12. *Resolved*, That the "American Board of Commissioners for Foreign Missions," in giving its sanction to the horrible act of making man the property of man; that the "American Tract Society," in refusing to publish a single tract against Slavery, and carefully expurgating its publications of every word that might give offence to Southern menstealers; that the American Bible Society, in making no protest against a system and statutes whereby it is prohibited from giving the Bible to four millions of our perishing countrymen, while it honors and clothes with official power the very men who have interposed an insurmountable barrier to the free circulation of the Scriptures; that the American Home Missionary Society, in being at peace with "the sum of all villanies," and leaving its multitudinous victims to grope their way into eternity in heathenish darkness; that the American Sunday School Union, in studiously refraining from exhibiting the horrors and blasphemies of the Slave system to the millions of minds under its guidance and control, are each and all convicted of the vilest hypocrisy and the most astounding wickedness, and it is equally a sin and a shame to contribute to their funds, or to give them any countenance whatever.

13. *Resolved*, That the managers of these powerful religious bodies are the most despicable of all time-servers and trimmers; that their religious professions are the acme of brazen impudence; and that they belong to the class whom Jesus denounced as "whited sepulchres, vipers and serpents,

wolves in sheep's clothing" — Pharisees and hypocrites, who compass sea and land to make one proselyte, who, when he is made, is two-fold more the child of hell than themselves.

14. *Resolved*, That in the re-appointment of the Rev. Dr. NEHEMIAH ADAMS, of Boston, the author of that atrocious work, "A South-Side View of Slavery," as one of its Publishing Committee, at its annual meeting yesterday, in this city, and in its refusal to bestow a word of censure upon that Committee for mutilating its publications, so as to give no offence to the South, the American Tract Society shows itself to be incorrigibly base in heart, and inhuman in spirit, and leaves every man henceforth who shall extend to it his aid and fellowship utterly without excuse.

S. H. GAY presented the Treasurer's Report for the past year. [See page 59.]

Mr. GAY spoke with regret of the absence of the Treasurer, FRANCIS JACKSON, whose presence among us we miss for the first time for twenty years. He would take the liberty, he added, of reading a passage from a private letter from Mr. JACKSON, which he was sure would be heard with interest. He says: —

"I am not now well enough to risk a journey to New York, and fear I shall not be with you on our Anniversary day. My friends tell me that as I have not indulged overmuch that rascally virtue called prudence, they now insist that I must take some lessons at that.

"This, then, will be the first time I have missed the Anniversary Meeting for the last twenty years. I shall regret this for many reasons, not the least of which would be to lose the opportunity to take the hands, and look upon the faces of those old friends of the slave, who have stood by him in twenty pitched battles with your pro-slavery community. However, if I am not there in person, I will be in purse. Please, therefore, pledge for me two hundred dollars, that being my usual contribution."

Mr. GAY also stated that the Annual Report of the Executive Committee, (which Report, we may mention, has been prepared with great care and faithfulness by Mr. GAY himself,) was nearly ready for publication, and soon would be issued from the press.

SAMUEL MAY, Jr. read a brief statement of the operations of the Society during the past year, relating to the Lecturing Agents employed, the fields of labor occupied, the Tracts published and distributed, the colporteurs engaged in that work, and the pressing necessity of contributions to the Tract Treasury, now entirely exhausted.

It may be stated, said Mr. GAY, that this brief statement which Mr. MAY has read, will be incorporated in the Annual Report.

LUCRETIA MOTT, of Philadelphia, suggested that, as the time was short, and the topics of interest, and particularly those of an immediate business character, were numerous, the speakers should limit themselves as much as they conveniently could in regard to time occupied by their remarks.

MARIUS R. ROBINSON, of Ohio, and AARON M. POWELL, of New York, made interesting statements of the hopeful fields for Anti-Slavery culture which were now to be found in Ohio, Michigan, Indiana, Wisconsin, and other Western States.

Rev. O. B. Frothingham, of Jersey City, was then introduced to the meeting by the President. In a very logical, profound, and eloquently-expressed speech Mr. F. held the attention of the audience in the closest manner for upwards of an hour. [This speech was published in *The Standard*, of May 24th, and subsequently in a pamphlet.]

Mr. Quincy, after a few remarks correcting one or two not essential misstatements of facts, expressed the great pleasure with which he had listened to the admirable speech which Mr. Frothingham had delivered; and concluded with moving — if there were no objection, as it was an unusual course — that Mr. Frothingham be respectfully requested to write out the address which he has this morning made to us, that it may be laid before a larger audience than has this morning heard it, either by publication in *The Standard*, or in some other way, as the Executive Committee may think advisable. The motion was seconded, and, after some remarks from Mr. Garrison, expressive of his admiration of Mr. Frothingham's address, and the sadness of heart he had felt (as he listened to it) that every minister was not equally honest and faithful, in which case Slavery could live but a little time, was adopted by acclamation.

Stephen S. Foster spoke of the many admirable sentiments in Mr. Frothingham's address, and said he had embodied one of those sentiments, which had been received by the audience with special approbation, in a resolution (though not expressed in the beautiful language of the speaker) which he desired to offer, as follows: —

Resolved, That the first and most important work of this Society, at the present time, is to convince the entire community that the Anti-Slavery of any and every political party which acknowledges allegiance and promises support to the Federal Government is necessarily tainted and spurious, and that the nearer its resemblance to the genuine, the more injurious is it to the cause of Freedom, because the more likely to deceive the honest and true-hearted.

Mr. Addington, of Buffalo, said he felt that the cause of Freedom was in very great peril in our day. In illustration, he spoke of the course of the American Tract Society in its Pro-Slavery truckling, its profound indifference to the crime and wrong of Slavery; and in its recent course, of staving off, for an entire year, all definite and Christian action about this great and vital matter.

Adjourned to 3 o'clock.

THURSDAY AFTERNOON.

The President in the chair.

The resolutions now before the Society were, by request, again read.

Edmund Quincy, from the Committee on the Nomination of Officers, reported a list of Officers for the Society during the year to come.

The report being submitted to the Society, it was unanimously accepted, and the persons therein named duly elected as Officers. [See page 60.]

Mr. GARRISON, in behalf of the Business Committee, reported the following additional resolution: —

15. *Resolved*, That, in consenting to those compromises in the Constitution by which a Slave oligarchy was allowed in Congress, the Fugitive Slave deprived of a refuge in any part of the country, the foreign Slave Trade protected for twenty years, and the whole military power of the government pledged to suppress a Slave insurrection, our fathers committed a grievous sin, and trampled in the dust their own heaven-attested Declaration of Independence; that, in giving their adhesion to such a compact, their descendants are committing a still more grievous sin, in view of the growth and aims of the Slave Power; and, therefore, that there can be no true loyalty to Freedom, or unswerving fidelity to the Anti-Slavery Cause, short of the hearty and consistent adoption of the doctrine: "No Union with Slaveholders, religiously or politically."

C. L. REMOND urged that a greater effort be made than has ever before been made, to carry the doctrines and principles of our Society into the great Western country. He expressed his own readiness to aid in carrying on a series of one hundred Anti-Slavery Conventions, and he knew at least of one other who was ready to go forth.

SAMUEL MAY, Jr. spoke of a letter from Illinois, which had recently come to the Executive Committee, calling urgently that a corps of Lecturing Agents might be sent into that State during the ensuing season.

M. R. ROBINSON, of Ohio, rejoiced in the proposition which Mr. REMOND had made, and pledged, on behalf of the Anti-Slavery people of the West, the fullest coöperation it was in their power to give.

LUCY STONE BLACKWELL appealed in a direct and earnest manner to the audience present, for pecuniary aid to the treasury of the Society.

Rev. SAMUEL J. MAY, of Syracuse, inquired what was the exact purpose of the Society in regard to efforts for keeping Slavery out of Kanzas, and making it a free State. Mr. M. went on to urge that we should not forget that it is by *gradual steps* that success is to be reached.

SAMUEL MAY, Jr. after adverting to the long and intimate connection he had had with the friend who had just spoken, and to the many benefits which he had derived from that intercourse, said he thought that both duty and a sound and just expediency utterly forbade our identifying ourselves, for an instant, with the mere *non-extension of Slavery* movement. Especially would he protest against our identifying ourselves, as a Society, with the Kanzas Free State movement, so long as it stands on its present low and compromising level. Of course, as a Society, and as individuals, we desire to see Kanzas a Free State, truly and honestly such. But, what is the present state of the Kanzas question, as the Free State men present it to us? Why! They have, by a decided popular majority, adopted a vote, calling upon the first Legislature that shall meet, to exclude all colored persons from the State of Kanzas! This is a measure of shameful *compromise*, based on that vile prejudice against color, which we, as Abolitionists, have always held to be the very handmaid of Slavery, and against which we have labored and toiled so hard for so many years — and no one more faithfully than SAMUEL J. MAY, of Syracuse, one of the oldest soldiers in this good war.

Now, shall we leave this position, and go and place ourselves by the side of those who are meanly stooping before this prejudice of color? God forbid! We cannot join the present movement for Kanzas, *because it is false in principle*. That is sufficient reason why we should take no part in it. Mr. May said that his sympathies had been roused for Kanzas; he had given money for the purchase of rifles for emigrants to Kanzas, and had induced others to give; but did so wholly from feelings of sympathy in their personal danger. He would not, however, for that reason be identified with their proscription of the colored man. It is a clear question of Duty and of Right. But even on the ground of policy — of a wise policy — he was equally convinced that we can help the cause of true and ultimate freedom in Kanzas unspeakably better by uttering God's entire truth with regard to the doings of the people there, Free State men included, (and not forgetting the Platform of the Republican party,) than we possibly can if one and all of us should take up the cry of Non-Extension — one thing at a time — availability, &c., &c. Let it be our part, guided by Eternal Truth, to create an Anti-Slavery atmosphere in all the Northern States, all around Kanzas, and in it, too, so pure and true, that Slavery's hateful form shall find no hiding-place, and utterly disappear and perish.

S. S. Foster considered it very important to decide how the Anti-Slavery funds should be expended, as well as how they are to be raised. Should we coöperate with the Republican party; or should we oppose it. If it be Anti-Slavery, then I will give it my most hearty support; if it is Pro-Slavery, then I shall do all in my power to oppose it. It must be one or the other; it cannot be both. He believed it Pro-Slavery; that Seward, Sumner, Hale, and Giddings are hand in hand with the veriest Slaveholders in this country. He denied that these men were honest in the position they occupied, amid all the light by which they are surrounded.

This was objected to by H. C. Howells, who arose and called Mr. Foster to order. Mr. F. was sustained, and proceeded in a very earnest and eloquent manner to maintain the truth of his positions.

C. C. Burleigh came forward to reply to Mr. Foster, but gave way for Mr. Garrison, who then read as a substitute for the resolution offered by Mr. Foster, this morning, the following: —

Resolved, That while we fully appreciate every earnest effort made by the Republican party to prevent the introduction of Slavery into Kanzas, our charge against it is, that it swears to uphold and execute all the provisions of a Pro-Slavery Constitution, by which an oligarchy of three hundred and fifty thousand kidnappers are enabled triumphantly to hold in hopeless bondage four millions of our countrymen; that it disclaims any wish or intention to change the Constitution in these particulars; and, therefore, to this fearful extent it is a Pro-Slavery party.

Mr. Burleigh resumed, showing why, in his opinion, though in a wrong position, the Republicans were there honestly.

Abby K. Foster said that though she had not intended to say a word, she deemed the present a very important crisis, and saw that many were in danger of being led astray from true and uncompromising principles. Compro-

mise was fatal. The Republican party is no higher than the Whig or Democratic parties eight or ten years ago. The position of the Free Soilers is most dangerous to our cause. They are to our movement what respectable, moderate drinkers are and have been to the temperance cause. We should ever keep our standard high, and upon our banner inscriptions of absolute truth and justice. A very interesting discussion then followed upon Mr. FOSTER's resolution, and that offered by Mr. GARRISON as a substitute. Among those who took part in it were Messrs. GARRISON, FOSTER, M. R. ROBINSON, S. J. MAY, C. C. BURLEIGH, ABBY KELLEY FOSTER, and others.

On motion of S. H. GAY both resolutions were laid upon the table.

The resolutions reported by the Business Committee were then adopted.

The meeting then adjourned *sine die*.

WILLIAM LLOYD GARRISON, *President*.

SAMUEL MAY, JR., }
AARON M. POWELL, } *Assistant Secretaries*.

OFFICERS OF AUXILIARY ANTI-SLAVERY SOCIETIES FOR 1856.

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[*The Office of the Society is at No. 21 Cornhill, Boston.*]

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* Deceased.

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[*The Society's Office is at No. 31 North Fifth St, Philadelphia.*]

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The above, with the following persons, constitute the

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[*The Society's Office is at Salem, Columbiana Co, Ohio.*]

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The *Anti-Slavery Bugle*, the Organ of the *Western Anti-Slavery Society*, is published weekly at Salem, Columbiana Co., Ohio. Its Editor is MARIUS R. ROBINSON.

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[*The Society's Office is at No. 138 Nassau St., New York.*]

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William A. Hall. J. Mortimer Hall.
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SAMUEL MAY, Jr. is the Agent for the *Tract Publication*. Office, at No. 21 Cornhill, Boston.

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PROTECTORS' OF SLAVES REPORTS.

III. Trinidad.—1. *Complaints of Slaves;* 2. *Prosecutions of Slaves;* 3. *Domestic Punishments;* 4. *Manumissions;* 5. *Marriages, &c.*

IV. St. Lucia.—1. *Domestic Punishments;* 2. *Complaints of Slaves;* 3. *of Masters;* 4. *Manumissions, &c.*

V. Cape of Good Hope.—*Punishments of Complainants; Observations of the Secretary of State on Protectors' Reports.*

The Report of the Protector of Slaves in Trinidad, Mr. Gloster, includes a period of two years, from the 25th of June, 1828, to the 24th of June, 1830. We proceed to lay the substance of it before our readers.

1. *Complaints of Slaves against their Owners, &c.*

Of these complaints, neither the number nor the nature is stated by the Protector, with the exception of four cases, occurring during the above period. No reason is given for omitting the usual particulars respecting the other cases. We have therefore very scanty means of forming any judgment as to the legal protection afforded to the slave population of Trinidad. Those four cases however, to which the Protector has confined his details, lead us only the more to regret his complete silence with respect to the others.

The first is a prosecution against *Francisco Benites*, for illegally flogging, in March, 1830, a female slave named Dominga Perez, whom he was charged to have beaten with a supple jack in different parts of her body, so as to lacerate her person, at the same time throwing her down and kicking her. The accused was found guilty, and condemned to pay a fine of five pounds sterling. Upon this sentence Lord Goderich remarks, that the offence appears to be of an importance disproportioned to the very light fine with which it was punished. (Papers of 1831, No. 262, p. 87.)

The second charge is against Mrs. Eliza O'Brien, for cruel and illegal treatment of two slaves named Noel and Joe alias Louis Huggins. The facts proved in evidence appear to be as follows:—

First with respect to *Noel*. *Noel* died in May, 1829. He had had a large ulcer on one of his legs for a long time, for at least six years. He was a runaway and a thief, and as such was usually confined at night with a chain. The chain was upon him when he died. This

chain had been put upon him by Mrs. O'Brien, to prevent his running away during the night. During the day, he worked in the custody of another slave who kept watch over him. He had been brought back as a deserter two or three weeks before he died, and the sore on his leg was then in a very bad state; indeed, it could never get cured. The chain was fastened by means of an iron hoop, which was fixed round his leg, and to which the chain was attached. Noel used to break open his mistress's store, and steal therefrom rum, salt pork, butter, flour, plaintains, &c. He was often put into the stocks, and had handcuffs on him, and was shut up at night in the farine-house, chained to prevent his getting away. The chain was a grappling boat chain, fixed round one of his feet, and then passed through handcuffs round both his wrists, and fastened to a post. He was thus chained and handcuffed on the night previous to his death. He often worked in the day time with the chain round his leg, a part of the chain being carried over his shoulder. Noel had been a pasture boy, but when the sore on his foot became bad, and he could not go after the mules, he was put to work about the yard. He did not get his allowances regularly. Sometimes he got half a pint of farine (cassada flour) and a piece of salt fish, and when he let a mule get away, he had none at all, and he then used to run away and steal. His mistress did not feed him as she ought. He used to steal because he was hungry.

The evidence in the case of Joe alias Louis Huggins, was to this effect. Mrs. O'Brien was the proprietor of an estate called Bermuda, on which she resided. *Joe* belonged to that estate as did also *Noel*. He died in December, 1828. He was much swollen before his death. The house in which he lived was in a low situation, and was a very bad one; a part of it was uncovered, which caused it to be very wet. *Joe* had been a driver, and had been punished with confinement in the stocks by Mr. O'Brien, before his death which had happened shortly before, for getting drunk, and allowing the negroes to neglect their work. The stocks consisted of a rod of iron with pieces of iron or fetters to contain the feet. *Joe* was always very sickly, and in the month of December, 1828, he became so ill, that Mrs. O'Brien had him removed from his own bad house, and had a room assigned him under her own house, where he was placed occasionally in the stocks; there was a bed in *Joe's* room, consisting of a door with a palliasse laid over it, but the room was only boarded on the windward side: it was open on the others. Mrs. O'Brien, for a time, refused to believe that *Joe* was ill. She said that it was laziness that ailed him. Even when he was brought up to her house, he was so weak that he could not walk, and a mule was sent to bring him up. When he came, he told his mistress he could not walk, and was unable to go after the negroes in the field. She told him again it was laziness, and he should be put in the stocks till he was well. She then had *Joe* put in the stocks, in a room under her house, which was open on all sides but one, and into which the rain beat and wetted him. On Tuesday he was brought to this room, and he died on the following Monday. On the morning of the day on which he died, two of the witnesses saw him

in the stocks at breakfast-time, and he died soon after in his bed in the stocks. On the Monday night preceding, one of the witnesses heard *Joe* "bawling out" a great part of the night, and begging water for God's sake: the witness gave it to him: he was then in the stocks.

The evidence for the defence in both these cases, consisted in general praise of the humanity of Mrs. O'Brien towards her slaves. She was kind to them, and fed them abundantly, and caused them to be tended well in sickness. Several witnesses also deposed to their never having seen either *Noel* in chains, or *Joe* in stocks, and that neither of them, even when *in extremis*, had complained. But no attempt was made to impeach the credibility of the adverse witnesses, or to disprove their statement of the facts that are detailed above.

On this evidence the judges pronounced the following extraordinary sentence. "The court is unanimously of opinion, that there is no evidence to support the present prosecution. The accused must be discharged." (Ibid. p. 70.)

Upon this case Lord Goderich makes the following remarks. The Protector we hope will not misunderstand their lenity. "In the cases of Noel and Joe, the property of Mrs. O'Brien, who are said to have died while in confinement, I think that the medical attendant of the estate should have been called upon to state, whether he had been required to visit the slaves, and especially whether his opinion had been taken on the illness of Joe, who seems to have been originally confined on the supposition that his sickness was feigned. If there be no medical attendant on the estate, this circumstance itself should have been brought to notice by the prosecution. I regret to observe, that both these slaves appear to have been interred, without any investigation in the nature of a Coroner's inquest." (Ibid. p. 86.)

The third case was one in which *Louis Layet* was prosecuted for having inflicted an excessive and illegal punishment, with the cart whip, on a slave named Michel Robson, inflicting forty lashes of it on his bare posteriors, after he had been laid prostrate on the ground, and tied and fastened to pickets.

These facts were proved in evidence by the prosecutor, and no counter evidence was given on the part of the accused.

The court, by a majority of three to one on some of the charges, and on the rest unanimously, pronounced him guilty, and condemned him to pay a fine of £150 sterling, with the costs of suit, and to be imprisoned till the fine was paid. (Ibid. p. 71.)

A fourth case is stated as having come to the knowledge of the Protector, the circumstances of which were as follows, viz.; Mr. St. Aigne, the proprietor of Perseverance Estate, in the quarter of Guapo, was charged with having caused four of his female slaves to be flogged by the driver with the cart-whip, on their naked posteriors, as they lay stretched on the ground fastened to pickets, and their persons exposed. One of the punishments was inflicted for bringing grass too late. Mr. de St. Aigne having quitted the Colony, no prosecution could be instituted against him. (Ibid. p. 60.)

All the other cases, how many soever they be, are thus summarily disposed of, viz. :—

Half year ending the 24th of December, 1828. "The complaints preferred by slaves against their owners have not varied in complexion or increased in number, and no case of a serious nature has come under the Protector's observation." (Ibid. p. 3.)

The report of the half years ending the 24th of December, 1829, and the 24th of June, 1830, is nearly to the same purport. (Ibid. p. 40, and 58.)

The report of the remaining half year ending the 24th of June, 1829, varies materially, inasmuch as the Protector states that in that half year the complaints preferred by slaves had "become more numerous." "The increase," he adds, "is to be attributed to the circumstance that the busiest time of the crop season happens during these six months, and at that period planters are obliged to exact the full quantum of labour which their slaves are bound by law to perform." Ibid. p. 2 ;—and that is, as we have seen, to work all day and all night too, if their physical powers will endure the exaction. Our readers may refer to what we have already said on this very subject, in our last No. (85) pp. 360 and 361.

2. *Criminal Prosecutions against Slaves.*

Here Lord Goderich remarks on the impropriety of some of the sentences pronounced on the convicted slaves. One man is condemned to two punishments of thirty stripes each, and to be worked on his owner's estate at his usual work, with an iron chain attached to one of his legs, for two years ; and another is condemned for a theft to one hundred lashes, and, to work in iron shackles for two years. Working in chains, under the control of a responsible overseer, as in the case of Government convicts, his Lordship observes, may be a salutary punishment; but where it is enforced for years, in the performance of a daily task, under no other superintendance than that of the manager of a plantation, it is likely to become an excessive infliction. Courts of justice may be influenced by consideration for the master's interests in this mode of punishment, but his Lordship cannot admit the policy of exempting owners from the inconvenience to which, as a general condition of society, all persons are subjected by the offences of those under their domestic authority. (Ibid. p. 86.)

3. *Domestic Punishments.*

Besides the complaints of slaves against their masters, we have to notice the half-yearly returns of punishments arbitrarily inflicted, by owners or managers, on the plantation slaves of Trinidad, during the period comprised in this Report. They are as follow, viz. Punishments of male slaves 5,064—of female slaves 2,860—in all 7,924. Among these we observe about 100 inflictions for "neglecting to throw grass" after the labour of the field is over. (See our last No., p. 361, and No. 82, p. 298.) A frequent offence is styled "breaking hospital." Lord Goderich seems surprised at this new species of crime, especially as it seems to be visited with an unusual severity of punishment, as many as 40 lashes being sometimes inflicted on

offenders of this class. But strangely enough, in the economy of West Indian plantations, the hospital, his Lordship and the public ought to be informed, is also made the place of imprisonment; nay the stocks and the bilboes for confining criminals, or those who have been undergoing the scourge, and are smarting and groaning with their bleeding wounds, are actually placed in the very same apartments with the sick and the dying. We are only beginning to acquire some knowledge of the interior of West India plantations. The reader may consult on this particular the second volume of Mr. Stephen's Delineation, p. 362—371.

Lord Goderich, however, has overlooked the circumstance of the great frequency with which domestic punishments by whipping exceed the utmost limit allowed by law to be inflicted at the master's discretion. That limit is 25 lashes, and yet these returns abound with punishments of 40 lashes, and not one word of explanation is given by the Protector as to the cause of this excess, or as to the grounds of its impunity.

4. *Manumissions.*

The manumissions in two years, from 25th June, 1828, to 25th June, 1830, have been only 108. One cause of this appears to be the enormous sums at which the slaves who are desirous of redeeming themselves are often appraised, and the very obvious unfairness of the whole proceeding. We find one slave appraised at £250 by one appraiser, and £173 by another, and the umpire fixing his price at about the middle point between the two, namely, £216. But the poor man could only produce £147. Now this slave was a plantation slave belonging to the Hon. Ashton Warner, the chief justice; though how the chief justice came to be possessed of slaves, after the solemn declaration made by Mr. Canning and Lord Bathurst in Parliament, in 1826, that the offices of governors, judges, fiscals, &c. should not be filled by slave-holders, seems to require some explanation. Sir George Murray takes no notice of this circumstance. He nevertheless adverts to the unfairness apparent on the face of the proceeding, and the very loose and random mode pursued in these appraisements. Before Sir George's observations, however, could reach Trinidad, the lowest valuation, £173, the slave having contrived to scrape together that sum, was accepted, and he set at liberty, the indulgence being ascribed to his good conduct during crop.—Again, a female slave, Heloise Joseph, belonging to André Blazinè, is appraised by one appraiser at £260, and by the other at £130, the umpire fixing the price at £216. It is added, "This sum she is unable to produce." It is perfectly obvious that in this whole proceeding there must be gross unfairness and partiality. Even the lowest price is high for female plantation slaves,—nearly double, indeed, the average they usually bring at public sales, which furnish the true criterion of value. The system of appraisement, therefore, seems to have become, in Trinidad, a system of injustice and oppression, and ought to engage the attention of the Government. Manumissions have of course diminished as prices have been unfairly raised; and if they shall continue thus to advance, manumission will become wholly unattainable.

5. *Marriage.*

One marriage has been celebrated in two years.

6. *Savings' Bank.*

The sums paid into the Savings' Bank are very trifling; the whole amount deposited being under 1800 dollars.

7. *Religion.*

Not one syllable is said on the subject of religious instruction, or on the grant to the slaves of a day in lieu of Sunday, for marketing, and labour in their provision grounds.

IV.—St. Lucia.

1. *Domestic Punishments.*

The whole number of domestic punishments in the year 1828 was 1012, the respective number of males and females not being specified. In the year 1829 the total number was 1125, being a considerable increase over the former year. (Papers of 1831, No. 262, p. 4, and 10.)

2. *Complaints of Slaves against Masters.*

There is under this head a remarkable defect of specific detail, especially in respect to the evidence on which the decisions were adopted.—Two ladies, Miss *Eddington* and Miss *Jordan*, are made to pay a fine of 100 dollars for flogging a female slave named Sarah.—A Mr. *Eusebe* is condemned to three months' imprisonment and the costs of suit, for severely wounding his slave Poncette with a cutlas; and the sufferer is ordered to be sold to another master.—Mr. *Dugard* having abandoned an infirm slave, his property in the slave is confiscated, and he is condemned to pay a quarter of a dollar a day for the slave's maintenance during life, and also to pay the costs of suit.—Mr. *Maccullom*, for cruelty to his slave Faiance, is fined 100 dollars.—Mr. *J. Toulouse*, for allowing the whip to be carried into the field, is fined 20 dollars.—Madame *Lafitte*, who illegally punished a female slave, and her son, who inflicted the punishment, are fined 100 dollars.—In several cases of complaint, however, stated to be *unfounded*, that is to say, we presume, *not proved*, punishment, and sometimes very severe punishment, is inflicted on the complainant: in two cases 100 lashes; in another 50 lashes, and labour in the chain for 18 months; and in others slighter punishment. The principle on which these punishments are inflicted is, as we, and as successive Secretaries of State have often stated, most unjust and oppressive. Still the opprobrious practice continues. We need not wonder, therefore, that the cases of complaints by slaves are rare in St. Lucia.

3. *Complaints of Masters against Slaves.*

These are much more numerous; for there is no infliction of stripes or chains on the master when he fails to substantiate his complaints. And in such cases too the punishments are often most revoltingly severe; 40, 60, and even 100 lashes are frequently awarded to runaways, with the addition of a month or two of solitary confine-

ment, or of labour in the chain for three, six, and even twelve months. In one case of desertion, the slave, TIMOTHE, belonging to Mr. *Bertrand*, is punished with 100 lashes and three years' labour in chains. In another, a female, LUCIENNE, belonging to Mr. *Trotter*, is condemned to endure 40 lashes, and to be worked in a chain for two years on Mr. Trotter's estate. The same female slave is a second time tried for the same offence, and to her former dreadful punishment are added 60 lashes more, and three years of the chain. Another female slave of Mr. *Trotter's*, ROSE ANNE, is condemned to 100 lashes. Two other female slaves are punished with severe floggings; one named LUCETTE, belonging to Madame *de St. Croix*, with 100 lashes and two months' solitary confinement. In another, QUACOW, belonging to Mr. *Goodsir*, and ANN, to Mr. *Leuger*, are condemned to 100 lashes each, and the former to two years, and the latter to three years in the chain. Nay, we have another slave, CARAIBE, belonging to the same Mr. *Leuger*, condemned "for running away twice, and remaining absent the last time three months and a half, and until apprehended," "to receive 200 lashes, and to work THREE YEARS with a chain on the estate." This is perfectly horrible. And will it be believed that this Report contains a list of 48 such punishments?

Then, besides these inflictions for the venial offence of running away perhaps from the mere dread of punishment, we have one man, LEANDER, belonging to Mr. *Goodsir*, condemned to 40 lashes and eighteen months of chain-labour on the estate, for stealing some of his master's salt fish and rum; and a woman, ROSALIE, belonging to the Hon. *James Muter*, condemned to 60 lashes, and two years of labour in the chain on Mr. *Muter's* estate, for stealing "ground provisions"—for stealing the food with which she ought to have been abundantly supplied.—A slave, THOMAS CHASE, and his wife, QUEEN, belonging to Mr. *Castill*, of the 35th Regiment, are found guilty of insubordination and disobedience. *He* is condemned to 40 lashes and three months cachot, but the pregnant state of the wife prevents punishment being inflicted on her.—Surely it was not without reason that in No. 83, p. 329, we denounced the recent Supplementary Ordinance of the Governor of St. Lucia, as inflicting punishments cruelly severe, and as being in some of its regulations most outrageous.

Besides these observations on the returns which we have now before us, we find Lord Goderich very justly commenting "on the great apparent disproportion which they exhibit between inflictions bearing the same name. Thus 200 lashes and three years work with a chain, are awarded as a punishment for running away twice, and remaining absent the last time three months and a half; whilst, in another case, the punishment for running away and remaining absent sixteen years, is 40 lashes and a month in the stocks. (Ibid. p. 40.)

His Lordship further remarks on "the great prevalence in St. Lucia of the punishment of working in chains, which seems to be inflicted for every variety of period from one month to three years, and as well by the authority of the magistracy as of the courts of justice. I have to desire, that in future the Protector will give some more accurate return of the punishment conveyed by the words 'the chain,'

which do not sufficiently distinguish between slaves sentenced to work in chains on their owner's estates, and those sentenced to work in the public chain-gang. The former mode I consider to be plainly objectionable. The regulations of labour in chains is a trust which cannot with safety be confided, indiscriminately, to the managers of plantations;" (ought it to be confided to them at all?) "and although such sentences may exempt owners from the ill-consequences of offences committed by their slaves, I am not sure that, in any state of society, it is desirable that persons should be relieved from the connection of their own interest with the good conduct of those under their influence." (Ibid. p. 41.)

To solitary confinement as a punishment for one and two months, he also objects, as likely to cause a very undue measure of suffering; and he requires information as to all the various circumstances of each confinement.

No one can complain of the harshness of these observations. On the contrary, it is difficult to feel quite satisfied that the continuance of the outrages which provoked them should have been allowed to depend on any explanation which can be given. They are absolutely intolerable. Why might they not have been peremptorily denounced and prohibited in St. Lucia as well as in Mauritius? (See No. 83, p. 331.)

4. *Manumissions.*

Between the 1st of Jan. 1828, and the 31st of Dec. 1829, being two years, 135 slaves were manumitted. Of these, 47 were freed by the voluntary act or bequest of the owners; 32 under the compulsory manumission clause, at prices varying from 72 to 700 dollars; 13 were manumitted by voluntary agreement with their masters, on paying what was considered an equitable price; 3 obtained their freedom from not having been registered, and of 39 no account is here given of the causes of their manumission. Besides which, the number of children baptised for freedom is 16.

5. *Marriages.*

The number of slave marriages, in two years, is only *two*.

One thing remarkable in this Report is the discontent of the slave-owners at being deprived of the privilege of using the driving-whip in the field. (Ibid. p. 22.)

But a still more remarkable circumstance is that, in a colony, where, previous to 1827, the decrease of the slave population had been rapidly progressive, there has recently appeared to be an increase, a small indeed, but still a satisfactory increase. We attribute, for our own part, this change to the zeal, activity, and vigour with which the Chief Justice, Mr. Jeremie, enforced the laws of this colony, defective as those laws are. He has now, we are sorry to say, quitted that important station, which he had filled so honourably to himself and so beneficially to the slaves of St. Lucia. We shall soon see whether the impulse which his presence appears to have given to milder treatment is to be perpetuated under his successor.

V.—The Cape of Good Hope.

The returns from this Colony embrace the period from the 25th of June, 1827, to the 25th of December, 1829, being a period of two years and a half.

One of the most painful circumstances in this report is that, although the Secretary of State has, from time to time, condemned the practice of punishing complaining slaves who fail to substantiate their complaints, the practice is still continued to a frightful extent. It was denounced in a despatch to the Governor of so early a date we believe as September, 1828. On the 29th of August, 1829, we find Sir George Murray again remonstrating on this point. "Throughout all these Reports," he says, "cases continually recur in which slaves preferring groundless complaints against their owners are forthwith punished as criminals. I have had occasion to advert to the subject in my former communications to you. It may be sufficient for the present to observe, that these reports leave no room to doubt that great injustice is frequently committed by this practice. I must again, therefore, press upon the Council of Government of the Cape of Good Hope the necessity of rendering the punishment of a slave for groundless complaints dependent upon the master preferring and proving, in each case, a distinct and specific charge that the imputation made by the slave upon himself was both false and malevolent; and the law should distinctly prescribe the measure of punishment to be inflicted on slaves convicted of calumnies of this nature." A strong illustration of the inconvenience of the practice is then given in the case of Lea, who was sentenced to three months' imprisonment and payment of costs, because the magistrates thought the charge false and unfounded. Papers of 1831, No. 262, Part V, p. 15.

On the 15th of June, 1830, Sir G. Murray again recurs to this subject, and expresses his dissatisfaction with the long list of cases of persons punished for preferring groundless complaints. Nay, on the 20th of December, 1830, we find Lord Goderich still lamenting that the practice is continued "of inflicting severe punishments on slaves who fail to substantiate complaints which they may prefer against their masters." "Now although it may be necessary and even just to punish a slave who has been proved to have falsely accused his master of an offence, which, if proved, would subject him to punishment, yet it strikes me as cruel and unjust to condemn a slave to twenty-five or thirty lashes, or to solitary confinement for a certain number of days on low diet, for failing to prove that which the slave was unable to substantiate, but which is not, therefore, proved to have been false. The effect of such a practice must be to deter slaves from preferring any complaints which they cannot substantiate by credible witnesses, and consequently encourage instead of checking oppression and injustice." Ibid. p. 27.

It certainly seems extraordinary that the repeated instructions and remonstrances of His Majesty's Government on this point should have been so strangely neglected at the Cape of Good Hope. But we suppose the next report from that quarter will bring us a laboured

defence of the practice of punishing, without even the form of a trial, slave-complainants who fail to prove their complaints; just as we had, on a late occasion, from Sir Lowry Cole, the Governor, (see No. 83, p. 330,) an ingenious vindication of female flogging on the ground of its preventing the debasement of the female character. We think it is much to be regretted, that in cases so deeply involving the rights of justice and humanity, the language employed by the Government in conveying its wishes should not be sufficiently distinct and decisive to convey their full meaning and to admit of no evasion. A feeble or ambiguous phrase may cost the slave population of a Colony a year or a year and a half of protracted injustice and oppression.

It is much to be regretted in this Report that the whole of the details respecting the complaints of slaves and masters, their trial and punishment are omitted. We have little more than the general statements of the Protectors and the general comments of the Secretary of State—but a great part of both is scarcely intelligible to the reader from the absence of all specific details. The same remark applies to the cases of claims for freedom, and also to the manumissions affected. We are referred to Appendixes which are not given.

No marriages or baptisms have been solemnized at the Cape of Good Hope; and one of the Protectors affirms that there is an indisposition in masters to encourage them.

Education and Religious Instruction appear to be at a very low ebb.

The only manner in which we can supply the extreme defectiveness of detail in this report is by transcribing a part of the despatches of the Secretary of State, which will afford at least a glimpse of the evils of slavery in this Colony. In his despatch of 29th of August, 1829, Sir G. Murray thus addresses Sir Lowry Cole:—

"The cases of Frederica and Jauna, Carel and Mey, Clara and Malatie, illustrate the necessity of establishing by law a rule decisive of the question, in what cases persons who are slaves *de facto* must, in the absence of positive evidence of their legal condition, be presumed to be slaves *de jure?* The rule should be, that, to make good his title, the asserted owner should carry back the proof of it to the date of the Abolition of the Slave trade, viz. the first of January, 1808; proof having been brought forward to this effect on the part of the owner, the rule should be reversed, and the title of the master should be regarded as completely established, unless the slave should be able to aduce evidence to prove his title to freedom. You will propose to the Council the enactment of a law to this effect.

"It appears that Gabriel, who was claimed as a slave by Mr. Horak, was set at liberty after a servitude of two years and a half, on the ground that he was really a free man; but no justification of having thus held a free man in slavery is made by Mr. Horak on the face of this Report; nor does it appear whether Gabriel received any compensation for his services. You will cause inquiry to be made into these circumstances, and report to me the result.

"In the Report from the District of George (First Report), a long series of cases occur; in all of which the prosecutor, on behalf of the slave, abandons the case, and the plaintiff (meaning I presume the

slave) is condemned to pay the costs. Some further explanation is necessary of this reiterated and uniform failure of these prosecutions.

"In the Report from the district of Stellenbosch three cases are stated in which aged slaves, past their labour, were abandoned by their owners on the ground of their inability to maintain them. I should infer from these cases that no provision is made by law for the support of an aged and worn out slave in cases where the owner is unable to discharge that duty. Supposing the inability of the owner to maintain his slave to be completely established to the satisfaction of some competent authority, but not otherwise, the burthen must fall on the public at large; and if the law has not already provided for such cases, the subject should be brought under the consideration of the Council of Government.

"In the Report of the Deputy Protector of Uitenhage, seventeen distinct cases occur in which slaves, having complained of ill-treatment, were sent back to their masters with a severe punishment. The similarity of the result in all these cases suggests the necessity of some further inquiry being made into the nature of the complaints, and the circumstances which led to so many failures.

"The case of J. J. Villiers, charged with the murder of his slave, affords a strong illustration of the inconvenience of the rule adopted by the Supreme Court, by which all persons ignorant of the English language are debarred from serving as jurors.

"In the Second Report occurs the case of the slave Sara, in which, though the owners were proved to have used an illegal instrument in her punishment, they not only escaped with impunity, but the party complaining was decreed to pay the costs. It is necessary that some explanation should be afforded of this singular result of the prosecution.

"In the case of the slave Jack the owner was fined £6, although, pending the proceeding, he had taken upon himself to punish the slave for preferring the complaint. I fear that the law will fall into contempt if it can be set at defiance, with no greater inconvenience than that of sustaining so trifling a punishment.

"From several cases before alluded to, it would appear that severe punishments are imposed upon slaves who fail to make out fully that there have been sufficient grounds for their complaints; but by this case it would appear that a master who has inflicted a punishment upon a slave pending a proceeding escapes with a very light punishment. The contrast which here so obviously shows itself in the principles which guide the administration of justice towards masters and towards slaves requires the most serious consideration of the Government.

"In the last case comprised in the Second Report, a slave appears to have been punished with one year's imprisonment to hard labour for the offence of riding a horse without the permission of the owner, it being distinctly stated that there was no proof of any intention to steal the animal. This would seem to be a punishment of extraordinary severity, and some additional information on the subject is necessary for the vindication of such a sentence.

"In the Third Report, a case occurs in which the owner of a slave is stated to have lost his services for eighteen months, and to have incurred an expense of £100 in resisting a claim to freedom, in which

the slave was at last unsuccessful. Such a statement would seem to imply some very considerable defect in the administration of justice, into which an inquiry should be made.

"In the same Report, it appears that the Assistant Guardian was unable to compel the attendance of the person against whom the complaint had been made by his slave. If authority to enforce obedience to a citation of this nature is not possessed by this officer himself, nor placed within his reach in some other functionary, the law must be defective, and will require revision; but the nature of the difficulty is not sufficiently explained to enable me to issue any instructions on the subject for your guidance.

"Numerous cases occur in this Report in which slaves are condemned to be fed in prison on what is termed 'conjee soup,' and other unusual articles of diet. I presume therefore that this aliment is either less palatable or less nutritious than the ordinary food of slaves; but if such be the case, it would seem to be a most injudicious species of punishment. You will inquire into the subject, and adopt such measures as, in the result of those inquiries, may appear to you necessary for the correction of any abuse which may be found to exist respecting the diet of slaves in prison; and I request that you will also inform me what is the nature of the diet above mentiond.

"In the same Report, a person named Flynch appears to have been sentenced to a fine of £5, with the costs, for punishing a slave boy five times within twenty-four hours, with a severe instrument, a penalty which would seem quite inadequate to such an outrage.

"A case of similar lenity seems to have occurred in the instance of Mrs. D. Necker. This woman and her son, after beating a female in such a manner as to produce several lacerated wounds on the back and breast, for an offence described by the terms 'insolence and impertinence,' was subjected only to a fine of £5, a punishment bearing no proportion to the magnitude and aggravated nature of the crime.

"The case of Brits, in the same Report, is a still more extraordinary instance of lenity towards a great offender. This man was sentenced to pay £5; yet the slave appears to have been repeatedly beaten until his person was wounded, and in the intervals of the punishment Brits is proved to have rubbed salt into the wounds. The inhuman cruelty manifested by this wanton aggravation of the sufferings of the slave was sufficient, not merely to justify, but to require, that the offender should be punished to the utmost extent which the law in such a case would have sanctioned.

"In the three preceding cases I have observed, with regret, an apparent disposition to shelter from merited punishment persons who have no claim whatever to compassion. It will be your duty to make an early inquiry into this subject, with a view to ascertain to what circumstance this seemingly very misplaced lenity is to be attributed, and how the recurrence of similar decisions may best be prevented for the future.

"In the case of the slaves Dattat, Rachel and Amilie, a conviction is recorded for bullock stealing; the evidence, as it appears on the face of this Report, does not amount to any proof of the crime.

"The Report from the Assistant Guardian at Worcester is a mere

catalogue of names, from which no useful information can be collected. This officer must be admonished of the necessity of transmitting a much more complete account of his proceedings." Ibid. p. 15—17.

Again on the 15th of June, 1830, Sir G. Murray thus writes:—

"I now proceed to make such remarks as I think necessary on the Guardian's Report.

"1st. In the case of Marietje, it is not proved or alleged that the punishment was private, nor that it was inflicted on the *shoulders*.

"2d. In the case of Regina, there is no proof or suggestion that the punishment inflicted on the female slave was conducted in the manner required by law. A fine of 5*s*. was the only punishment incurred in this case, by a young man who appears, at his mother's command, to have beaten a girl with undue severity. It will no doubt strike you that such a punishment is out of all proportion to so unmanly an offence.

"3d. A long list of cases is again brought forward of persons who are punished for preferring groundless complaints. Some of them are enumerated in the margin. It is unnecessary to trouble you with any remarks on this subject, because the rule which is to be hereafter observed respecting the punishment of persons preferring improper complaints is now laid down by the new slave code.

"4th. The Reports from the Assistant Protectors in the country districts are in general so slight and superficial, that it is impossible to derive from the perusal of those documents any distinct view of the manner in which the law has been carried into execution. Nor, indeed, are the Reports of the Protectors themselves exempt from a similar fault. The new Order, however, having prescribed the form in which all reports are to be compiled, with the information which they are to convey, and having rendered the delivery of reports in that form essential to the payment of the Protector's salary, there is no reason to apprehend the recurrence of this fault hereafter; nor would it answer any useful purpose to comment any further on the subject at present.

"5th. I am surprised and grieved to find that the habit of punishing slaves by a diet less nutritious or less palatable than that which they usually receive still continues. Thus the slave Manissa was sentenced to live on *rice water* for eight days; the slave Maria, on conjee soup for four days; Phillida, on the same diet for eight days, and Ponto, for four days.

"You must take effectual measures for discountenancing such barbarous punishments.

"6th. In a long list of cases, enumerated in the margin, the claims of slaves to their freedom appear to have been, for the present at least, practically defeated, on account of the want of a solicitor to undertake the prosecution, and on account of the expenses with which the judicial proceedings would be attended. The difficulty arising out of the want of a proper advocate and solicitor of these claims has, I apprehend, been already obviated by my instructions that the Attorney-general of the colony should act in this capacity in all slave cases. The difficulty arising from the expense of judicial proceedings will in part be surmounted by the powers given to you in the new Order.

But it will probably be necessary also to suggest to the Judges of the Supreme Court the propriety of exercising their powers, by laying down a few short and simple rules for the more expeditious and economical conduct of processes of this nature; with the ample powers enjoyed by the Judges, it is indeed a matter of surprise that they should not have earlier applied a remedy to a grievance of so serious a character as this.

"7th. Passing from these general statements to the specific cases which require notice, I observe, first, that in the case of January, the owner of the slave was punished with a fine of only 2*l.* for having kicked the slave in the eye, in such a manner as to produce serious injury. The precise amount and duration of the injury are not explained; but it is not more needless than painful to have to observe, that for an act of such brutality the punishment was totally inadequate.

"8th. Apollos, a slave boy, having been sentenced to receive 125 lashes, for a calumnious complaint against his owner, Mr. Huskisson demanded a copy of the proceedings in that case. (Vol. iii, No. 54, p. 140.) It appears that a copy has been procured, but it is not transmitted with these papers. It is a singular oversight, that an explanation furnished in consequence of the Secretary of State's instruction should still be withholden, and I desire to know the cause of this neglect.

"9th. The case of Roset raises the questions, Whether a slave can purchase his own freedom at a public auction? and Whether a duty is payable upon such a transaction? Each of these questions is set at rest by the recent Order in Council.

"10th. The case of Philida cannot be more conveniently stated than in the words of the Report itself. They are as follow:

"'The complaint of ill-treatment was not proved, but as the *defendant stated* that he gave the complainant about ten or twelve lashes with a double bullock strap on her naked back, after having tied her to a cart, the Assistant Guardian referred to the 13th Article of the Ordinance No. 19, and stated, that he left it to the decision of the Court whether any free children are punished in this manner in the schools: whereupon the magistrate declared the defendant not guilty, and sentenced the complainant to a solitary confinement of eight days on conjee soup.'

"It really cannot be necessary to occupy your time with any comment upon this extraordinary decision; but you will ascertain and report to me the name of the magistrate who possesses such peculiar notions of his judicial duty.

"11th. The case of the boy Frederick is stated; from which it appears that a Mr. Douw punished the boy before he had recovered from an illness, and that the boy having fainted during the punishment, Douw left off for a while, but on the recovery of the complainant again continued the punishment. These facts are said to have been proved by two slaves, and to have been partly acknowledged by the defendant. The magistrate, however, dismissed the case for want of proof. The evidence on which this decision was founded must be produced.

"12th. It appears that a slave boy named Damon received fifteen

lashes for preferring a groundless complaint, although the magistrate admitted that the instrument with which the boy had been punished was improper, and warned the defendant to use it no more.

" 13th. In the same district (Stellenbosch), several cases occur (see the cases of Rosie, Sara, Absalom, Jephta, Gallant, Adam and Frederick, Arend, Silvester, Goliath, Sevier, Achilles, Africa, Daphne) in which severe punishments were inflicted for non-substantiation of complaints preferred by slaves against their owners; such, indeed, seems to be almost the invariable result of all applications of that nature. I think myself, therefore, called upon to desire that you will transmit to me a statement of the evidence on either side upon which this long series of punishments was grounded; no system would seem better calculated to deter the slaves from availing themselves of the protection and advantage promised to them by the law.

" I now proceed to the Report of the Protector of Slaves for the Eastern District.

" This officer has made some preliminary remarks which seem highly deserving of attention. He observes, that many complaints which seem groundless are not so in reality; for that a slave, sustaining an injury from his owner, has extreme difficulty in procuring the evidence of his fellow-slaves: living under the domestic authority of the same owner, they reasonably dread that some pretext will be found for punishing them for having given their testimony against him. Yet, as appears from the same Report, to prefer a complaint which is not substantiated by evidence is regarded as a serious offence, and punished accordingly. In the case of Manuel, the slave was condemned on this account to receive no less than forty-five lashes; and in the case of Gallant, the number of lashes was reduced to twenty-five in consequence, as is said, of the age of the offender.

" Nothing can more strongly illustrate the necessity of the alteration which has been made in this part of the law; but these two cases are so peculiar, that I think it absolutely necessary to desire that you will transmit to me more minute reports respecting them.

" 15th. The recent Ordinance of the Cape of Good Hope for regulating the proceedings against persons accused of crimes denies them the right of being assisted by counsel on the preliminary examinations. This rule, which would seem perfectly proper in ordinary cases, is scarcely compatible with justice in the case of slaves. Their ignorance, and the influence of the owner in cases where he is concerned, seem to require that in every stage of the proceedings they should be assisted by an adviser capable of interpreting their meaning and assisting their judgment. It will, therefore, be right that you should bring the remarks of the Protector on this subject under the consideration of your Council, in order that some method may be devised for rescuing slaves from the disadvantages to which they are at present subject on a preliminary examination.

" 16th. I notice a case which would seem seriously to impugn the wisdom of the Rule by which His Majesty in Council has prohibited any purchase of freedom if effected with money given for that purpose. It appears that the father of a slave contributed his whole property, amounting to 450 rix-dollars, to secure to himself the

society of his child. Under the recent Order this would be illegal. Yet I suppose no person would deliberately maintain that the law ought to prevent an act of so much self-denial or parental tenderness. The father who sacrificed the earnings of his whole life to rescue his child from slavery is surely not likely to train that child in evil courses, nor can society at large have any real interest in preventing the repetition of such enfranchisements.

"17th. There further occurs the case of a Hottentot, called Claas Dampies, who was tried for inflicting upon a slave named Cupido a punishment of singular barbarity. The offence imputed to Cupido was that he had poisoned his master, and the object of the punishment was to induce him to confess that crime. The Hottentot was convicted, and received a severe punishment; but the owner, who, if one of the witnesses speaks truth, authorized the punishment, was not even put on his trial.

"18th. In the case of C. C. Molder, who was indicted for stabbing a slave, all the evidence would seem to sustain the charge, and there is not one word in contradiction to it; yet the verdict acquits the prisoner. Some explanation is necessary of so irregular a result, which the presiding judge will probably be able to furnish.

"19th. The Report contains the details of the very scandalous case of a slave named Jephta. It is stated that this man's master had a child by a Hottentot woman named Tray; that the master first induced the Hottentot Claas to marry this woman, and then prevailed on the slave Jephta to repudiate his own wife, and to marry Tray, though her Hottentot husband was still alive. This is said to have been done to conceal the master's connection with this woman. The complaint ended in the punishment of Jephta, with a severe whipping, because he had, in obedience to the Protector, driven his master's cattle home pending the complaint. For this act he was accused before the district judge, who paid no attention to the excuse urged by the Protector, that the slave had acted under his, the Protector's, orders. The magistrate who pronounced this decision must be called upon for an explanation of his conduct.

"20th. The Report further contains a long series of cases from which no useful information whatever can be derived; they contain nothing more than a statement of the names of the parties, the nature of the accusation, and the result of these proceedings; but it is the less important to notice these defects at present, since they will be corrected hereafter by the recent Order in Council." Ibid. p. 20—22.

And yet the West India Manifesto boasts of the fitness of the holders of slaves to frame laws for the benefit of their bondmen!!!

ERRATUM in No. 84.

In the Anti-Slavery Reporter No. 84, p. 348, there occurs an error which it is requested that the reader will correct, viz.—

Lines 24, 25, and 26, should run thus;

"In May 1830, he fixes the price of picking 70lb. of Coffee at 1*s* 0*d* ½ sterling, being only a half more than the rate which he fixed on the former occasion for picking a seventh part of that quantity, namely, 10lb.

Line 28 for 4½*d* read 1*s* 0½*d*.

Line 35 for 4½*d* read 1*s* 0½*d*., and for 2*d* read 6*d*.

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