

MOCRAT.

, AGRICULTURE AND NEWS.

WHOLE NO. 327.

years' delay to prosecute. But the Fugitive Slave Bill knows no mercy or compassion of this kind. Unrelentingly it fastens it clutch upon all cases. While life lasts, its fangs strike into the flesh.—The alleged slave may have amongst us for fifty years; he may have earned property, be married, and surrounded by children. It is all the same. The inexorable certificate of a Commissioner rebrands him to bondage and despair.

The bill not only remands him to bondage, but under circumstances to which there will be few exceptions, it orders that he be sent home at the public expense. The constitution says, he shall be "delivered up." There the obligation of that instrument ceases. It is only the law that adds, he shall be carried back. You and I, sir, must help pay the costs of sending a fellow being into bondage—when we are under no more constitutional obligation to do so, than to pay the expenses of a slave dealer who ships his cargoes direct from Africa.

But the bill has become a law, and the practical question now is, how can the country be exculpated from the crime and the dishonor. For myself, I do not adopt the doctrine of forcible nullification. I trust I shall never join a mob to resist a law, until I am ready for revolution. The only true enduring remedy is Repeal. Those who would forcibly resist the law, lose half their motive and impulse for repeal—for if we abolish it without repealing it, it will be likely to remain upon the statute book, an eternal monument of the nation's disgrace. Let effort never cease, until a trial be obtained.

But this view of civil duty applies only to the citizen. It does not touch the fugitive. One liberty the slave always has—whenever he deems it expedient, he may re-clothe himself in the rights which God and nature gave him, and which, though they may be ravished from him, can never be destroyed.

Until repeal, however, there is one opening for hope. If, as is said by Mr Crittenden, in the opinion already cited, "Congress has constituted a tribunal with exclusive jurisdiction, to determine summarily, and without appeal," and if, as he further says, "the judgment of every tribunal of exclusive jurisdiction, where no appeal lies, is of necessity conclusive upon every other tribunal AND THEREFORE THE JUDGMENT OF THE TRIBUNAL CREATED BY THIS ACT IS CONCLUSIVE UPON ALL TRIBUNALS;" then, the whole case, in all its bearings and relations, its sources and its issues, comes before the commissioner; not even the Supreme Court of the United States can interfere with him; and the first question for him to "hear and determine" is, whether in truth there be any such law, whether the whole disgraceful enactment be not unconstitutional and void; and therefore, whether his first and only duty be not to dismiss the proceedings, and to let the captive go free. I am not without hope that such will be the result; and thus that many conscientious and law abiding men will be relieved from the anxiety and the mental conflict which now oppresses their minds.

Very truly, your obedient servant,
HORACE MANN.

The Detroit Slave Case.

Bold attempt to enforce Fillmore's Law against a Freeman—The Military and the United States troops out on Slave Duty.

The Peninsular Freeman, published at Detroit, contains an account of the slave case which lately came up in that city. The following are the particulars of the origin of the case, by which it appears that the alleged slave is a freeman!

"The individual arrested, Giles Rose, has resided for the last two years on the farm of Gov. Woodbridge, near the city. Some time since Gov. W. became involved in a lawsuit with an Irishman by the name of Riley. Rose was a witness in the case, and his testimony was of such a character as to decide the suit against Riley. Another suit is now pending between the same parties, in which Rose is a material witness. The suit is a prosecution of Riley by Gov. Woodbridge for the malicious destruction of property. Since the decision of the first suit, Riley has used every means in his power to get Rose out of the way. He first prosecuted him on a false charge of having stolen and killed a cow. From this imprisonment Rose was released by the interposition of Gov. Woodbridge. Subsequently, Riley endeavored to frighten Rose into leaving for Canada, by threats of personal violence, and by a series of petty persecutions.—Failing of his object, he commenced a correspondence with Southern slave catchers, and succeeded in inducing three of them to come on board and seize Rose as a fugitive slave under the Cass and Buel law, as before stated."

The Freeman adds that Rose has been known to the people of Detroit for two years; he declares that he purchased his freedom for seven hundred dollars, and received free papers, which he deposited in the hands of a friend in Cincinnati for safe keeping. He has repeatedly told this story under circumstances which leave no doubt of its correctness. When the slave law was passed, he repeated the story to Gov. Woodbridge and asked him if he thought he was safe without his papers. The Governor told him he thought he was.

The process of capture is thus described:

"On Monday the slave-catchers went about U. S. Commissioner Watson, and took out a writ for the seizure of Rose, which was placed in the hands of Deputy Mizner, to be executed and he, in company with the kidnapers, Riley, and our City Marshal, who volunteered his services for the occasion, proceeded to the farm of Gov. Woodbridge where Rose was found and arrested. He was placed in a covered carriage and brought to the city, and, without warrant of law, thrust into the county jail. It was the intention of the pirates to procure the certificate provided for by the law and immediately depart for Tennessee. They were, however, balked of their purpose. Rose was known to many of our citizens, and known to be a freeman. The alarm of the arrest was immediately given, and a large concourse of people was soon assembled in the streets. The resolve among them was unanimous that he should not be taken off until he had had a fair trial—law or no law."

The excitement rendered it unsafe for the kidnapers to proceed with the expedition as first contemplated and they consented to defer the examination until Tuesday morning.

Now read this account of the military preparation which was made to force this free colored man into perpetual servitude. Was there ever a more outrageous proceeding?

"Under pretence of a fear of escape, the Marshal called up one of our military companies, and requested their services as jail guard. With an alacrity which would have done credit to the most mercenary of a hireling soldiery, they consented to become the watch dogs of slavery—to shoulder their muskets and draw their swords against freedom! Shame upon them! We understand that they passed the night in drunkenness and riot. No disturbance occurred."

On Tuesday morning the Marshal was more than ever alarmed. On every hand, and almost every tongue he heard denunciations of the law. Men who had heretofore regarded with indifference, could not resist the feeling of indignation which its injustice and infamous provisions excited. All shared this feeling except a few contemptible sycophants, who regarded it as their duty to sustain those who have enacted it, in defiance of all other constitutions. This feeling of indignation the Marshal construed into a feeling of hostility, and, under this pretext, called upon another volunteer company to turn out to assist in executing the law. He also called upon the commandant of the military station at this place, who gladly volunteered a company of infantry for the occasion.

At twelve o'clock the prisoner was taken from the jail, and placed in a cab, in a hollow square formed by the gallant soldiery. In the cab with the victim rode the U. S. Marshal and our city Mayor. In this order the line of march was taken up for the Court House. Oh, it was a brave and gallant sight for Republicanism, that! To see the shinking and trembling black man—the dazed defying look, the stately tread and bristling bayonet of the soldiery was a pageant which, God grant few of us may live to look upon again. And it was a beautiful comment upon the law, too, which required such a display of brute force to sustain it, and to overawe any expression of sympathy for its victim.

Now for the proceedings in court. Notice the law as laid down by the Commissioner:

"Rose was put upon trial. A man by the name of Douglas appearing as attorney for the plaintiffs, and Messrs Joy and Abbott for the respondent.

Mr Joy moved a postponement of the trial to a future day, to enable Rose to produce his papers to establish his right to his freedom, which papers he had sworn were in Cincinnati. The counsel for the claimant denied that the commissioner had any authority, under the law, to grant a postponement, but he declined to argue the point. That he was ashamed to do he did not deny, and we think was rather creditable to him. Mr Joy argued his motion at some length. The Commissioner agreed with the counsel for the plaintiff that he had no authority to

postpone the trial, and he further declared that EVEN WERE THE PAPERS BY WHICH ROSE WAS MANTMITTED PRESENT, HE COULD NOT UNDER THE LAW RECEIVE THEM IN EVIDENCE. In other words, THAT HE WOULD NOT HEAR ANY DEFENCE WHICH THE PERSON CLAIMED AS A SLAVE MIGHT MAKE! The whole was to rest upon the affidavit of the claimant. If he swore the person claimed owed him or his employer services, that was sufficient. No rebutting testimony could or would be heard—no matter what should be its character, or how clearly it might demonstrate the falsity of the claim."

Such is the law, and such is the spirit in which it is to be administered. The fault is not so much in the person who interprets it, as in the law itself; though the former is basely wicked for having anything to do with the infamous enactment. It is no wonder, then, that this law, which thus sets at defiance every principle of justice and humanity—which thus seizes upon a free citizen and refuses to allow his testimony, though it comes in the form of a certificate of freedom—it is no wonder, we say, that a law so wicked and hideous should arouse the people of the free North to a sense of their deep degradation. Every mother's son should unite in basting the douglaces who enacted it, and in exterminating from the list of respectable men all those who in any manner uphold them—This is the only way in which contempt for the law and its advocates can be made effective.

[Rose was remanded to jail to wait a week for further examination. In the meantime \$500 were given to his claimant to satisfy him, and so the matter ended.]

The Fugitive Slave Bill.

The Congregationalist, an ably conducted religious paper published in Boston, has the following capital article:

It is a great consolation that wrong does not become right, because it is embodied in a Congressional enactment. The Psalmist in a certain place, speaks of those who "frame mischief by a law," who "gather themselves together against the soul of the righteous, and condemn the innocent blood." And yet, when upon this subject, we could ever seek to imitate the mildness and discretion of that schoolmaster, who taught his pupils to repeat the list of the Presidents of the United States in their order, with a few words in each case illustrative of their characters, but when they came to John Tyler, and was asked whether he was a good President, the stereotyped answer was, "Thou shalt not speak evil of the ruler of my people." We are well aware that a law may not be exactly right, and yet that it would be altogether wrong for one to put his own private opinion in the room of it—that this would be the substitution of a principle of disorder and anarchy, in opposition to the spirit of order and stability, in a case calling for no such violent remedy. We trust we have a proper respect for the solemn dignity and majesty of law. And yet we can understand that a law, enacted according to the due forms, may be such an enormous wrong, and such an insult to the Most High, that no conscientious, God-fearing man can respect and keep it. We are not unaware that rulers in their blindness sometimes enact such laws—laws which are aimed directly against the ancient and eternal principles of justice and truth, and then cry out against those who will not observe these laws to do them, that they are anarchists; despisers of law and government. Now we go a step farther back and contend stoutly that these rulers are themselves the anarchists.

By the very enactment of such laws as above described, they themselves unloose the very principle of anarchy, and the man, who, out of the fear of God, and his regard for truth and justice will not violate his conscience in keeping them, does by that very fact give evidence that he feels upon his soul the binding force of law, and bows before its majesty. Nothing is more idle and unmeaning than the cry which is sought to be raised against those who will not pledge themselves beforehand to keep all the laws which wicked rulers may see fit to enact. The aim is, to implicate all this class of persons in disloyalty and rebellion. We say that they are the very men through whose influence law maintains its majesty and its binding power upon the community. They recognize a great centre and source of law, where Lord Bacon has placed it, in the bosom of God, and with those who do not acknowledge and recognise this as its source, there is no law. That men who regard rulers as the ultimate source of law, are not the men who uphold earthly governments, and help to preserve the peace and order of society. They have but the shallowest ideas of order and stability compared with those entertained by men who take this higher view.

We have said that rulers in their boldness sometimes enact laws, which good men cannot and will not keep. Nebuchadnezzar enacted such a law, and Daniel, very much to his credit, broke it openly and boldly. The ruling council of the Jews, enacted such a law, when they called Peter and John before them, and commanded them not to speak at all, nor teach in the name of Jesus, and these apostles did not treat their mandate with the slightest respect, but went directly out and transgressed it. We are very much mistaken if the Senate and House of Representatives of these United States, even in this nineteenth century have not enacted another such a law in their Fugitive Slave Bill. Whether the people will be any more obedient in this case, than was Daniel in Babylon, or Peter and John at Jerusalem, remains to be seen.

Up, Brothers—Up!

The cry is now rising through the length and breadth of the land, "Up, brothers—up." From the right and left; from the mountains and the prairies; from the forest where the stalwart backwoodsman swings his ponderous hatchet—from the rugged, rocky hill side, where the hardy New England farmer holds his glorious plow—from the river bank, where the cottage stands amongst free flowers and trees, and round whose hearths are nursed the sons and daughters of labor, who listen to the songs of the uncaged birds, and to the anthems of the chainless winds—from Plymouth Rock, that altar of eternal memories of freedom and courage, whose brow the infinite ocean kisses in the East, to the golden shores of California the cry is reverberating of "Up, brothers, up!" Up for liberty, for humanity, and the inviolable sanctity of our sacred homes.

Aye, now the infatuated politicians who have forgotten the principles that gained them the respect and honor of their fellow citizens; and who, in the pride of their self-exaggeration, sacrificed truth and humanity to ambition, and still counted upon sustaining their popularity and power—now will they find that they only wished what they affected to believe. An intelligent free people seldom remain long mistaken in their opinions; they are never entirely wrong in their sentiments; and this great nation, true to the instincts of humanity; which neither the prejudices of caste, the legislative enactments of men, nor the logic of politicians, have been able to destroy—are arousing themselves to the cry of freedom. Strong men, who have felt the spirit of God descend upon them, as they prayed to the Great Parent of Freedom, in simplicity and faith; strong and simple hearted men, who have communed with Paul of Tarsus, and have learned to emulate his courage; and who have drunk compassion from the cup of bitterness that oppression and scorn handed to the dying Savior on the cross—are now rousing themselves and arraying themselves against the aggressive iniquity of slavery. On every side of us we hear the motion of their feet, glad music as they gather together for the moral combat that is fast thickening to the cry of "Up, brothers—up! for Freedom and for God!"

The Fugitive Slave Bill has not brought peace, as those who framed it predicted. It has brought sorrow and fear into the hearts of many poor fugitives, and scorn and defiance to the brows and lips of freemen. It is a fire brand that has arrayed in deadly hostility against each other, the principles and interests of this nation. It has accelerated the hour of destiny, that bringeth the utter condemnation and extinction of that institution which disgraces the common name of Americans, and which threatens now to drag us down to the deepest shades of infamy and disgrace.

But we take courage, and thank God that this people who slept are now waking; and with stern resolves upon their brows, and words of promise on their lips, are pledging themselves to Freedom, pure and simple.—Christian Citizen.

PLANT SOMETHING. If you have no garden spot, dig a hole in the pavement and plant a vine or rose bush, or fill a tub or box with earth, and plant it with flowers; or manure it with a sixpence worth of guano, and raise a dollar's worth of cucumbers or tomatoes.