

warrant for the arrest of the fugitive granted by Commissioner Ingraham, proceeded to Lancaster. The term of imprisonment of the alleged fugitive expired on Sunday night, at 12 o'clock. A few minutes before that hour, the master and constable Agen went to the jail and paid the fine and costs of court in the sum of \$12. At 12 o'clock, the slave in the prison, and in the morning started for Philadelphia, where they arrived at about 3 o'clock, yesterday afternoon. A committee of the Abolition Society were in waiting at the office of A. E. Roberts, U. S. Marshal, having probably obtained intelligence by telegraph from Lancaster, of the arrest. This committee is the most persevering set of men we have ever met with, and they never leave any thing undone to secure the liberty of a fugitive slave. Before the hour of 4 o'clock arrived, which was fixed for a hearing, this committee had obtained a habeas corpus from Judge Grier, of the U. S. Circuit Court, to have the body of the alleged slave before him at 10 o'clock this morning. The Commissioner remarked that the habeas corpus did not act as a supersedeas, and that he was prepared to hear the case; but as the counsel had left the room with the impression that the case would not be heard until this morning, the case was postponed. The slave was kept in Mr. Marshall's office all night.

At 10 o'clock this morning, the hearing of the habeas corpus was had before Judge Grier. D. P. Brown and R. P. Kato appeared for the alleged fugitive, and R. M. Lee and Bennett for the master.

R. M. Lee presented to the Court the returns of Marshal Roberts, stating the authority upon which he held the prisoner, and asked to be permitted to make out his case before the Commissioner, with a view of his being given into the custody of his master.

Judge Grier said that he had issued the habeas corpus merely for the purpose of ascertaining whether the warrant under which the fugitive was held, was legal in its character. It was not in the nature of a certiorari, to remove the proceedings from another body competent to give a hearing, nor would he allow himself to be made a committing magistrate at the whim and caprice of every body.

D. P. Brown, for the prisoner, contended that the habeas corpus superseded the warrant of the Commissioner, but was willing, if the Judge thought otherwise, to withdraw the habeas corpus without argument, preferring to have a decision on a point so important, at some other time, when there should be more leisure for deliberation.

Mr. Lee thought it would be wrong to withdraw the case from the Commissioner, as it would be casting an imputation upon him. He asked, therefore, that the prisoner be remanded to the custody of the Marshal, with a view to his being heard before the Commissioner.

Mr. Brown replied, that to settle the matter, he would withdraw the habeas corpus.

Judge Grier said, that the prisoner had never been taken out of the hands of the Commissioner, his purpose in granting the writ of habeas corpus being merely for the purpose of examining its validity. He then endorsed the writ, remanding the prisoner to the custody of the Marshal, the habeas corpus having been withdrawn, and further proceedings waived under it.

Commissioner Ingraham then took his seat to hear the case.

Mr. Lee offered the proceedings had before Judge Heath, of Baltimore county, Md., which, after some conversation between counsel, was heard. They set forth that the alleged fugitive is the slave for life of complainant, having been born of a female slave, owned by him in the county of Baltimore, Md., while she was his slave. Several affidavits were read of persons residing in the vicinity of the complainant, who testify to the fact that the prisoner is the slave of the claimant. The description of the person of the slave, contained in the affidavits, is very accurate. The slave has a peculiar appearance of face.

Dr. Thomas C. Ristean, sworn.—The claimant is my brother; he lives on the Gunpowder Falls, about 11 miles from Baltimore; our farms are separated by the Falls; that is the boy of my brother's; he is a slave for life; I have known him from infancy; he is in his 20th year; I knew his mother; he was born on my brother's farm; I have not the least doubt of his identity.

Cross examined.—I was born and raised on the farm where I now live; my brother has had the farm he lives on all his life; my father died in 1822; he died before the birth of this boy; I am younger than my brother; my brother purchased the mother of this boy in Patapsco neck of Thos. Long, at a public sale, as a slave for life; this was after the death of my father; the boy was not born at the time of the purchase of the mother; I am positive. I first saw him when an infant, from his birth up to the time he left my brother; I first missed him in June, 1850; the day he ran away; I had seen him almost every day, as he was hauling lime from my lime-kin; I first saw him after he ran away, about two or three weeks ago, in Lancaster county jail; I asked the boy how he got there, and he said he walked along the railroad; I was told in jail that he was committed for stealing chickens; he was committed on the 21st of April last; I saw the record; my brother and myself went to Lancaster, accompanied by Constable Agen, and arrested him when his time had expired; he was advertised a day or two after he ran away; my brother received information by telegraph of his being in jail.

[To the question, how did he receive the information?] an objection was made, and an argument ensued between Messrs. Brown and Lee.]

Question admitted.—My brother received information from a friend of his in Baltimore and also from a gentleman in Lancaster named George Bowman; I had no information in the interval; my brother received the verbal information before he received the telegraphic notice. I know of no marks upon the fugitive's person myself, but have heard my brother say, before the boy ran away, that he had a scar upon his cheek, I believe under his ear.

By Mr. Lee.—I attended the boy's mother in her confinement; the boy admitted while in jail that he was the slave of claimant.

Wm. W. Wolts, sworn.—I know William M. Ristean; he lives in Baltimore county; I live within a mile of him, and was born there; I know the fugitive; he is the slave for life of Mr. Ristean; I have not the least shadow of doubt; I have worked days after days with him on the farm; have known him from a small boy; knew his mother; she was the slave of claimant; the boy was born on claimant's farm, and I knew him before he could walk; I saw him about ten days before he ran away, and never saw him again until yesterday in the room here; I was lime inspector of Baltimore county and saw the boy hauling lime; I have seen him

helping his neighbors husk corn; I have always understood that the boy was a slave for life, by reputation and the word of the master; I know when he bought the boy's mother; Mr. Ristean parted with the mother about 12 years since; don't know whether the boy got here by the master's consent.

John W. Shankland, sworn.—I know Wm. M. Ristean, and am a neighbor of his; he lives in Baltimore county; I know the fugitive, and have known him from a small boy; his reputation in the neighborhood was that he was a slave; can't say that I know his mother; I have not the least doubt, that he is the slave of Mr. Ristean.

Cross examined.—I have lived in Baltimore about 28 years; a short distance from claimant.

The evidence here closed.

Mr. Brown said, that they had no evidence to offer for the slave. He remarked, that if owners themselves would appear in court and make out their case in a regular manner, and by due proof, persons would find that there was no disproportion on the part of the courts, such as was attributed to them, to resist the due execution of the law. In this case the respondent had no testimony to offer inconsistent with that adduced by the claimant. We are therefore satisfied, though by no means content, to let the law take its course, though it is not to be wondered at that we were not going to allow human rights to be sacrificed to imaginary contributions of the law.

The claimant then made the necessary affidavit required by the Act of Congress, to put the fugitive into the hands of the U. S. Marshal, for the purpose of having him conveyed to Baltimore, Md. A warrant to remove the slave was made out by the Commissioner, and put into the possession of U. S. Marshal, A. E. Roberts, who started for Baltimore this afternoon, at 2 o'clock, with the slave in custody.

Fugitive Slave Case.

TUESDAY, July 22.
U. S. COMMISSIONER'S OFFICE.—Before Commissioner Edward D. Ingraham.—Yesterday afternoon, a colored man named Daniel Hawkins, apparently about twenty years of age, was brought from the Lancaster county jail, where he had been serving out a sentence of three months for larceny, in the custody of Constable John Agen, of Third Ward, Southwark. He is said to belong to Wm. M. Ristean, of Baltimore, Md., from whom it is alleged he absconded a year ago last June. Before his conviction for larceny he had been residing at Columbia, Pa. The master obtained information of his conviction, and on Saturday night last, in company with constable Agen, who had