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WM. LLOYD GARRISON, EDITOR.

FREEDOM'S

OUR COUNTRY IS THE WORLD—OUR COUNTRYMEN ARE ALL MANKIND.

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LEGISLATIVE.

MASSACHUSETTS LEGISLATURE.

HOUSE OF REPRESENTATIVES, Feb. 3.

The following Message from the Governor was received, through the Secretary, and read by the Speaker:—

To the House of Representatives.

In a Message to the House of Representatives, on the sixth day of January last, I stated that the Hon. Henry Hubbard, of Pittsfield had been appointed an Agent to New Orleans, in the State of Louisiana, under the Resolves of 1843 and 1844. I now transmit to you Mr. Hubbard's report, giving an account of his attempts to execute his agency, which I regret that the respectful and constitutional course adopted by the Legislature of this Commonwealth, to aid her defenceless citizens to seek a legal redress in the highest Judicial Tribunal of the Union, for serious wrongs done them under what is believed to be an unauthorized act of the Legislature of Louisiana, should have been met in a spirit that threatens evil to the harmony of the Union, and the pretension, that the agency, which was menaced with violence and riot, originated or was prosecuted with hostility to the domestic institutions of the State, or with the remotest design to interfere in any way with those institutions, is without the least foundation in fact. The highly respectable Agent of the Commonwealth, with perfect propriety, in his communication to the Governor of the State, and in his conversations with several leading citizens of New Orleans, positively disavowed any such design, and clearly and explicitly stated the object of his agency. Although apprised, soon after his arrival, that his person and his life were in danger, he remained in the city until he was satisfied there was no reasonable prospect of accomplishing that object.

A resolute determination that the constitutional validity of the law, complained of by the citizens of Massachusetts, shall not be submitted to the judgment of the tribunal appointed to settle such questions, seems to be the object of the Legislature of the State of Louisiana. If this law was strictly constitutional, it would still be the right of every citizen who might consider himself injured by it, to bring his case before the Courts of the country, to have the question judicially settled. The character of the law of Louisiana is substantially the same as that of the State of South Carolina, mentioned in a former communication to you, and the treatment of the Agent at New-Orleans is marked by the same unjustifiable violence as that of the Agent sent to Charleston. The general views taken in that, are applicable to the subject of this communication, and need not be here repeated.

An attempt is made to justify the legislation of those States, on the ground of its necessity, as a domestic police regulation.

In the case of Prigg vs. the Commonwealth of Pennsylvania, before the Supreme Court of the United States, which case involved the right of a State to pass laws in relation to fugitive slaves claimed by their masters, the Court, while they admitted the right of the State to make police regulations, declared that such police regulations can never be permitted to interfere with, or obstruct the just rights of the owner to reclaim his slave, derived from the Constitution of the United States.

Pennsylvania did not refuse obedience to the decree of that Court, which pronounced her own legislation invalid and void.

If the judgment in that case was just, can the police laws of any State deprive the citizens of such State of the privileges and immunities of citizens of the several States, secured to them by the Constitution of the United States?

Can the police law of one State seize upon a citizen of another State, who enters her ports under the laws of Congress 'regulating commerce among the several States,' and, without the allegation of crime, consign him to a prison, and in other cases sell him into perpetual slavery? Are the sacred right of liberty, and the right to pursue a lawful commerce under the laws and Constitution of the United States, secured by a citizen of Massachusetts, to be crushed by and sacrificed to the police laws of South Carolina and Louisiana, while the police laws of the Commonwealth of Pennsylvania are so rigid to the constitutional right of a citizen of Maryland and Virginia to reclaim his fugitive slave? And are the same rights and equal rule be extended to all the members of this Confederacy. Let the rights of the citizens of every State be alike regarded and protected, and the local legislation of every State be alike controlled by the paramount supreme law of the Constitution of the United States. For the application of this reasonable and just principle, Massachusetts earnestly contends, in the questions now agitating between her citizens and the States of South Carolina and Louisiana. While she shall cease to recognize that principle, by every constitutional means within her power, she will be unworthy the position which she now holds among her sister States.

The papers from Mr. Hubbard being transmitted in the original, I respectfully request that they, together with this Message, may be communicated by the honorable House to the other branch of the Legislature. GEORGE N. BRIGGS.

On motion of Mr. Bell, of Boston, the Message, together with a letter to the Governor, from the Hon. Henry Hubbard, which accompanied it, was ordered to be laid upon the table and printed.

STATEMENT OF HON. HENRY HUBBARD, THE AGENT OF THE STATE OF MASSACHUSETTS TO LOUISIANA, 1843.

To His Excellency GEORGE N. BRIGGS, *Governor of the Commonwealth of Massachusetts:*

SIR,—I arrived at New Orleans on the night of the 1st inst., and took lodgings in the St. Louis Hotel on the 2d.

On the morning of the 3d, Jacob Barker, Esq., called on me, by request of Messrs. Pierre and Gendron, whom he introduced to me as persons of the first respectability in the city, and several of them descendants of ancient French families, such as Pierre, of the Senate and Convention; Ex-Mayor Pierre, ——; and Gen. Downs. Mr. Barker then stated that he received my letter, with its enclosure, through the post-office, that morning, and, after reading them, he went immediately to confer with Governor Moulton on the subject referred to in them, and had been at his office, where these gentlemen were. That the Governor mentioned that he had received no communication from me, and hoped he should receive one; but if he did, he should not answer it, or acknowledge my mission.

That the Governor spoke of the nature of the mission, the excitement produced by it, and the feeling which existed on the agitating subject in his message to the Legislature. That he wished him, Mr. Barker, to call on me, and express the sentiments and feelings of the Governor; that Mr. Barker consented to bear the message, if these gentlemen would accompany him, as witnesses to what he should say. He took that precaution to prevent any evil surmises, and was perhaps the more expedient, as he had been formerly suspected of abolitionism. He then desired they would express his sentiments on the subject, concurrence with what he said. He expatiated on the sensibility of the people in the slave States, on the subject of abolition, and particularly on the police laws relative to the introduction of free colored persons in them. That my presence in the city had caused great excitement, and that from what, after what had transpired at Charleston, it appeared like braving or provoking public feeling. That any action on my mission would produce an extraordinary excitement, the consequences of which could not be calculated, especially on the part of the French population, and could not fail of involving my personal safety, if not life. That the excitement was increasing in one instance a high excitement was produced against him from his acting as attorney and counsel for a man claiming to be a slave, but entitled to his freedom. That, independent of considerations personal to myself, it might be proper matter for reflection, whether I ought to be instrumental in causing such an excitement as my stay must occasion. That the public mind here, and in the slave States, had prejudices connected with the subject of slavery, though entertained and held in the opinion of others, was a fact, and of the greatest practical importance. That they would only be removed by public discussion and deliberation, which must proceed gradually and imperceptibly to be successful —and time was necessary to the consummation. He, therefore, advised that I should leave the city immediately, and go to Ohio, a free State, and advise my government to reconsider their measure; or, if I decided so to advise, stay there until the excitement was over, and in the mean time could make use of the public press to remove the prejudices before alluded to.

He questioned the propriety of a mission from a State to a State in this confederacy, as though they were independent governments. He also alluded to the law against interfering against the very law, the operation of which my mission was to contest.

On the other gentlemen being referred to, they concurred freely.

I explained why I did not immediately communicate my arrival, &c., to the Governor—because I wished first to confer with Mr. Barker on the subject, that I might act understandingly—as I was perfectly bound by a most esteemed ——, to make him my chief adviser and counsel. I referred to the resolves which created the agency, and which I was conscious to myself, that the agency perhaps was not accurately understood. It was simply to enable or assist a citizen of Massachusetts to avail himself of lawful means for his emancipation, when imprisoned without accusation of any crime. In a government of law, this would seem not to be offensive to any, especially when done by a State, acting in pursuance of a fundamental duty towards its citizens. The first resolve, as appears by its recital, did not pass until remonstrances had been made in vain; nor was the second passed, authorizing an agent from that State, until no agent could be procured who was a resident in the State as imprisoning. There was, therefore, a two-fold necessity for the present agency. It was not a mission to a State, in its sovereign or corporate capacity, any more than would be a commissioner sent to take deeds, &c.—but only a mission to be executed within the limits of a State, like any power of attorney or commercial enterprise. But it should seem that no interest could be affected at the agency in this case, as all its transactions and claims are submitted wholly and absolutely to the law, the paramount law, of the place where it is to be exercised. It is especially difficult to realize the represented excitement among the citizens of the city of New-Orleans, in consequence of a mission concerning a slave, as it is to be joined by no expected, only a few individuals, when its immense interest in commerce is considered, for that requires that freedom should be enjoyed by all who are engaged in it. The subject of the agency having been passed upon by the two Legislatures, and so recently and deliberately, I should seem presumptuous in me to propose a reconsideration of the measure.

And I further stated, and manifested, that my mission had no connection with abolitionism, or slaves, or slavery at the South. No remark was made by me on the allusion to the police law operating against me, because I did not wish to be drawn into it seemed desirable to consider a suit at law as the proper means of commencing and carrying it on, as an infraction of law or civil misdemeanor.

During the interview, Capt. Bossiere, who went passenger from New-York, in the packet with me to New-Orleans, where he resided, and was engaged in business, came in and stated that a large number of persons, several hundred draymen, &c., assembled last evening, (the 2d inst.) in the second municipality, and that speeches were made, urging violence and threatening, with expectations, violence to the Massachusetts agent—to lynch him. That he spoke with great vehemence against such proceeding, and of the short sequaintance with the subject of indignation and assault, which excited an influence, at the time, of allaying the ferment and preventing action—for he was of French extraction, had served on the lakes and sea, at the last war, and gave employment to a great many persons who were at the meeting. He said he conversed with Mr. Barker, that my life was in imminent danger.

On Mr. Barker, and the gentlemen who were with him, leaving the room, he said Capt. Bossiere informed me, if I stayed in the city, to make immediate communication to the Governor, and also to the Mayor, as a measure of safety.

After they had gone, Capt. Bossiere, with the most lively concern assured me he thought my life was in constant danger, and earnestly advised me to take passage immediately for Havana, and remain there until the Legislature should meet, which would be on the next Monday. He referred to a young gentleman, who accompanied him from the second municipality, and who, in the mass meeting just mentioned, for his opinion, &c., and he evinced his concurrence by his words and tears. Capt. Bossiere spontaneously offered to hazard his life in my defence, should I be assailed.

The following are copies of my communications to the Governor and Mayor.

(*Copy.*)

NEW-ORLEANS, at St. Louis Hotel, }
LOUISIANA, January 3, 1845. }

SIR,—It is from motives of the most respectful and conciliatory nature that I inform you, as chief magistrate of the State of Louisiana, of my arrival here as an agent in behalf of the citizens of Massachusetts, in pursuance of resolves passed by the Legislature of that State. I transmit herewith copies of the same, that you may, from your own inspection, have certain knowledge of my object and provisions, and that they are compatible with loyal to the Constitution and Union; inasmuch as they submit all action under them, to civil process and judicial investigation and decision, they do not seem liable to operate against a government, where the judiciary is the common and ultimate arbiter of legal rights.

With great respect,
Your obedient servant,
H. HUBBARD.

To the Honorable MR. MOULTON,
The Mayor of the City of New-Orleans:

Early Saturday evening, (the 4th inst.) a gentleman called at my room, for the purpose, he said, of having a confidential conversation with me. I told him the person whom he sought, (Mr. Houghton,) was a friend of mine, and, therefore, I should have no objection to his hearing it. But he declined, considering the operation of the mission was to contest, and that, confidence left the room. He then gave his name, and said that he came to state certain facts and circumstances relative to the excitement, and danger of offence, particularly the French, but should offer no opinion or advice relative to my action; and if I could judge, whether he could be believed, he would inform me of my danger. I immediately granted him. But he wished that his name should not be mentioned there or elsewhere by me. I expressed an unwillingness to come into my room with a stranger, until I had heard what he chose to communicate, and he must confide in my acting a liberal part to the parties concerned. He spoke of the feelings of the French on the subject of slavery, and their prompt and violent action when excited. He noticed of the mutual jealousy between the citizens and the country planters and country members of the Legislature; and that the citizens, to repel the charge of supiineness and indifference, and because they dare not confide in the discretion of the Legislature, were determined that I should not be in the city when the Legislature met. He said if it was known that he had come and given me this notice of my danger, his life would be in danger; and again requested and insisted that I should never mention his name any where.

Between ten and eleven o'clock, word was brought to my room that Mr. Genois, recorder of the city, wished to see me in my parlor. I immediately prepared thither. Mr. Genois introduced himself to me as recorder of the city, and Mr. Soule and Mr. Conseau, as city officers, to a private interview. He then stated that, owing to circumstances, he had not, till that day, learnt my arrival in the city, as the consequence of a mission concerning a slave, which to be looked for or expected, only a few individuals, when its immense interest in commerce is considered, for that requires that freedom should be enjoyed by all who are engaged in it. The subject of the agency having been passed upon by the two Legislatures, and so recently and deliberately, it should seem presumptuous in me to propose a reconsideration of the measure.

He then stated, and manifested, that my mission had no connection with abolitionism, or slaves, or slavery at the South. No remark was made by me on the allusion to the police law operating against me, because I did not wish to be drawn into it seemed desirable to consider a suit at law as the proper means of commencing and carrying it on, as an infraction of law or civil misdemeanor.

He then stated that Capt. Bossiere, who went passenger from New-York, in the packet with me to New-Orleans, where he resided, and was engaged in business, came in and stated that a large number of persons, several hundred draymen, &c., assembled last evening, (the 3rd inst.) in the second municipality, and that speeches were made, urging violence and threatening, with expectations, violence to the Massachusetts agent—to lynch him. That he spoke with great vehemence against such proceeding, and of the short sequaintance with the subject of indignation and assault, which excited an influence, at the time, of allaying the ferment and preventing action—for he was of French extraction, had served on the lakes and sea, at the last war, and gave employment to a great many persons who were at the meeting. He said he conversed with Mr. Barker, that my life was in imminent danger.

Mr. Genois, with his associates, then arose. He advanced towards me, and, evidently laboring under strong emotion, thus expressed himself: 'I was from no motive but the dictates of humanity that I came to warn you of your danger. If you do not promise to leave the city immediately, your life is not safe this night; and if I should take you into custody, I could not protect you, for they would murder me in a moment; and if you stay here another night, your life will certainly be killed. He requested me to commit what he said, and they all immediately retired.

On the morning of the 5th, I wrote a letter to the Governor, of which the following is a copy:

(*Copy.*)

NEW-ORLEANS, St. Louis Hotel, }
January 5, 1845. }

SIR,—My note of the 3d, sent by the post-office, was not received, if at all, by your Excellency, till the morning of the 4th. Your Excellency will perceive by the date of my note, on any proper occasion, that I did not trouble you with anything concerning myself personally. For here I communicate, that I came to this city, not in it, any expression, stated to have been uttered by any of its citizens, threatening my personal safety, and if I should take you into custody, I could not protect you, for they would murder me in a moment; and if you stay here another night, your life will certainly be killed. He requested me to commit what he said, and they all immediately retired.

On the morning of the 5th, I wrote a letter to the Governor, of which the following is a copy:

(*Copy.*)

NEW-ORLEANS, St. Louis Hotel, }
January 5, 1845. }

SIR,—My note of the 3d, sent by the post-office, was not received, but left, as he said, at the post office, was not received, if at all, by your Excellency, till the morning of the 4th. Your Excellency will perceive by the date of my note, on any proper occasion, that I did not trouble you with anything concerning myself personally. For here I communicate, that I came to this city, not in it, any expression, stated to have been uttered by any of its citizens, threatening my personal safety, and if I should take you into custody, I could not protect you, for they would murder me in a moment; and if you stay here another night, your life will certainly be killed. He requested me to commit what he said, and they all immediately retired.

Postscript. Your Excellency will please not understand me as agreeing to my having expressed a wish to remain here until the Legislature assembles, (with the view mentioned in the Postscript,) I have so stated, only to agree to a different proposition. But I now add, that on being convinced that the mission must be fruitless, and of course produce only a useless excitement, I should cease acting at all, and remove all cause of excitement, so far as it was occasioned by my presence, provided I should be free to act voluntarily, and be frankly know to your Excellency; and further, that I am fully convinced that the mission must be fruitless, and will only produce useless excitement, and I shall prepare immediately to leave, *and return my commission to the source from which it originated.*"

At the time, which was about noon, that Doctor Houghton was preparing from the hotel into the street, to bear the letter to the Governor, a gentleman whom I had before seen, and who had been long settled in Louisiana, and had held high public offices, and I believed, entered. On my mentioning the letter, he was anxious that it should be fill and explicitly stated to the Governor, that I declined doing any act, and he should be sorry if it was known that he had given me the notice, or any other information. He further gave it as his opinion, that my safety required that I should leave the city without delay; in fine, I had no time to spare. Doctor Houghton, whose life had been threatened, as a friend to the embassy, expressed his most decided opinion in concurrence on both points, determined my mind. I therefore made that full and explicit declaration of the contents of the letter, to the Governor, which had engaged my passage. I left sooner than I should have done but for this interview—but without that, to have remained in the city could not, after the notice given me by Messrs. Genois, Soule and Conseau, could not possibly have rendered any direct service to the cause I was sent to advance.

But, sir, independent of considerations of personal safety, at that juncture, I was then fully convinced, and am, on subsequent reflection, fortified in the conviction, that nothing could be effectually done by me in the agency with which I was charged. To characterize the mission as inefficient and unsafe, affords but a very mild and inadequate representation of its impracticability and insecurity. A case occurring, calling for the agency to be put into practical operation, would sound the tocsin of alarm to arrest the agent, and end proceedings. No known witness, in favor of a prosecution by the agent, would be safe; or if so, reliable. No counsel, residing in New-Orleans, in Louisiana, would have engaged in behalf of a *free colored* person, entering within the limits of the State, against the prohibitory law of the State. I do not refer to the resolve introduced into the Legislature at its present session, making the interference in favor of such a person a penitentiary offence—for they do not create a new legal offence, but only denounce a new punishment; but were it otherwise, public sentiment, or the mobocracy, would supply the deficiency of the law. The law, the government, and the people of Louisiana were, and are, against the mission. It was, therefore, from a feeling, an indignant feeling, that a commission conferred upon me by the power of the Commonwealth of Massachusetts was alone sufficient for the exigency, which caused me to make use of the language in my first communication, to the Governor of Massachusetts, that I would 'return my commission to the source from which it originated.' Because it was impossible for me to perform a lawful and beneficial service, I was sent to perform, or to stay in the proper and designated place for its performance, with any safety to my person, or that of the agent, or any beneficial result, or hold intercourse with any, what such determined me to hasten from a region in sincere which, for its cause, is an unequaled, and, I do not hesitate to pronounce, a disgraceful one in the history of the civilized world.

I, therefore, respectfully tender the resignation of my commission, and subscribe myself your faithful and obedient servant,

H. HUBBARD.

To His Excellency GEORGE N. BRIGGS.

* The words in italics were added for explicitness, on the advice of the person, often referred to.

COMMONWEALTH OF MASSACHUSETTS.

HOUSE OF REPRESENTATIVES, Jan. 31, 1845.

The Special Joint Committee, to whom was referred so much of the Message of His Excellency the Governor, as relates to the Annexation of Texas, have had the subject under consideration, and submit the following Report and Resolves.

For the Committee,
JOSEPH BELL.

REPORT.

The subject of this reference has suddenly become an object of great national importance, and seems destined to engross most deeply the attention, the interests, and the sympathies of our whole people.

With scarcely an interval for reflection and deliberation, the administration of our National Government, for nearly the whole of the two past years, has devoted itself with an untiring industry and sleepless vigilance, to the accomplishment of this object.

The annexation of Texas was first recommended by President Tyler to Congress, and through Congress, to the people of the United States, in his Annual Message of December, 1843.

A treaty was concluded for its admission into the Union under his auspices, by the Secretary of State, with the Minister of Texas, in April, 1844.

This treaty was submitted to the Senate of the United States, his constitutional advisers, by the President,—and the concert of his party in power, by an overwhelming majority.

The subject was again submitted by the President, at the same session, to the Senate and House of Representatives, and by them left without any action whatever.

The project of annexation, notwithstanding all this earnest zeal of the representatives of the people, has been again brought before Congress by the President, in his Annual Message of December, 1844, and the Congress of the United States are now understood to be earnestly engaged with various propositions, all tending in different ways to bring about the same purpose, of the admission of Texas, in some form, into the Federal Union.

Massachusetts has not been inattentive to the progress of this measure.

Her Legislature, and again raised her warning voice, and with an unanimity rarely equalled in her legislative proceedings, has solemnly declared, in unbelief, with her concurrence, can become a part of the American Union.

The Legislature of 1843 resolved—"That under no circumstances will she give to the people of Massachusetts request the proposition to admit Texas into the Union, in any other light than as dangerous to its continuance in peace and prosperity, and to the enjoyment of the blessings which it is the object of a free government to secure."

The Legislature of 1844 resolved—"That the proposition to admit foreign States into the United States, is not among the powers delegated to the General Government by the Constitution of the United States."

Another and a more formal appeal is now made by his Excellency the Governor, and the representatives of Massachusetts are again called upon to deliberate, for the solemn, the repeated, and all but unanimous judgment of their predecessors, shall power to admit an independent foreign State with the consent of Massachusetts, now and for ever.

Why should it not so stand? Has the Constitution itself changed since 1843? Has its fundamental principles changed in 1844? Has its government of a foreign State, become less energetic, or less repulsive?

An examination of its principles and provision in relation to this subject, will show that where its also may have changed, *these have not changed.*

The Constitution of the United States is not simply the people's own legislation. This, like all other mere legislation, is local, and has the force and effect of Law only within the acknowledged territory of the Legislator.

If this leading principle in the application of all Law, could in any case be drawn into doubt, it would hardly seem possible to raise a doubt of its fair application to the great Charter of our Union.

The people themselves have in this case declared, that "*We, the people of the United States*, do ordain and establish this Constitution *for the United States of America.*"

Not, then, were the people of the United States, in 1789, by whom, and for whom, this Constitution was formed?

The people who ordained and established the Constitution at that day, were the people who had just come out—gloriously, it is true—from a seven years' conflict with one of the most powerful nations of the earth; and had thus, but recently, extorted from that proud nation, the acknowledgment of their right to assume the separate and equal station among the powers of the earth.

The 'old thirteen'—colonies once—States then—and now out-numbering Empires—bound together by the recollection of their common dangers and triumphs, naturally felt anxious to give *permanence* and *durability* to the results of their great revolutionary struggle.

They naturally felt anxious that whatever memorial of their common toils, and sacrifices, and suffrings, in the cause of freedom, they might leave left as their legacy to posterity, should be embodied in a form as enduring as the principles for which they had fought, and the glories they had won.

They, therefore, the men of the Revolution, made a Constitution, embodying for national purposes the great principles out of which their great struggle had arisen.

They made a Constitution in their own imperishable language—in order to form a more perfect union—to establish justice—ensure domestic tranquility, and secure the blessings of liberty to themselves and their posterity.'

These declared objects of those who made the Constitution, are especially worthy of notice at the present time. It was made 'to establish justice, and ensure domestic tranquility.' Would these objects be effected by the admission of fugitives from justice, in all other quarters of the world, to the rights of citizens in this?

It was made 'to secure the blessings of liberty to themselves and their posterity.' Would these blessings be most constitutionally secured, by the spread of involuntary servitude, as far as may be in our power, to all other regions of the earth?

It was made 'in order to form a more perfect union,'—this was the leading object. Would this be promoted by the extension of our bounds from the Atlantic to the Pacific, and from Terra del Fuego to the Arctic ocean? But with whom was this more perfect union to be formed?—with those, who had fought and triumphed together—with those who had established, by their counsels and their arms, the perilous declaration of this Confederacy, that 'these united Colonies are, and of right ought to be, free and independent States.'

But for what portion of the heritage of man was this Confederacy formed and established?

The obvious answer would be—for the country and of those who ordained and established it.

The Constitution was formed by those who had just secured their own independence, and become emancipated from foreign control, would have their first sympathies in favor of their first born offspring, to the construction of a government whose great and prospective benefits would largely, if not principally, fall upon foreign States and their inhabitants.

The first and most pressing want, would demand this, the early remedy. The people who had fought in the great cause, and thus, in the first place, for that pressing evil. The States, who had just been emancipated from foreign thraldom, would be much more anxious 'to establish justice and ensure domestic tranquility' at home, than to extend the area of other freedom or slavery abroad.

The people then of the once 'united colonies,' who had now become emancipated from all allegiance to the British Crown, ordained and established this Constitution for the 'United States of America.'

The territory embraced in our great national act of July 4,1776, became by that act, and the treaty with Great Britain of 1783, 'the United States of America,' for whom this Constitution was 'ordained and established.'

Who can look at and read the introductory sentence of this great charter of our rights and obligations as a people, and not feel that it was given power to bring them within the fold, and given them their clear legal inheritance—an admission into the Union.

The number of 'your heirs' was equal to those authorized by the Constitution, to establish the constitutional Union, to say nothing of those 'new States' that might, under the constitutional provision, be formed with the consent of Congress and the States and of the original States and the territories, is sufficient to show the necessity of such a power, and the propriety of its exercise, by the constitutional Union, to the territory *within the then existing Union.*

The power then relied upon, to expand the Union to its proper extent, will only show, when rightly applied, the providential care of those who drafted that instrument, to provide for the performance of the great object of *the Union, of all existing duties.*

There is another express power in the Constitution, which the committee are of opinion is in direct and pertinent point, and may now claimed to admit a foreign State into the Union, in whatever manner such power may be applied.

The Constitution, Art. 4, Sec. 3, provides 'that Congress shall have power to establish an uniform rule of naturalization throughout the United States.'

This constitutional power, if rightly has understood, will enable Congress, by establishing an uniform rule for that purpose throughout the Union.

It is now proposed by a mere act of legislation, to bring Texas into the Union as a State, with all the rights of the States, and its citizens—foreigners of course—with all the rights of citizens in all the States. Congress are authorized 'to establish the rule—uniform rule,' by law, and not then a legislative or treaty admission of Texas, destroy all pretence of uniformity in the rule?

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The Constitution, Art. 4, Sec. 3, provides 'that Congress shall have power to admit new States into this Union.' Sec. 8, provides 'that Congress shall have power to make all needful rules and regulations respecting the territory or other property belonging to the United States.'

Here it is obvious, that all the *limitations* on the *power granted*, to admit new States into the Union, must clearly apply to the States and territories *then existing within the Union.*

'New States may be admitted by Congress.' This is the power granted.

But to what States shall be formed *within* the jurisdiction of any other State? 'Nor *any State* be formed by the junction of two or *more States.*'

These are the *limitations* on the *power granted. These limitations, all palpably apply to the territory within the then existing Union*—and the Committee deem the argument, on this point, irresistible. Such are the *power* and its *limitations* were intended by the people to apply to the *same*, and *only to the same subject matter.*

But this is not all.

The Constitution, Art. 7, provides, that 'the ratification of the conventions of nine States, shall be sufficient for establishing the Constitution, between the States so ratifying the same.'

Here, then, is a case presented, where the Union, under the Constitution, might have been formed with nine of the original States, 'out of the 'original thirteen,' might have been excluded from its benefits.

Here is not this a case in point for the application of this express power to admit new States without travelling out of the bounds of the original Union? A case too, approaching, in its nature and effect, to the utmost limits and the sympathies of the whole Union?

But this is not all.

It is well known that when the Constitution was formed, in 1789, the ordinance of the old confederation of July 13, 1787, was in full force and effecan in relation to the Northwestern territory. This territory now constitutes the States of Ohio, Indiana, Illinois and Michigan.

It is worthy of notice, that this ordinance provided that not less than three, nor more than five *States*, should be formed in certain prospective out of the territory, and ultimately be admitted into the old confederation.

This obligation to admit 'these new States,' when they arrived at maturity, was formed, of course, on the basis of the Constitution; and this provision of the Constitution became necessary to carry this obligation into effect.

Here, then, is a legal and constitutional provisions by which 'five new States' and 'four of those then existing' might have required their express power to admit them, and have brought them within the fold, and given them their clear legal inheritance—an admission into the Union.

This number of 'your heirs' was equal to those authorized by the Constitution, to establish the constitutional Union, to say nothing of those 'new States' that might, under the constitutional provision, be formed with the consent of Congress and the States and of the original States and the territories, is sufficient to show the necessity of such a power, and the propriety of its exercise, by the constitutional Union, to the territory *within the then existing Union.*

The power then relied upon, to expand the Union to its proper extent, will only show, when rightly applied, the providential care of those who drafted that instrument, to provide for the performance of the great object of *the Union, of all existing duties.*

There is another express power in the Constitution, which the committee are of opinion is in direct and pertinent point, and may now claimed to admit a foreign State into the Union, in whatever manner such power may be applied.

The Constitution, Art. 4, Sec. 3, provides 'that Congress shall have power to establish an uniform rule of naturalization throughout the United States.'

This constitutional power, if rightly has understood, will enable Congress, by establishing an uniform rule for that purpose throughout the Union.

It is now proposed by a mere act of legislation, to bring Texas into the Union as a State, with all the rights of the States, and its citizens—foreigners of course—with all the rights of citizens in all the States. Congress are authorized 'to establish the rule—uniform rule,' by law, and not then a legislative or treaty admission of Texas, destroy all pretence of uniformity in the rule?

The Committee, in their anxiety on the particular clauses of the Constitution, the Committee are constrained to believe, and to declare that belief, that the Constitution of the United States, Originally formed and adopted, gave no power to any or all the departments of the national government, to admit a foreign State, or foreign territory, into our constitutional Union.

But it is said, whatever may be the language of the Constitution, or whatever the people who adopted it may have intended, yet, since the admission of it may have intended, yet, since the admission of it may have intended, the practical construction has become fully settled and established, by the admission of Louisiana, and the 13th section of that act, to be more binding on us, than any the people.

The basis on which this position rests, demands grave consideration. It abandons, of course, all pretence of a strict adherence to the Constitution to admit, and places the right of admission of new States, solely on the long-continued acquiescence of the people.

Those who adopt this position, who maintain this right on the precedent of Louisiana, and that alone, to the charge of having added to the Union, by mere act of legislation, a power that could only be have been rightfully added by an amendment of that instrument. If the power is claimed by the acquiescence of the people, it must begin with the precedent in the precedent itself. Mere submission to a palpable assumption of power without right, can never prove more than that those who submit believe the evils of resistance would more than counterbalance the evils of submission, to the assumed power.

But such submission to power, merely assumed, can never be drawn into precedent, or extended by construction. It may, like the judgment of a court in a particular case, not founded on, but in opposition to the law of the land, sustain itself until reversed. But it sustains itself in solitary singleness and sadness, without imparting to the Constitution,

entirely a 'tropical production,' is found only in those States under the influence of a peculiar climate, and peculiar institutions, and is excluding all other property—whatever in amount, or where ever situated, entirely from representation.

Would the free States of the Union have ever consented to admit this element of slave property to representation at all—if the claim had then been made, as now, that the Constitution gave it the right to extend the Union to the equator? Would the same elements of compromise have been in that case present? Is the same reason for the same rule, in calculating upon the value of the Union, ascertain the probabilities in this case, and declare, that it will?

But it is said, although the Constitution was originally, and in terms confined to a well known and well defined territory, that it nevertheless contains an inherent power of indefinite expansion, by express powers granted for that purpose, and that the Constitution itself provides that Congress may admit new States into the Union.

The Constitution does so provide. But does it provide that those new States, may be formed out of territory not originally belonging to the 'United States of America?' Let us see how this matter stands?

The Constitution, Art. 4, Sec. 3, provides—that 'new States may be admitted by Congress into the Union—but no new State shall be formed or erected, *within* the jurisdiction of any other State, nor any State be formed by the junction of two or more *States* or parts of States, without the consent of the Legislatures of the States concerned, as well as of Congress.'

Here it is obvious, that all the *limitations* on the *power granted*, to admit new States into the Union, must clearly apply to the States and territories *then existing within the Union.*

'New States may be admitted by Congress.' This is the power granted.

But to what States shall be formed *within* the jurisdiction of any other State? 'Nor *any State* be formed by the junction of two or *more States.*'

These are the *limitations* on the *power granted. These limitations, all palpably apply to the territory within the then existing Union*—and the Committee deem the argument, on this point, irresistible. Such are the *power* and its *limitations* were intended by the people to apply to the *same*, and *only to the same subject matter.*

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or those who administer it, and a right whether to apply it as a precedent to any other case.

The acquiescence of the people may sanction, for the time being, the very act to which it applies, but can never be applied to a new case, or to an innovation additional instructions of the original instrument.

The assumption of the power to admit Louisiana, can never justify the admission of Texas. It has no resemblance to an original power in the Constitution. That may, of course, apply to all new cases which arise within the terms of its principle, but acquiescence merely tolerates the very act to which it applies, and while it applies, and that alone.

The case of Louisiana, in the Constitutional sense, is of this class. Its great features are easily stated and understood.

In 1803, under the Presidency of Mr. Jefferson, a treaty was concluded with France, by which the United States obtained a cession of the entire claim of France to the territory known as Louisiana. This treaty, this negotiation, was ratified by the Senate of the United States, and Louisiana, admitted as a territory by the treaty, and formed into a territorial government, has since been considered as forming a part of the United States. The States of Louisiana, Missouri and Arkansas, have already been admitted into the Union, as States formed out of the territory thus acquired.

This is the precedent. Does it authorize and justify the admission of Texas, as a foreign and independent State?

The admission of Texas by legislation, would violate this precedent in all material respects.

If admitted by the treaty-making power, the precedent, so far as it goes, would be in favor of the admission would be still radically and eventually different.

The treaty-making power under our government has only been exercised upon sovereign and independent States, and is applied to regulate the interests and provide for the *future* intercourse of such parties.

A treaty is then the contract of at least two parties, and presupposes those parties to exist, and remain in existence, in a condition to fulfil the stipulations of the treaty. It has never been applied, and the Committee believe can never be applied, to annihilate or extinguish a party to the contracting parties. A State has no right to be—*fela-de-se*—by treaty, or in any other manner. Texas proposed all this by the treaty of April, 1844.

Louisiana, in 1803, had no claim to be an independent State. She was an appendage or colonial possession of France, and was transferred as such—not as a *State*—but as a *province*. The admission in no way impaired the functions of the government of France—she still remained after the treaty, as before, with full power to fulfil her obligations, to sustain and fulfil all the obligations incurred by the treaty.

This, then, was a transfer of territory, only from one nation to another—each independent, and remaining independent, of the other—and ratified with all the formalities known to the treaty-making power, under our Constitution.

Yet no fact in our history is better established, than that Mr. Jefferson, the great author of this important measure, and his Cabinet, were in constitutional authority, and deemed an amendment of the Constitution itself necessary, to extend a rightful power over the territory, or to admit it as a State into the Union.

But more than forty years have passed away, and all branches of the national government, and all of the several States, have in various forms acknowledged the States formed out of the territory thus acquired, to belong to the Union. Let this question then rest in peace.

But can this be deemed a precedent for the admission of Texas in any form?

Texas claims to be an Independent State, and to make the transfer as an ordinary act of Government. Louisiana made no such claim, and had no such claim to make.

Texas claims the right, under delegated powers of Government essentially the same as those entrusted to our National and State Governments, and acting under and in pursuance of those powers, to transfer the country, the inhabitants, and all their rights and immunities, to a foreign power. The Committee believe this to be a claim of power, that, our rulers right, is *sovereign*. The powers of all rightful Governments create a *trust*, which those only who are called to execute the trust may rightfully carry into effect.

But it is no part of the delegated powers of our own Government, National or State, to transfer the Nation, State or people, to a foreign power.

The Committee are not able to see if the delegated powers of the Government of Texas, exercised by the officers elected to administer the Government, in any form sufficient to transfer the people, the country, and all the functions of the Government of Texas, to the United States, under the treaty signed by Commissioners who negotiated the treaty of April, 1844, and two thirds of the Senate, the whole people and territory of these United States, may not with equal propriety have been transferred to Texas. This would have placed the people of the United States in at least a new, if not a position to be desired. It would have placed them where they could have been left to grope their way for the future, by the dim twinkling of the lone star of Texas, rather than to mingle in the fulfilment of higher and more glorious destinies, under the more ample folds and brighter and purer light of our own star-spangled and revolutionary banner.

The Committee believe that the people of the United States have never delegated power to any or all the departments of Government, to transfer the United States, or the people thereof, to a foreign power—and that Texas, in this regard, has no greater powers. They believe, that the powers of Government are a *trust* incapable of transfer, and granted to be applied only to their legitimate ends, and that therefore all the organized powers of the Government of Texas could never rightfully transfer the Government, territory, and people of the United States, with any more or greater effect, than all the organized powers of the Governments of the States, and the Government of the United States, the Governments, territory, and people, of the States, and the United States, to Texas.

But if this were otherwise, if Congress, and if all the organized powers of the government of Texas, in any or in all forms, were competent to transfer the people and territory to this Union, the Committee believe there is no rightful power in all or any of the departments of our national government to receive them.

But it is said further, that Congress may, as an ordinary act of Legislation, declare war, that war may lead to conquest, and thus territorial acquisition may be forced on the country by the simple action of a clearly defined power of legislation, and that if this be so, what Congress may do by legislation, "forcibly, if they must, they may do by legislation, peaceably, if they will." But this assumption takes for granted what is by no means conceded.

Congress may, it is true, by a simple act of legislation, place the country in a state of war. Congress may raise armies, and the Executive, as commander-in-chief, may overrun foreign territory and hold it by conquest. Foreign territory, Congress, if right at all in this, must always be remembered, is but a temporary right. It is a right merely to hold and occupy the country till peace takes place. It is the treaty of peace, which fixes the right. It is the conquest in war, and all rights of territory at its close. And although war, under our Constitution, is a legislative power, peace is not. Peace is attainable only by treaty, and that power being clearly placed by the Constitution in the President and two-thirds of the Senate, excludes, of course, the legislative power from participation in the act of peace, and thus leaves the argument without any foundation whatever.

The Committee have on the matter referred to and considered by them, arrived at the following conclusions, which they ask leave to state:

1st. That the Constitution of the United States was orderly formed and adopted by the territory of the United States, as it existed at its formation and adoption, and for that alone.

2d. That the Constitution contains no power whatever to admit new States, or territories, without and beyond the bounds of the Union, as established when it was formed and adopted.

3d. Therefore has no jurisdiction, no precedent for the admission of a foreign State by treaty, or a foreign State or territory by legislation.

4th. That the States and territories admitted since the adoption of the Constitution, out of territory not then within the Union, are admitted by the general consent and acquiescence of the States and people in the states of admission.

5th. That this general consent and acquiescence form no precedent for other cases, and impose no duty on any State of the Union to extend it to any State or territory not now within the bounds of the Union.

6th. That the power to admit States or territories not within the bounds of the Union at the adoption of the Constitution, having never been delegated, is reserved to the Commonwealth of Massachusetts, or the people thereof, and can only be rightfully exercised in such a manner as they shall in their sovereignty.

Such being the result of the examination of the powers of the national government under the Constitution of the United States to admit Texas into the Union, the labors of the Committee might have come to a close. But the actual position of Massachusetts is regard to this momentous question, seems to them to be such as to require them to proceed under the order of the reference to some further consideration.

It might, perhaps, be deemed, under other circumstances, and those of a less pressing and embarrassing character, more respectful to the authorities of the United States, to presume that no measure would be actually adopted upon the powers of the national government beyond the constitutional limits in the admission of a foreign State. But when it is considered that the attempt has not only been made once, but has been repeated already,—that it is urged on by all the force that can be applied to it by a section of this country, and by an interest in the union, which has hitherto known no result in political action but success, it may be proper for the people of Massachusetts, through their Representatives, to express a hope that no measure will be only but opposition to the admission of Texas is placed, but will be hereafter maintained. The objective, unanswerable objection, is the want of constitutional power to admit.

Massachusetts makes no boast of her fidelity to the Union. It is simply her duty to be faithful to her engagements, and she fulfils her obligations as such.

She forbears to inquire into the *expediency* of the admission of Texas, as a foreign State into this Union. If benefits ten times greater than have ever been presented by the glowing imaginations of the most sanguine advocates of the union to follow the admission of Texas, she would still say, 'the Union as it is,' until altered by the power that made it.

She forbears to inquire whether the admission of Texas would bring war in its train from Mexico or any other nation.

She forbears to inquire whether Texas would come into the Union oppressed and overwhelmed with debts, or if with the possibility of riches beyond the dreams of avarice.

She forbears to inquire into these, not because they are not of the highest importance in themselves, but for the reason that when a clear principle is observed, all else, if any, she can never be made to pass over it or around it.

The Constitution is in the way of the admission of Texas. This is insuperable, and she inquires no further.

But, instead of submitting the question of the admission of Texas to the consideration of any of the departments of the national government, it was now submitted directly to the people of Massachusetts, what would, and ought to be the answer?

The Committee believe, that part of this message referred to the Committee, says, in relation to the admission of Texas into the Union, 'It is no obvious or necessary consequence that slavery, with the considerations connected with it, is the leading motive which impels the movement for the hasty consummation of the annexation measure.'

Massachusetts is compelled to say, that the whole evidence before her in regard to this matter, renders it impossible for her to doubt that the acquisition of political power by the extension of the slave interest into Texas, and the greater security to that interest, by the increased power thus to be obtained, have driven forward this measure with an earnestness, an impetus, and an energy, which nothing but a superior earnestness, impetus and energy, in behalf of the sacred rights of man and the rights of humanity, can counteract or restrain.

Massachusetts will take no ground on this matter which she is not able to maintain. Nothing that Texas may do, or may be brought her Executive, that, as a State, she has ever maintained, and ever will maintain, the whole of the Constitution of the United States, and all the rights and constitutional obligations remain, she will never falter.

But when it is proposed to her people, to enter into an alliance with a foreign nation, which the provisions of the Constitution do not extend; and when she is asked by such extension to place every thing of her own freedom and political prosperity in every free person in Texas, who are bound down to everlasting servitude by a Constitution which 'secures,' as it is said, 'in the most ample manner the rights of the owners of the master to his slave,' she has but one answer to make, and she makes this answer calmly and deliberately, and Massachusetts, she will never consent to enter into any such relations.

She will never consent, where she is not already bound, to place her people, or any part of them, on less than perfect equality with freemen; and, last of all, and more than all, she will never, by act or deed, give her consent to the further extension of slavery to any portion of the world.

RESOLVES CONCERNING THE ADMISSION OF TEXAS.

1. Resolved, That Massachusetts has never delegated the power to admit into the Union, States or territories without or beyond the original territory of the States and territories belonging to the Union at the adoption of the Constitution of the United States, and that by no construction of the Constitution of Massachusetts may have been given or inferred to the admission of the States already, by general consent, forming a part of the Union, any authority for the admission of such States, in the judgment of Massachusetts, forms no precedent for the admission of Texas, and that she will never, by her consent, or powers granted in the Constitution.

2. Resolved, That the States hitherto been admitted, are not an admission of a foreign State or foreign territory into the Union by legislation. And as the powers of Congress, under the Constitution of the United States to Congress, do not embrace a case of the admission of a foreign State or foreign territory, by legislation, and that the act of the admission would have no binding force whatever on the people of Massachusetts.

3. Resolved, That the power never having been granted by the people of Massachusetts, to admit into the United States and territories not within the same when the Constitution was adopted, remains with the people,—and can only be exercised in such way and manner as the people shall hereafter designate and appoint.

4. Resolved, That the people of Massachusetts will never consent to use the powers reserved to themselves by the 10th Article of the State Constitutory, now without the Union, on any other basis than the perfect equality of freedom,—and that while she every or have representatives forms any part of the claims or conditions of admission, Texas, with their consent, can never be admitted.

☞ These resolves were adopted in the House of Representatives on Tuesday last—Yeas 188, Nays 41.

MASSACHUSETTS AND SOUTH CAROLINA.

LEGISLATURE OF MASSACHUSETTS.

COMMONWEALTH OF MASSACHUSETTS.

IN SENATE, Feb. 3, 1845.

The Joint Special Committee, to whom was referred the Message of His Excellency the Governor, of the 6th ult. transmitting certain documents from the Senate of South Carolina, and a Message from the Hon. Samuel Hoar, have considered the same, and ask leave to report the accompanying Resolves and Declaration appended to it.

By order, C. F. ADAMS.

RESOLVES

Concerning the treatment of Samuel Hoar by the State of South Carolina.

Resolved, That the Declaration annexed be adopted and that His Excellency the Governor be hereby authorized to transmit one copy of the same to the President of the United States, and one copy to the Governor of each of the States constituting the United States of America, excepting only the State of South Carolina, with a request that the same may be submitted to the consideration of the Legislatures of the United States and of the States respectively.

Resolved, That His Excellency the Governor be hereby authorized to transmit to the Executive Government of the State of South Carolina, a copy of the Declaration and Resolves, adopted by the Massachusetts to each of the other States of the Union.

DECLARATION.

The State of Massachusetts now addresses each of her sister States of the North, East and West, and, in the absence of all Christian nations of the civilized world, and of an omniscient, all-seeing Deity, the final judge of human action, in states as in individuals, enters her protest and solemn

PROTEST

against the hostile acts of the State of South Carolina.

Massachusetts thus assigns South Carolina, as cause, disregarding the rules acknowledged by all civilized communities as the rule of conduct towards one another, and defying the express stipulations of a solemn compact, to which her own State was one, which her citizens voluntarily entered with those of the other States composing the Union, she has, for years, persisted, and still persists, in a system of legislation, aggressive upon the rights of her sister States, and has refused to submit to the action by judge of the United States, as provided by that Constitution, as the arbiter of their disputes, namely, the Supreme Court of the United States.

This system of legislation, under the color of peaceful laws, has been carried on by South Carolina, until it has assumed all of the following principles:

First. That the State has a right to pass laws, which shall exclude the ships of other States, touching at her ports, with the design of distinguishing between the persons who constitute the crew, and of seizing, by her sole discretion, and seizing into prison, such as she may specify, without the necessity of alleging against them the commission of any crime.

Second. That the State has a right to inflict corporal punishment, by the application of the lash, to any extent, upon the persons of citizens of Massachusetts, solely because they may be found in second time in the ships of their own State touching at her ports.

Third. That the State has a right to sell into absolute slavery, for an indefinite term, unoffending persons, freemen of Massachusetts, entitled, by her Constitution and laws to the fullest security of life, liberty and property, as much as any other class of citizens, and to hold her ships as when at home.

Fourth. That the State has a right to expel from her territory, citizens of Massachusetts, going to it on the sole purpose of claiming the peaceful mode of redress for her citizens which the Constitution of the United States affords, an opportunity to appeal to the Supreme Court.

Fifth. That the State has a right to punish by fine and imprisonment, any citizen coming from any other State, who, by conversation, shall express the opinion of laws which assume the right to imprison, to whip and to sell the freemen of the latter, which, on hearing, trial, or the allegation of any crime, is false in point of fact, and independent States, the assumption of powers far more circumscribed than these, would have been met by the resent of the dreams of Swedenborg, and the sword of her offended sons.

She forbears to inquire into these, not because they are not of the highest importance in themselves, but for the reason that when a clear principle is observed, all else, if any, she can never be made to pass over it or around it.

The Constitution is in the way of the admission of Texas. This is insuperable, and she inquires no further.

But, instead of submitting the question of the admission of Texas to the consideration of any of the departments of the national government, it was now submitted directly to the people of Massachusetts, what would, and ought to be the answer?

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But when it is proposed to her people, to enter into an alliance with a foreign nation, which the provisions of the Constitution do not extend; and when she is asked by such extension to place every thing of her own freedom and political prosperity in every free person in Texas, who are bound down to everlasting servitude by a Constitution which 'secures,' as it is said, 'in the most ample manner the rights of the owners of the master to his slave,' she has but one answer to make, and she makes this answer calmly and deliberately, and Massachusetts, she will never consent to enter into any such relations.

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PROTEST

against the hostile acts of the State of South Carolina.

Massachusetts thus assigns South Carolina, as cause, disregarding the rules acknowledged by all civilized communities as the rule of conduct towards one another, and defying the express stipulations of a solemn compact, to which her own State was one, which her citizens voluntarily entered with those of the other States composing the Union, she has, for years, persisted, and still persists, in a system of a century

WHOLE NUMBER DCCXXXVI.

THE LIBERATOR.

BOSTON, FEBRUARY 14, 1845.

Resolved, That the preservance of many of the men in the Union against all remonstrance, by the people of Massachusetts, in striving and imprisoning her citizens, without the allegation of any crime, is calculated to weaken the confidence which she has been accustomed to place in those States to maintain their fidelity to the Constitution of the United States, pursuant to the Constitution of the United States.

Resolved, That His Excellency the Governor, with the advice and consent of the Council, be authorized to employ an agent in the City of New-Orleans, in Louisiana, for a term of time not to exceed one year, for the purpose of collecting and transmitting to this State, the evidence of the imprisonment and the names of citizens of this Commonwealth, who have heretofore been, or may be, during the period of the existence of the imprisonment of the citizens of this State, and the expense of collecting the evidence and the names of citizens of this State, who have heretofore been, or may be, during the period of the existence of the imprisonment without the allegation of any crime. The said agent shall be enabled to bring and prosecute, at the expense of counsel, one or more suits, in behalf of any citizen of this State who may be imprisoned, at the expense of Massachusetts, for the purpose of having the legality of such imprisonment adjudged by the tribunals of the Supreme Court of the United States.

Resolved, That His Excellency the Governor, be authorized to draw his warrant on the Treasurer for any necessary expense incurred in carrying into effect the foregoing resolves, after the same shall have been approved and allowed by the Council, to be paid out of the public treasury.

The object of these resolutions was two-fold. First, to gather some facts, by which a true judgment might be formed, how extensive, in practical evil, so far as the people of the citizens of Massachusetts, actually was inflicted. Secondly, to secure the legal testimony of those facts, for the purpose of the validity of these laws before the constitutional tribunal. In order to secure the end, the intent of the legislature, the Governor, in the interim of the Legislature, conferred with gentlemen of professional distinction, residing in the specified portion, and solicited them to accept the agency. Some, from personal or other cause, declined to act. If, from the different exception, declined to act. If, because evident, that so far as citizens of Massachusetts were concerned, in the exercise of public opinion, and in the United States, there could be no hope of cooperation. But, up to this time, the Governor had interposed no further than to the execution of the designs of Massachusetts, nor had it declared its determination to resist. One more opportunity was afforded, which might lead to an amicable result. The duty of Massachusetts still continued imperative, to leave no set undone which might lead to the reasonable hope of protection to her people. It was, therefore, determined that a citizen of Massachusetts should be sent at once to take the necessary measures to procure an amicable settlement of the controversy to the Supreme tribunal of the Union, and to test the disposition of South Carolina to comply with the terms of the Constitution of the United States. This was done by one further and last act of legislation. In 1844, a new resolve was added to the above:—

Resolved, concerning the imprisonment of citizens of this Commonwealth in other States.

Resolved, That His Excellency the Governor, with the advice and consent of the Council, be hereby authorized to employ an agent for the port of Charleston, in South Carolina, and an agent for the port of New-Orleans, whose duty it shall be to make an agreement, for a term of time not exceeding one year, for the purposes specified in the resolves relating to this subject, passed on the twenty-fourth day of March, in the year of our Lord one thousand hundred and forty-three. And that His Excellency the Governor, he hereby authorized to draw his warrant on the Treasurer for any expense incurred in carrying into effect this or the aforementioned resolves, after the same shall have been audited and allowed by the Council, to be paid out of the public treasury.

Under the authority conferred by this resolve, the Governor of the Commonwealth appointed Samuel Hoar, a respected citizen of Massachusetts, to be agent for the port of Charleston, to perform the duty specifically assigned him, and no more. That gentleman repaired to Charleston, endeavored to accomplish the duty, but, and, simply because he attempted so to do, was driven, by threats of personal violence of a mob, from the territory of South Carolina. The Legislature of that State subsequently sanctioned the act of the people, by recording on her Statute Book an order for the expulsion, by force, of a public emissary of peace, of this single, inoffensive, unarmed man—And the same Legislature has passed a law, making it a highly penal offence in any person, whether citizen or stranger, ever to attempt the like again.

The pacific object of Massachusetts was not attained by this result. It was not, but the failure was absolutely necessary to be shown to the world, before her duty was entirely fulfilled. It was not, that South Carolina should, by her recommendation, that South Carolina should be the authority of the Constitution of the United States; annulm her obligations under it, and set up for herself alone; and refuses to abide even by the rules of comity that govern the pacific intercourse of civilized communities.

And now, upon a review of all the proceedings of Massachusetts, she challenges the world to show that she has done any thing, in connection with this subject, which it was not her indispensable duty to her citizens to do for their protection, or which any State should a left right to control her in her doings. Neither has there been a word placed upon her Statute book, which she has occasion to regret, or which, hereafter, may be a word, which, hereafter, may be, reasonable. Her measures have been moderate, strictly lawful, conciliatory, in a spirit of truth and peace. Let the world, and let the Union, and let the Supreme Court, and let every State, and every citizen of every State, and let every citizen of every State, and let every citizen of every State, and let

POETRY.

From the Boston Courier.

ANOTHER RALLYING CRY.

BY A VASSEE.

O, spirit of the noble Past, when the old Bay State was free,
When her soil was uncontaminate from Berkshire to the sea,
When her soil was uncontaminate from Berkshire to the sea,
When her sons bare beneath a foreign sky could answer bold and loud
Of the land that held their fathers' bones within her bosom proud;

O, for a moment wake again! Rise from thy ancient deep,
Where, in their waving seaweed shrouds, are swung to dreamless sleep
Her tawny-visaged mariners within whatever nook
Old ocean with his moaning surge in farthest seas hath shook;

Awake! Arise! O, come again, called up from every sod
Where the moss-gray headstones cluster round the humble house of God,
Where rest the stern old Pilgrims, each little hamlet's prophet,
Now, for the first time, sleeping with no weapon by their side;

O, come from where the same good blood, sworn foe to slavery still,
Came oozing through the homespun frock on that world-famous Hill,
And choked his voice, ye know last faint prayer was for this country's healthe:

From being slave or making slave—God save the Commonwealth!

O, come from every battle-field, from every famous scene
Where any blood for Freedom shed hath made the grass more green,
Where, if there be one darker spot and greener than the rest,
It marks where Pilgrim blood hath flowed from a Massachusetts breast;

Rouse! for the Massachusetts men are crowding, one and all,
To look at the CORPSE OF FREEDOM where she lies in Faneuil Hall;
Where she lies in her cradle stark and stiff, with death damp on her brow,
Though cravens would have us think her heart beat never so strong as now!

From clanging forge, from humming mill, from workshop and from loom,
From ploughing land and ploughing sea, from student's lonely room,
They're coming with the WILL in their eyes, the Puritan-hearted men,—
At sound of their footsteps, the blood shall rush to Freedom's cheek again!

Not now, as in the olden time, with braced-up hearts they come,
While King-street echoes jarringly the roll of British drum;
Not now prepared to grasp the sword, and snatch the firelock down
From where it had hung since the old Faneuil Hall with dust and cobwebs brown;
They're coming hit to speak one word, they're coming but to say,
'Poor minions of the Tyrant's cause, your grovelling hearts obey!
But, hear it North, and hear it South, and hear it East and West,
We will not help you bind your slaves! In GOD'S NAME, WE PROTEST!'

And, though fill other deeds of mine, dear Farther-land, should be
Washed out, like writing upon sand, by Time's encroaching sea,
That single word shall stand sublime, nor perish with the rest,
'THOUGH THE WHOLE WORLD SANCTION SLAVERY, IN GOD'S NAME, WE PROTEST!'

If thou must stand alone, what then? the honor shall be mine;
But thou can'st never stand alone, while Heaven still arches o'er,
While there's a God to worship, a devil to be denied,
The good and true of every age stand with thee side by side;

Well, if it must be, stand alone! and stronger then will grow
With every coward that deserts to join the tyrant foe;
Let wealth and trade and Empire go for what the dross is worth,
One man that stands for right outweighs the guilt of all the Earth!

No, if the old Bay State were sunk, and, as in days of yore,
One single ship within her sides the hope of Freedom bore,
Run up again the pine-tree flag, and on the chainless sea
That flag should mark, where'er it waved, the island of the free!

SEA WEED.

BY HENRY W. LONGFELLOW.

When descends on the Atlantic,
The gigantic
Storm wind of the Equinox,
Landward in his wrath he scourges
The toiling surges,
Laden with sea-weed from the rocks.

From Bermuda's Reefs, from edges
Of sunken ledges,
In some far-off bright Azore,
From Bahama, and the dashing,
Silver flashing,
Surges of San Salvador;

From the trembling surf, that buries
The Orkneyan Sherries,
Answering the horse Hebrides;
And from wrecks of ships, and drifting
Spars, uplifting
On the desolate, rainy seas;

Ever drifting, drifting, drifting
On the shifting
Currents of the restless main;
Still in sheltered caves, and reaches
Of sandy beaches,
All have found repose again.

So when storms and wild emotion
Strike the ocean
Of the Poet's soul, ere long
From each cave and rocky fastness,
In its vastness,
Floats some fragment of a song.

From the far-off isles enchanted,
Heaven has planted
With the golden fruit of Truth:
From the flashing surf, whose vision
Gleams Elysian,
In the tropic climes of Youth:

From the strong Will, and the Endeavor
That forever
Wrestles with the tides of Fate;
From the wreck of hopes far scattered,
Tempest shattered,
Floating waste and desolate;

Ever drifting, drifting, drifting
On the shifting
Currents of the restless heart,
Till at length, in books recorded,
They like hoarded
Household words no more depart.

REFORMATORY

ANOTHER NOBLE EXAMPLE.

The following letter to the Governor of this Commonwealth is from a true-hearted and highly esteemed man, and will be read with interest and sorrow considered by those who "cannot, or will not, compromise with the spirit and policy of the world. We copy it from the Boston Courier.

TO GEORGE N. BRIGGS,

Governor of the State of Massachusetts:

SIR—Four years since, then residing in my native town, (Gloucester,) on the petition of a number of my fellow-citizens, of all parties, I was appointed, by Marcus Morton, then Governor of the State, as one of the justices of the peace for Essex county. At the request of said petitioners, and for their and my own convenience, I accepted the office, and was duly qualified. In being qualified, in conformity to the legal requirement, as a matter of course, I took solemn oath to support the Constitution of Massachusetts and of the United States. Of that act I now heartily repent; and with my present understanding of the obligations and duties which it imposes, that act, I am resolved, God helping me, never again, in any manner, to perform.

Within a year after taking that oath, I began to have doubts of the propriety and expediency of its requirements, and of continuing to hold, and perform the duties of, that commission. Continuing to reflect upon it, and seriously to consider what duty required, both to myself and mankind, as demanded by truth, righteousness, the cause of humanity and human liberty, and above all by God, I found it to be my solemn and imperious duty, publicly to take back that oath, renounce my allegiance to those constitutions, and some out from all voluntary support of them. A brief summary of the reasons, which have induced me to take this step, I will here, if your secretary deem it of any use to me, I have become fully convinced that the Constitution of the United States is a pro-slavery compact,—a compromise between human liberty and slavery: a compromise of the highest moral principle and binding religious duty, as taught and practised by the great Exemplar of the world, in the precept, 'Whatsoever ye would that men should do to you, do ye, even so, to them,' and in favor of that 'sum of all villanies,' American Slavery.

This compromise, I believe was understandingly and deliberately agreed upon and entered into by the patriots of the Revolution, on the low ground of 'political expediency.' This I shall not attempt to prove; it has been proved by vastly more able hands; indeed, I think it is now generally admitted; and, certainly, the debates had on its adoption show it to be thus, most clearly.

The objectionable articles of that compact, comprising those wicked 'stipulations,' it is needless to specify; they are familiar to you, and surely must be to all, who notice the questions and measures which now, more than ever before, agitate the public mind. And may God speed the day, when they shall be known and understood, in all their bearing upon human freedom, by every man, woman and child; and rejected and trampled under foot by every true friend and lover of humanity and liberty. While the great design of the Constitution, as set forth by its 'preamble,' is 'to establish justice,' and 'secure the blessings of liberty' to the people of the United States, I find incorporated therein, provisions, the most clear to my mind, to *establish injustice* and *secure slavery*, by expressly siding one portion of the people to oppress, and keep in bondage, the other of slavery, and property, upon another portion. Indeed, the Constitution appears to be the open enemy and oppressor of one-sixth of the people dwelling within its jurisdiction.

Taking a retrospective view of American legislation, and the practice naturally flowing from the slaveholding principle of the Constitution, and observing what has been and is now the prime policy of the nation, it is very clear and plain to me that the government has ever deliberately aimed to uphold, cherish, foster and maintain, and never more so than at this period, *to perpetuate and perpetuate* the vile and execrable system of American slavery. With all my love and veneration for our fathers of the revolution, and although it may be deemed duty, and binding on us, by the many, to live up to and fulfil the covenants entered into by them; and notwithstanding Daniel Webster, many assert and maintain that '*all the stipulations in favor of the slaveholding States ought to be fulfilled*,'—yet *I cannot and will not* any longer willingly give my support or countenance to such stipulations, practice and policy. I conscientiously believe that those 'stipulations' violate the heaven-born and self-evident rights of man, and the laws of God; and by throwing the egis of the Constitution over the system of American slavery, have done more than all other causes besides, in this land, to blind the moral perceptions and augment the sins of the American people. To keep an 'oath of allegiance,' in any manner, to such a 'compact,' is to violate the divine and inalienable rights of all men—life, liberty and the pursuit of happiness; and in my opinion, to support it, is to become accessory to it, and therefore equally guilty with the slaveholder.

I have for the last eight months treated the Constitution as a nullity; and much regret that I did not as many months ago, return that commission. I can no longer keep that 'oath of allegiance,' nor voluntarily render support to those Constitutions, and I therefore herewith tender and respectfully ask you to take back that commission. Whatever burdens the 'powers that be' may impose upon me, I hope to be able to suffer with patience and magnanimity.

Grateful for my own heaven-endowed freedom, I will never again aid in depriving others of theirs.

In short, my firm resolve now is, (and may the providence of Heaven sustain and help me,) to have NO UNION WITH SLAVEHOLDERS, politically or religiously.

Yours, for humanity and liberty,
IGNATIUS SARGENT.

Georgetown, Essex Co. Mass.
January 21st. 1845.

LIBERTY PARTY AND THE CHURCH.

BEVERLY, Dec. 20, 1844.

BRO. GARRISON—I propose in a few brief remarks, to make mention of the conduct of a portion of the Liberty party in this vicinity. These remarks seem to be called for, because the conduct of those implicated has a bearing not only on anti-slavery, but on religion and morality generally.

The facts in the case are these:—Nearly two years ago, a number of individuals in the Baptist church and society at Danvers, (New Mills,) feeling the necessity of separating from the organization, in consequence of its attachment to slavery, withdrew, and formed an independent church, intending it to be entirely unconnected with the system of slavery. They struggled for existence, through various reproaches and difficulties, for about one year, when the question came up, 'What kind of preaching shall we have the ensuing year?' when it was ascertained that, by employing a regular built Congregational minister, the Society would at once become popular. Mr. A. B. C. D. &c. &c., men of popularity and abolitionists to the back-bone, would leave Brahman's, and join us, besides others who are not so much anti-slavery, but are good Christians; and society men will come in and help, which they will not do if we remain as we have been the last year, employing preachers of different names, though all of them evangelical, so called. The result is, they have made complete shipwreck of the principle of anti-slavery, religiously; and unscrupulously annihilated the original independent church, which was of good material to build from, and which, with the help of those of the Liberty party in their vicinity, had they been true abolitionists, religiously as well as politically, might have been at this day a thorough anti-slavery church in North Danvers, and thus have exerted a salutary influence on the pro-slavery churches and people, far and wide. The concern has lately been organized, and assumed the name of The Third Congregational Church in Danvers. They have built a splendid house, and have a large church in every transaction of its discipline, and govern the thought and expression of all its less influential members. But, inasmuch as I have never made a public statement of it, and have, not long since, been accused of giving my sanction and support, to all its acts, even to the extent of knowledge of some of them to I, ask friend Garrison to allow me a small space in the Liberator, while I give a brief statement of the manner in which I have recently been disowned by them.

Some two months since, two individuals, Perez Peck and Benjamin Greene, called on me, and requested an interview with me, which I readily granted. They said they were aware of the fact that I had sat in a meeting held out of the order of the Society, and they had a concern to know how I felt about it. Subsequently, one of the individuals, accompanied by Nicholas Congdon, sought and obtained another interview with me, saying that they came to see me with the same concern that they came with before, and desired to know whether I would retract or not. They produced no credentials, nor did they even intimate that they were the officers or organs of any meeting; yet one of the individuals who had the interview with me, has since forwarded the following note, which has just come to my hands:—

'PROVIDENCE, 1st mo. 10th, 1845.

RESPECTED FRIEND IN THE LIBERTY CAUSE.—At our last monthly meeting, held at Greenwich, a minute of denial in thy case was made, of which the conclusion of the meeting I was appointed to inform thee.

Thine, respectfully, BENJAMIN GREENE.'

So far as this transaction affects me, I find no fault with it. If my conduct stood with theirs, making me a member amongst them, I am glad they have erased it from the list; but I wish to bear my little testimony against the conduct of any religious body, which will disown a member upon such a charge as these three time past has been turned off by the town authorities—having been rather too free spoken on the subject of slavery.

It is said that the United States Government is to make a representation to Texas and upon the British government, through Mr. Everett, for the delivery of a gang of eight or nine slaves who burned a house in Florida, and then escaped to Bermuda.

The Mormon Charters.—The Illinois House of Representatives on the 21st of Jan. concurred in the Senate bill repealing unconditionally the Mormon Charters, by a vote of 76 to 36.

Defalcation.—A gentleman from Albany states that a defalcation had just been discovered, of $35,000, in the accounts of the first teller (Mr. Lovett,) of the Commercial Bank. Lottery tickets were the cause of the mischief.

The assessed value of property in the city of Baltimore, taxable for city purposes, for 1845, is $50,377,307. After abatements, the levy is put down at $37,500,000.

The militia force of Pennsylvania comprises 223,233 men.

The Daily Mail says that the people of Charlestown held a meeting on Tuesday, and the subject of the annexation of the town to Boston was indefinitely postponed by a vote of ten to one.

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REV. CHARLES T. TORREY. This gentleman can write to his wife once in three months, and on business matters only, and his correspondent, he will be permitted to answer his correspondents, but will be permitted to receive their letters, provided—I, The Editor, promise to read them first. He is to transmit to slavery derogatory to the character of the institution; 3, that they contain no information of what is going on in the prison, or elsewhere.

Gov. Edwards of Missouri, has pardoned the abolitionist *Work*, who was sentenced to the Penitentiary about three years since, for assisting in the escape of negroes from Missouri. The term of imprisonment was fixed at nine years. There are two others, sentenced at the same time for the same offence, who will probably remain in the Republican, remain until the expiration of their time.

Black Laws.—The people of Kendall County, Illinois, are much excited about the 'Black Laws.' In the Ottawa Free Trader there appeared an advertisement of J. S. Cornell, Sheriff of Kendall Co. that he has in his custody a black person *supposed* to be a runaway negro, answering to the name of James Alexander Cambell.' The notice concludes in these words: 'Any person having a right to and claim, will call, prove property, pay charges, and take him away, or he will be disposed of as the law directs.' A public meeting has been held, and the miserable 'Black Code' denounced in no measured terms.

Slavery in Kentucky.—The project of repealing the law of 1833, prohibiting the importation of slaves, was rejected in the House of Representatives by a vote of 44 to 38, but with a little bill authorizing Frederic Nana to import a slave, and it was stated to be a peculiar case. Mr. Glenn introduced a bill prohibiting any person to import slaves under certain prescribed restrictions, namely, that the slaves were imported not as merchandise, but for sale, and that such slave should not be liable to execution. But the House was not of his opinion: for his substitute was laid on all interim and postponed indefinitely, through repeal of the law of 1832. The substitute was laid on the table by yeas 52; nays 40. And a 'number of resolutions allowing individual slaves, under peculiar circumstances, were also decisively rejected. The Senate is firmer against the Repeal this year than it was last, and the chance of repealing the law of 1833 may be considered defeated.

OBITUARY. On the 28th ult. at Liverpool, aged 83, W. Fawcett, Esq. the celebrated engineer.

We have to record the death of Mr. R. Heine, the celebrated banker of Hamburg, aged 77.

On the 21st. ult. at Greenwich Hospital, aged 56, Capt. Thos. Hutchinson, brother to Admiral Rt. Hon. W. Huskisson.

Lady Anne Culling Smith, sister of the Duke of Wellington, expired at Hampton Court Place on the 16th ult.

The celebrated hero of our India armies, Gen. Sir Wm. Nott, G. C. B. died lately at Carmarthen, on the 1st. ult. in his 65th year.

Mr. Corbould, the artist, who was about to be united to Miss Kelly, was riding, on the 26th ult. in the neighborhood of Silver Hill, near Robertsbridge, when he was seized with a violent apoplectic fit and expired. An hour before, he appeared to be in the best health and spirits.—*London paper.*

It is said that Edward Southey, a brother of the deceased Laureate, is poor, friendless and a scholar, is, and has long been living in London, in a state bordering on starvation.

'There are in France,' says one of the journals, '350 actors, 200 musicians, and 150 individuals attached in one way or other to the theatres.'

The *National* states that Russian and Polish Israelites are emigrating in great numbers to Prussia, in order to avoid being transported by force to the remote quarters of the Russian empire.

A statue, intended to personify Bavaria, has been cast at Munich, of such colossal dimensions that the head alone will contain twenty-five full grown men.

Amongst the curiosities at the Hull Zoological Gardens, is one of the ancient Irish Elks, which is small that its legs are not thicker than a quill, and it can stand on the palm of one's hand.

Gen. Jauregui, one of the most renowned of the guerrillores, lately died at Vittoria. He was, like Mina, Merino, and Zurbano, one of those men of iron, who neither require sleep nor food, and who, *à cigarette* in their mouth for their sole food, and the use of the torrents for their drink, walk twenty leagues a day with a musket on their shoulder. Jauregui enjoyed the esteem of all parties.

At Limerick, a young woman lately fell into the river while getting a tub of water. A young man of the name of M'Creice, a private in the Royal Artillery, jumped in to save her, but getting entangled together, both sunk to rise no more. The remains of the deceased were found in a few days. M'Creice had left a wife, advanced in pregnancy, and three children.

B. J. McNulty, clerk of the House of Representatives, and Democratic candidate for Congress in Ohio at the late election, has proved a *defaulter*, to the tune of about $1,000. He was notorious for brutal hostility to the anti-slavery cause, in the Ohio Legislature. What the moral effect of this may be, we know not. We know the fact that a few years since he was found at Owen's tavern in Washington, with two notorious prostitutes, and a second-hand pistol, with which he had made an assault upon the landlord, who shot at him, wounding him in the cheek somewhat severely. And yet, this is the man, fellow-citizens of the U. S. House of Representatives!

When the mob at Cincinnati sacked the Banks and destroyed their contents, Mr. McNulty, who was then a member of the Legislature of Ohio, said 'I was not the true Bank reform;—that he would have gloried in being at the head of any band of citizens who would do such a deed of public benefit. He wanted no better light to guide him along the pathway of duty than the flames ascending from the Cincinnati banking edifice.' Such is the State, Such a sentiment is worthy of such a public officer.

Mrs. T. G. Oliver, of Albany, was instantly killed on Monday, on the road between Troy and that city. She was riding in a carriage with her father, and the horse took fright at the antics of two men driving furiously in an opposite direction. The carriage was overturned, and one of the shafts of the carriage pierced the temple of Mrs. O. Mr. and Mrs. Kelsey, who were with her, were seriously injured.

Suicide.—Mr. James Bailey, of Franklin, N. H. aged about 50, committed suicide on Saturday forenoon last, by shooting himself with a musket. He placed the muzzle of the musket under his left breast, discharged by the means of a piece of iron placed upon the trigger.

Mr. Bailey had sustained a very respectable position in society, and had been one of the selectmen of Franklin. No cause is assigned for the act.

A drover of the name of Pratt has recently swindled some of the farmers of Conway, Mass. and of the adjoining towns, out of a number of cattle.

Among the notices of applications to the Legislature, published in the New-Jersey papers, is one to incorporate a company, with a capital of $50,000, to construct a magnetic telegraph across the State, between New-York and Philadelphia.

It is stated in the Winyah Intelligencer, published at Georgetown, S. C., that one Wm. Watson, who has been in that town keeping a free school for some time past, has been warned off by the town authorities—having been rather too free spoken on the subject of slavery.

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Gov. Edwards of Missouri, has pardoned the abolitionist *Work*, who was sentenced to the Penitentiary about three years since, for assisting in the escape of negroes from Missouri. The term of imprisonment was fixed at nine years. There are two others, sentenced at the same time for the same offence, who will probably remain in the Republican, remain until the expiration of their time.

Black Laws.—The people of Kendall County, Illinois, are much excited about the 'Black Laws.' In the Ottawa Free Trader there appeared an advertisement of J. S. Cornell, Sheriff of Kendall Co. that he has in his custody a black person *supposed* to be a runaway negro, answering to the name of James Alexander Cambell.' The notice concludes in these words: 'Any person having a right to and claim, will call, prove property, pay charges, and take him away, or he will be disposed of as the law directs.' A public meeting has been held, and the miserable 'Black Code' denounced in no measured terms.

Slavery in Kentucky.—The project of repealing the law of 1833, prohibiting the importation of slaves, was rejected in the House of Representatives by a vote of 44 to 38, but with a little bill authorizing Frederic Nana to import a slave, and it was stated to be a peculiar case. Mr. Glenn introduced a bill prohibiting any person to import slaves under certain prescribed restrictions, namely, that the slaves were imported not as merchandise, but for sale, and that such slave should not be liable to execution. But the House was not of his opinion: for his substitute was laid on all interim and postponed indefinitely, through repeal of the law of 1832. The substitute was laid on the table by yeas 52; nays 40. And a 'number of resolutions allowing individual slaves, under peculiar circumstances, were also decisively rejected. The Senate is firmer against the Repeal this year than it was last, and the chance of repealing the law of 1833 may be considered defeated.

OBITUARY. On the 28th ult. at Liverpool, aged 83, W. Fawcett, Esq. the celebrated engineer.

We have to record the death of Mr. R. Heine, the celebrated banker of Hamburg, aged 77.

On the 21st. ult. at Greenwich Hospital, aged 56, Capt. Thos. Huskisson, brother to Admiral Rt. Hon. W. Huskisson.

Lady Anne Culling Smith, sister of the Duke of Wellington, expired at Hampton Court Place on the 16th ult.

The celebrated hero of our India armies, Gen. Sir Wm. Nott, G. C. B. died lately at Carmarthen, on the 1st. ult. in his 65th year.

Mr. Corbould, the artist, who was about to be united to Miss Kelly, was riding, on the 26th ult. in the neighborhood of Silver Hill, near Robertsbridge, when he was seized with a violent apoplectic fit and expired. An hour before, he appeared to be in the best health and spirits.—*London paper.*

It is said that Edward Southey, a brother of the deceased Laureate, is poor, friendless and a scholar, is, and has long been living in London, in a state bordering on starvation.

'There are in France,' says one of the journals, '350 actors, 200 musicians, and 150 individuals attached in one way or other to the theatres.'

The *National* states that Russian and Polish Israelites are emigrating in great numbers to Prussia, in order to avoid being transported by force to the remote quarters of the Russian empire.

A statue, intended to personify Bavaria, has been cast at Munich, of such colossal dimensions that the head alone will contain twenty-five full grown men.

Amongst the curiosities at the Hull Zoological Gardens, is one of the ancient Irish Elks, which is small that its legs are not thicker than a quill, and it can stand on the palm of one's hand.

Gen. Jauregui, one of the most renowned of the guerrillores, lately died at Vittoria. He was, like Mina, Merino, and Zurbano, one of those men of iron, who neither require sleep nor food, and who, *à cigarette* in their mouth for their sole food, and the use of the torrents for their drink, walk twenty leagues a day with a musket on their shoulder. Jauregui enjoyed the esteem of all parties.

At Limerick, a young woman lately fell into the river while getting a tub of water. A young man of the name of M'Creice, a private in the Royal Artillery, jumped in to save her, but getting entangled together, both sunk to rise no more. The remains of the deceased were found in a few days. M'Creice had left a wife, advanced in pregnancy, and three children.

REFUGE OF OPPRESSION.

From the Christian (!) Watchman.

ANTI-SLAVERY MEETING.

The Massachusetts Anti-Slavery Society (old organization) held its annual sittings last week, in Boston, commencing on Tuesday evening, and on Wednesday, the grand *finale* taking place at the State House, on Friday night. From occasional calls in at the meeting, we judged that there was in the Society a goodly proportion of the usual commixture of eccentricity, exaggeration, folly and absurdity. The Church at large received some severe castigation, and a good share of men and women who had never belonged to a church, who had been excluded, or had made their exodus as consociators. Ministers of the Gospel standing in their denominations were denounced by name, for the crime of hesitating to open the doors of their churches at the demand of unknown lecturers, whose avowed object was to destroy the church and ministry, as stumbling-blocks before the car of Garrison abolition. By solemn resolution, as well as by speeching, the clergy of Massachusetts were held to be scarcely entitled to a rank with human beings. What effect this charitable course will have in bringing the ministers to submit themselves to the demands of these reformers, remains to be seen.

The State, too, received its measure of denunciation; yet, from the tone of the speeches, it was evidently more 'unnaturalized foreigners,' and no citizens, i. e. persons who have foreworn the exercise of the right of suffrage, and who would not even condescend to vote to put things right. The union of the States was denounced, repudiated, and declaratively destroyed. Although the Society profess to be non-resistants, yet it is manifest that the State should return Mr. Hoar to Charleston, attended by an armed force sufficient to overcome all opposition, was introduced and discussed at great length.

On Friday, Mrs. Abby Folsom attempted to get a hearing in the meeting, but was put down amid great clamor. She, however, succeeded in her endeavor to speak at the State House in the evening. Dr. Channing and some others engaged to intermeddle in behalf of moderation, moderation and candor into the proceedings; but the voices of Garrison, Foster, Clapp, and others like them, prevailed.

From the Olive Branch (!)

GARRISON'S SLAVERY SOCIETY.

They call themselves an Anti-Slavery, or the Massachusetts Anti-Slavery Society; but they have christened it wrong, and our heading is a very proper cognomen for the body; they held a three day's session last week. Some of the attended give some quaint anecdotes—quite racy; a very good looking white woman was seen at one of the meetings, edging up to a plump negro on the same sign, until she came in contact with the gentman of color; he threw his arm around her waist, drawing her close to himself, and continued thus a long time unhindered by her; in going to their place of meeting, numbers of strapping negroes were seen with white ladies, hanging on their arms; we did not learn that any colored lady was so blind as to give like favors to white gentlemen. Then this conclave of black and white spirits, of supernatured men and antiquated spinsters, met to regulate this little dirty planet of creation, and to make the most harmonious Garrisonism was carried to its utmost pitch; the full doctrines of down with the Sabbath, Law, Constitution, and the Clergy, mingled here in glorious anarchy; they proposed, though non-resistants, to send back Mr. Hoar to Charleston, S. C., with an armed force sufficient to make the Carolinians quietly submit to all that might be demanded of them. They proposed to call home our Representatives in Congress, and set up the kingdom of Massachusetts, getting Hon. J. Q. Adams to frame them a Constitution. During the progress of this mighty work, our good friend, Abby Folsom, tried to set every thing right, by rising and stating that she had received a letter from Elder Silas Lamson, and attempted a speech; but these beautiful non-resistant Garrisonites, who hold forth the doctrine of liberty, laid hold of Sister Abby, and dragged her out doors, though some took her part, blowed out lights, had considerable fighting, &c. Parson Pierpont, a well educated, and, we believe, respectable clergyman, was put down when attempting to speak, and not only were the clergy in general made over to Satan, but the Bible was put down, too. At the meeting was one disgraceful to human nature, showing that instead of being the uncompromising friends of justice and humanity, they are the slaves of the spirit of their clique, or a few of their wire-pullers. It is such scenes and such managers who threaten the entire failure of the anti-slavery enterprise. We hit reasons himself would be caught in such company? We assure our readers the above picture is true; it is not over-wrought in a single point.

MORE VILLANY.

An ACT to amend an Act entitled 'An Act more effectually to prevent Free Negroes and other Persons of Color from entering into this State, and for other purposes,' passed the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five.

1. Be it enacted by the Senate and House of Representatives now met and sitting in General Assembly, and by the authority of the same, That no negro or free person of color shall come into this State on board of any vessel, as a cook, steward, or mariner, or in any other employment on board such vessel, and who shall be apprehended and confined by any sheriff in execution of the provisions of said act, shall be entitled to the writ of habeas corpus, or any benefit under or by virtue of the statute passed in the kingdom of England, in the thirty-first year of the reign of King Charles the Second, entitled 'An Act for the better securing the liberty of the subject, and to prevent imprisonments beyond the seas,' made of force in this State, and the provisions of the said 'Habeas Corpus Act, and the several acts of Assembly of this State, shall notwithstanding, be declared not to apply to any free negro or person of color entering into the State contrary to the provisions of the aforesaid Act of Assembly, passed the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five.

2. That in case the Sheriff of the District, into the jurisdiction of which such free negro or persons of color shall enter, shall be unable to enforce the provisions of the aforesaid act by reason of the peace commissioner, or the civil authorities usually at his command, the Governor of this State may, and he is hereby authorized and required, on a requisition and proof given him by the Sheriff, to order out a sufficient number of the militia of this State to meet the exigency of the case, which said militia shall be, by order of the Governor of this State, placed under command of discreet officers, and have orders to give to the Sheriff who whose district any such exigency may arise, the assistance that may be necessary to carry into effect the provisions of the aforesaid act, passed the nineteenth day of December, in the year of our Lord one thousand eight hundred and thirty-five.

EDP Forward to the last session of the Legislature of South Carolina.

Great Cattle Sale in South Carolina.—Mr. Henry and all abolitionists are invited to attend.

We are requested to give notice, that one hundred and fifty rice-field negroes, belonging to the estate of Isaac Ball, to be sold at auction on Friday the 10th of Feb. next, by Messrs. White, auctioneer and broker, have arrived in the city, and are ready for inspection.—*Charleston (S. C.) Mercury.*

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

TO the next of kin, and all other persons interested in the estate of Wyman Morse, late of Bath, in the County of Lincoln, and State of Maine, deceased, intestate:

Whereas application has been made to me to grant a letter of Administration on the estate of said deceased, to William H. Willis, of Boston, in said County of Suffolk. You are hereby cited to appear at a Probate Court, to be held at said Boston, on the day, the seventh day of February next, at nine o'clock before noon, to show cause, if any you have, why the granting the same.

He, the said William H. is hereby directed to give public notice thereof three weeks successively in the newspaper called the Liberator, printed in said Boston.

Given under my hand this fifteenth day of January in the year one thousand eight hundred and forty-five.

WILLARD PHILLIPS, *Judge of Probate.*

A true copy: Attest,
H. M. WILLIS, *Secretary.* Jan 24.