treads under foot the Constitution of the United States, the sovereighty of Ohio, and the eternal law of God. Amid the brutal and ferocious jeers and howls of fiends in human shape, you, your wife, and innocent babes, heart broken and utterly crushed; are driven to your doom. The dialect of the pit would furnish you no language adequate to express your sense of the infernal wickedness of such conduct. And yet this is just what Judge Leavitt, and the "orthodox" Mr. Gaines have done.

After all, we are constrained to say that these men have acted in strict harmony with the teachings of their Church on this subject. The oft quoted resolutions of the General Assembly, which define the position of the Church on this subject, will bear repetition in this connection. They are *verbatim* as follows:

"Resolved, 1. That the Gen. Assembly of the Presbyterian Church in the United States, was originally organized, and has since continued the bond of union in the Church, upon the conceded principle that domestic slavery, under the circumstances in which it is found in the Southern portion of the country is no bar to christian communion.

Resolved, 2. That the petitions which ask the Assembly to make the holding of slaves in itself a matter of discipline, do virtually require this judiciary to dissolve itself, and to abandon the organization under which by the Divine blessing it has so long prospered," &c—*Minutes of* 1845.

If this language means anything, it means that if "slavery as it exists in the South" is put out of the Presbyterian Church, it will be "dissolved."—Slavery is declared to be both the corner stone on which the Church is built, and the bond of union that holds it together. If the cement of the slaves' tears and blood is washed out of the walls of the Old School Zion, they will tumble to pieces!—Hence, when the naughty slaves of the pious and "orthodox" Mr. Gaines ran away, no less than eight of the corner stones of this spiritual edifice were withdrawn. It must have reeled terribly under this sapping and mining process. Hence, Judge Leavitt and his brother Gaines have proved themselves devoted sons of the Church, in "chucking" these corner stones again into their place under the walls of their Zion, and in draining off their heart's blood to cement its walls together.—They ought to be "put into the ministry" at once; and some Southern Old School College should confer D. D. upon them forthwith.

But this subject is too grave and solemn for irony. The above is neither exaggeration nor caricature. It is a simple and truthful representation of the actual position in which the whole of the Old School Presbyterian Church is placed by the action of its General Assembly. For as the General Assembly is a *representative* body, it speaks for the whole Church, and its proceedings bind every man, woman and child who remain in its communion.

We write in no spirit of bitterness. There are thousands of honest, pious, freedom loving Christians in that Church, who hate this transcendent wickedness as intensely as we do. We count a number of these among our readers and personal friends. We love them as Christian brethren.—But we do not believe that they have ever adequately conceived of the terrible enormity of the teachings and position of the General Assembly of their Church on this subject. The resolutions of 1845, quoted above, are so intensely wicked that they think, perhaps, they must mean something else. They are slow to believe—and this is very natural—that men whom they have regarded as pious ministers of the Gospel, *could* take such a horrible position. But there stands the plain language of their resolutions, which means what we have said it does, or it means nothing at all. More than ten years have passed since these resolutions were adopted, and they stand now as the recorded and settled doctrine of the Church on this subject. Judge Leavitt and Mr. Gaines have acted in strict accordance with their letter and spirit in this Cincinnati tragedy; and the standing of these men in their Church will not be compromised in the smallest degree, by an act which ranks in enormity along with the betrayal and crucifixion of Christ. Surely, *surely* the voice of God to *Christians* in *such* a Church is, "come out of her my people that ye be not partakers of her sins, and that ye receive not of her plagues."

A MEDAL TO RUST THE RUFFIAN.

The people of Eastport, Mississippi, on the receipt of the intelligence that Rust had assaulted Horace Greeley, immediately held a meeting in order to raise money to procure a gold medal which they intend to present to the Arkansas bully. The medal was engraved and sent to Mr. D. B. Wright representative of the first Congressional District in Mississippi, who was delegated to make the presentation. We have heard of rewards of merit and of rewards of services; but this is, we believe, the first instance in which a bully was ever presented with a medal for striking a weak and half-blind man without giving him a chance to defend himself. The medal cannot be intended as a reward for striking Horace Greeley; for any ruffian might do the same thing, and there would be no end to the medals; it must be intended as a reward for the bravery displayed on the occasion, for the heroic courage which inspired Mr. Albert Rust and bore him up during the exciting moment. Coming as it does, from the citizens of another State, we are forced to the conclusion that the slave owners consider Mr. Albert Rust, of Arkansas, as the bravest and most chivalrous man in the South.

We have no disposition to ridicule the Southern standard of bravery; for it is already low enough to excite astonishment; but we think the people of Eastport committed a serious blunder when they delegated Mr. D. B. Wright to present the medal to the heroic Rust. They should have selected Rev. William S. Plumer, or one of the editors of the New York Observer. We can imagine with what pious unction he would deliver the presentation speech. But as this appropriate selection was not made, and as the speech was not delivered, we may be pardoned for imagining what it would have been. He would have said: "Sir, by a dispensation of a wise and beneficent Providence, I have been selected as the humble instrument to present to you this well earned token of respect and admiration. It would be useless for me to disguise the emotions of gratitude which fill my heart, when I reflect on the goodness of the great author of our being in giving you strength and fortitude to enable you to meet our terrible adversary without quailing in his presence. Sir, you have achieved a great and notable victory, and your name will go down to our children as the man chosen by the Lord of hosts to smite the impious enemy of his chosen people and of his hallowed institutions.

"In an hour when the fortunes of slavery seemed darkest, and when the courage of other men was shaken, you, sir, invoking the smiles of heaven on your efforts, assaulted the fiercest and most malevolent of our foes. Mindful of the lessons of prudence which you had learned from your parents, you commenced the terrible combat with the caution of one who was conscious of the claims of his country on his precious life. You excite no suspicion by your manner. Your adversary was not aware of danger till it fell upon him. A just Providence, in punishment for his manifold crimes had weakened his sight, so that he did not see you till your fist descended upon him. Before he had time to recover from his surprise, you repeated the blow. He reeled under the stroke, and, as if in defiance of his power, you struck him again without giving him an opportunity to resist.

"You have beaten the arch-enemy of slavery; you have achieved the proudest victory of your life; you have established an imperishable reputation in the law-abiding and Bible-loving South; you have struck Horace Greeley with your fist.—Any other man would have been satisfied; but you, like the holy warrior spoken of in the book of inspiration, determined not to put off your armor while your enemy breathed. Following swiftly in his footsteps, and this time armed with a trusty club, you renewed the perilous fight. He was utterly unprepared to resist the fury of your attack, and staggered beneath your well-directed blows.—His arm was bruised, his head was cut, and his spectacles, with which he had impiously sought to cheat the judgment of Heaven, were broken in pieces. And had not envious fate interposed, and brought to the rescue of the wicked man arms which were too strong for you, we might this day rejoice that our beloved country was freed from the presence of the great mischief-maker.

"And now, sir, allow me to present to you this testimonial from the pious citizens of Eastport.—It commemorates an event of which you may well feel proud. Mississippi is proud of you. Arkansas is proud of you. The whole South is proud of you. Your praises shall be sounded wherever the holy institution of slavery is cherished, and by the voices of those yet unborn. May you live to win other medals, and may your arm be strengthened, so that none of the wicked advocates of freedom shall ever be able to prevail against you." *Leader.*

SLAVERY DISCUSSION IN THE WASHINGTON PULPITS.

The following extract from the Washington correspondent of the N. Y. Evening Post, shows that the Clergy of Washington, like the Senators and Representatives "in Congress Assembled," have taken up the slavery question for discussion:

The slavery discussion, which so occupies the attention of the politicians, appears to have found its way into the pulpits of the District of Columbia. Some weeks since a paragraph went the rounds of the papers, mentioning that a thoroughgoing anti-slavery sermon had been preached on a certain Sunday by Rev. Moncure D. Conway, the clergyman of the Unitarian Church of this city. The discourse referred to has been widely copied in the anti-slavery journals of the country and has excited especial comment from the circumstances that the preacher is a Virginian by birth, and a nephew of Judge Daniels, of the U. S. Supreme Court.

It now appears that the discussion thus started has become contagious, and that one of the Episcopalian clergymen of this city, last Sunday evening, pitched into Mr. Conway's heresies on the slavery question with considerable spirit, in a discourse to which Mr. Conway himself had the pleasure of listening. From this, I presume that the war ecclesiastical has only just begun, and that the assailed party will not let slip an occasion to justify his positions.

Subsequently to the delivery of Mr. Conway's sermon, he was re-elected by his parishioners in the usual way for another year, but it is reported that five of them have withdrawn from his pastoral jurisdiction. Mr. Conway is a very young man, not more than twenty-four years of age, but his discourses are marked by unusual eloquence of expression, and by a rather refining and Emersonian mode of thought—the result, perhaps, of his long intimacy with the poetical essayist of Concord. He received his first theological training among the Methodists of his native State, was qualified for the ministry at the Unitarian Divinity School at Cambridge, Mass. To an independent heterodox theology he consequently superadded something of the energetic propagandism of the disciples of Wesley. He is a man of varied culture, and bids fair to attain a reputation not inferior to that of his two distinguished predecessors, W. H. Channing and Orville Dewey.

THE PAST AND PRESENT OF MR. FILLMORE.

There is about the same difference between the past and the present principles of Millard Fillmore, as between his past and present chances for the Presidency. During the early part of his political career, his views on the slavery question met with the approbation of those who were termed *Abolitionists.* In truth, he was, at one time, considered as the embodiment of anti-slavery principles, and thousands of those who voted for General Taylor, did so because Mr. Fillmore's name was on the same ticket. In 1838 he was considered so orthodox by the anti-slavery men, that the Abolitionists of Erie, Pa., addressed to him the following inquiries, and received the annexed reply:

Letter of Mr. Fillmore to the Erie Abolitionists.

BUFFALO, Oct. 17, 1838.

SIR—Your communication of the 13th inst., as Chairman of a committee appointed by "the Anti-Slavery Society of the county of Erie," has just come to hand. You solicit my answer to the following interrogatories:

1st. Do you believe that petitions to Congress on the subject of Slavery or the Slave Trade, ought to be received, read and respectfully considered by the Representatives of the people?

2d. Are you opposed to the annexation of Texas to this Union, under any circumstances, so long as slaves are held therein?

3d. Are you in favor of Congress exercising all the Constitutional power it possesses to abolish the internal Slave Trade between the States?

4th. Are you in favor of immediate legislation for the abolition of slavery in the District of Columbia?

I am much engaged, and have no time to enter into an argument or to explain at length my reasons for my opinion. I shall therefore content myself for the present by answering all your interrogatories in the affirmative, and leave for some future occasion a more extended discussion of the subject.

* * * * * * * *

I am, respectfully,
Your obedient servant,
MILLARD FILLMORE.

W. MILLS, Esq., Chairman.

From the Cleveland Leader.

MR FILLMORE'S PARTNER.

Some time ago, we were accustomed to say, Fillmore, Haven & Co.; the name is now changed to Filimore, Donelson & Co. The real name of the ambiguous partner is *slavery.* Mr. Andrew Jackson Donelson is the step-son of Andrew Jackson, and bears about as much resemblance to the man after whom he was named, as a shorn poodle dog bears to a lion. Mr. Polk appointed him minister to Berlin, and while there the attempt to reconstruct the German confederation occurred, and an experimental government was set up, with Dresden as the capital. He was ordered to transfer his diplomatic head-quarters to Dresden. He did so, and in due time returned to his hotel in Berlin. His government dissolved, but so did not his vision of an increase to his fat salary. He made a charge of $27,000 for the journey, and his account with the Treasury that year swelled up to $35,000. It was allowed and paid. Since then Mr. Donelson has done a prosperous business in raising negroes for sale. After accepting the pro-slavery Know-Nothing nomination, he presented his credentials for the post of Vice President, by stating that he loved the Union, and owned a hundred people. On these grounds alone, he rests his claims, and such papers as the Cincinnati *Times* call upon Northern men to support him.

A PETTICOAT FOR GENERAL LARIMER.

The *Chronotype*, published at Council Bluffs, gives the following account of an "exciting scene" in the Nebraska Legislature:

"The Bill giving Woman the right to vote, came up by a special order of the House. A number of ladies entered the Hall to listen to the proceedings. Gen. Larimer spoke eloquently and ably in favor of the bill,—making perhaps the best speech that could be made on that side of the question. On the vote being taken, it stood Yeas 14, Nays 11. The bill was then sent to the Council, were it was referred to the committee of elections, but it was finally lost in one House or the other. Its passage by the House of Representatives created a great deal of talk, and several members threatened to resign. At the close of the session J. Sterling Morton W. E. Moore, A. F. Salisbury, and L. I. Bowen came into the House and proposed to present Gen. Larimer with a petticoat, which did not tend much to allay the excitement. The General of course was justly indignant at such treatment, as were also the whole House.

"The proposal was characteristictic of the prime mover in it, and we are astonished that the other gentleman named could have been willing to associate themselves with him in offering this indignity to the oldest and most respected member of the body—a man who was elected to the station he has so ably filled, by the unanimous vote of the people of Douglas county. General Larimer had a perfect right to advocate or oppose the bill, according to his sense of duty, and any man, or set of men, who would attempt to cast insult or ridicule upon him for so doing, are worthy only of the contempt of decent people. In saying this, we of course express no opinion on the *merits* of the bill itself."

The Anti-Slavery Bugle.

SALEM, OHIO, MARCH 15, 1856.

SLAVERY IN OHIO.

Judge Leavitt, Commissioner Pendery and the United States Marshall and his Kentucky deputies have as they suppose and intended, thoroughly established Slavery in Ohio. The authorities they cite for this right of slaveholding in our State are the fugitive slave clause in the Constitution—the fugitive slave law—the decision of a Kentucky Judge, given some two or three years since and its corroboration and support by Judge M'Lean. These decisions are deemed amply sufficient to set aside the unquestioned authorities of the Courts of England and of the Slave as well as free States of this country, from the time of Lord Mansfield till the dissent of the Kentucky Judge. Till then, there can be found no decision of importance dissenting from the established law, that *a Slave entering free Territory is free—and once free always free.* But in the crusade for the extension of Slavery, it was resolved to introduce it not only into the territories, but also into the non-slaveholding States themselves, and the Federal Judiciary, from chief Justice to Commissioner is the power selected to effect this object. With servile Judges on the benches of the State Courts, it seems thus far an easy matter—Massachusetts basely acquiesced in the person of her chief Justice—Shaw—the sovreignty of Pennsylvania was most ignominously surrendered by the Supreme Court of the State to Judge Kane. Judge M'Lean trod down the sovreignty of Ohio and released the U. S. Marshal from the custody of the State Court in the Rosetta case—and now, Commissioner Pendery and Judge Leavitt suppose they have completed the work, and effectually subjected our cowardly and sluggish State Courts. They have taken from the consenting hands of an Ohio Sheriff six free citizens of the State and consigned them to Slavery. They have taken them from a State jail, from the custody of State officers. They have taken them while held by two distinct processes of seperate Courts. At the time of their surrender to Marshall and Gaines the adults were held by a State warrant to be tried before Judge Parker of the criminal Court, and the infants were held on an undecided writ of *Habeas Corpus*, before Judge Burgoyn. The Judge having issued to the Sheriff a special order to hold the children until his decision. The Sheriff chose to disregard his oath of fidelity to the State, to treat with contempt his obligations to hold the adults for trial before Judge Carter as well as the special order of Judge Burgoyne, and with indecent haste obeyed the Commissioner's certificate and the mandate of the federal Judge and gave up the persons, old and young, to the Marshal for rendition to Kentucky Slavery. Thus is Ohio doubly dishonored, and, Slavery established as a recognised institution among us so long as by any means a slaveholder can retain his slaves either in transit, or for labor, and the State Courts are defied in any efforts to protect them in the liberty conferred by the constitution and laws—and the State itself is prohibited from protecting its own citizens from the assaults of any person whom the slaveholders may claim as a slave. *The Federal power is omnipotent for Slavery, the State power is impotent for Freedom.* Certainly this state of things calls imperatively for something to be done, so seems to think one at least of our State Senators Mr. Brown of Portage county. He has introduced into the Senate the following bill:

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That it shall be unlawful for any person to hold or claim, as a slave, any other person in the State of Ohio, for any period whatever: Provided, that nothing in this act shall be so construed as to interfere with the rights of the claimant, under and by virtue of the third subdivision of section second and fourth article of the Constitution of the United States.

SEC. 2. Any person violating the provisions of the preceding section, shall, on conviction thereof, be confined in the penitentiary and kept at hard labor not less than twenty, nor more than thirty years.

That is what Mr. Brown proposes to do about it. Will our readers look at it carefully and see what they they think of it. Does it meet the wants of the case? Will it shut Slavery out of Ohio, according to Governor Chases' Republican motto "NO *Slavery outside the Slave States.*" Instead of this does it not especially grant the privilege of slaveholding in Ohio under certain circumstances. That is, under just such circumstances as James Marshall claimed Simon Garner Sen. That our readers may the better judge of the merits of this proposed law, we copy the article of the Constitution, which according to this act makes provision for slaveholding in Ohio and to which this law gives especial sanction. "The third subdivision of section second of article fourth of the U. S. Constitution" is as follows:

"No person held to service or labor in one State under the laws thereof, escaping into another, shall, in consequence of any law or regulation, therein, be discharged from such service or labor, but shall be delivered upon claim of the party to whom such service or labor may be due."

The meaning of Mr. Brown's law is that masters may not bring their slaves into the State for labor—that they may not bring their servants with them when they come for pleasure—that they may not have the right of transit through the States when they themselves introduce them here. If they attempt to exercise this right of slaveholding they are to be imprisoned not less than twenty nor more than thirty years.—That is well, pass that much of the law and execute it,

But the proviso is infernal or worse. What does it provide? Why that if one of the abused slaves of Kentucky shall have the manhood to achieve his own freedom, if he shall carve it out in spite of the master and through the government, why then "*it shall be lawful* to claim and hold," to try and condemn, imprison, bind and transport through and out of the State, *such heroic devotee of freedom as a slave.* It is designed to save such as young Simon Garner who had had the good fortune to be brought to this State by his master, but it as specificaly provides for the re-enslavement of his old gray-headed father who had manfully achieved his own freedom without any such antecedent.

We have another objection to this proposed law. It not only proposes to execute the slave rendition clause of the constitution; but standing alone, as it does, it is in fact an endorsement of the Fugitive Slave law itself. That law is the only method in existence for executing the Constitutional obligation of Slave rendition. As this act provides that that rendition is not to be interfered with, of course we must understand it's silence about the means of effecting it, as an acquiescence in those already in existence. Indeed this provision of the law if such it shall become, seems to us the most abject of voluntary humiliation before the slave power. We trust that in the course of discussion on this question Mr. Brown will become wiser and that the legislature will not place upon our statute book a formal consent for the return of fugitive slaves. Surely it was enough for the Republican party that it ignored the existence of the Fugitive Slave law. We did not expect it to out herod Whig and Democrat and approve it by their legislation. On the whole therefore we cannot agree with the *Cleveland Leader* that Portage county may well be proud of her Senator for originating these two sections of law. Last week our friend Gilbert testified that Mr. Brown was a "sterling abolitionist," and had done much for correcting the pro-slavery sentiment of the country. We can only say that we hope his labors have been more effective upon others than this bill proves them to have been upon himself. For it does certainly look ugly to see a "sterling abolitionist," proposing a law which concedes the right of citizens of other States to enslave the self-emancipated residents of Ohio. When Mr. Brown began to write his law, very likely his "sterling abolitionism" was uppermost. The first paragraph sounds altogether abolition like.—"It shall be unlawful for any person to hold or claim as a slave any other person in the State of Ohio for any period whatsoever." That *is* "sterling abolitionism." It can't be beat. Had it stopped there we would have swung our hat with Barclay Gilbert, with a will and commended his just pride of such a Senator. But the proviso, is pro-slavery, doughfaced and Union-saving. We despise and abhor it. The man who attempts to embody it in law, is not the man to lead in the emancipation of Ohio from her guilty and disgraceful subjection to the slave power. Before that advent comes, somebody has got to resolve in the legislature and on the judicial bench of the State, that even the Constitution and the Union cannot and shall not sustain slaveholding in Ohio and that no human being shall be sent from her soil to Slavery, and all the people, Republicans among the rest, must shout amen, and confirm and defend the decision.

We repeat the hope that the Legislature will not dishonor themselves and betray the cause of liberty by the adoption of this law in its present form.

LATE PROCEEDINGS IN REGARD TO THE FUGITIVE SLAVE CASE.

Judge Burgoyne, of Cincinnati who let the three children of Margaret Garner slip from his court into the hands of the pious Archibald K. Gaines, whilst he was deliberating whether or no to emancipate them, has been engaged in hearing arguments for and against the course of the Marshal in the case. In the first place the marshal refused to make any return. But finally to avoid the difficulty he might incur by such contempt of court, he backed out of that position and returned in substance as his reason for not obeying the writ—that at the time it was served upon him the held the children by virtue of his office, by authority of the fugitive law—and that he has since removed them by virtue of Commissioner Pendery's certificate that they are the slaves of Gaines, and has delivered them to him in Kentucky according to the provisions of the law of the United States and the Constitution:

"Your respondent, therefore, states that said parties are no longer under his custody nor within his control, and he is unable to produce them in accordance to the commands of the within writ; and that it may not be thought he parted with their custody before writing this return in order to avoid bringing them before this Court, he further states that, acting under the obligations of his oath of office, and to obedience to the laws of the United States, he would not at any time whilst they were in his custody, as aforesaid, and after he was served with the writ, have felt authorized to produce their bodies before this Court as required therein, but respectfully denies the jurisdiction of this Court to compel him to do so.

H. H. ROBINSON."

Mr. Jolliffe made a lengthy argument contending that the returns did not furnish any sufficient reason for disobeying the command of the writ, namely, that he should bring the parties before the Court. He went over the argument on the constitutional question in regard to the want of power in the United States Commissioner Pendery, and the want of authority in Congress to delegate any power to him to act in cases of this kind. He urged that the first amendment to the Constitution was violated by the Fugitive Slave Law, and contended for them on the principles of the "higher law," by reference to the Scripture, &c., and on general principles of right and justice that it was unjust and iniquitous, and that the Court was not bound to recognize any proceedings under it.—But for the acts of 1850 and 1783 the negro would be as free here as if he had prosecuted his journey to Canada. Our flag would protect him as fully as the lion flag of England protects him; and he submitted the great question that these acts being unconstitutional and void, the moment the Fugitive crosses over the soil of Ohio, no earthly power can drag him back again to the condition of slavery from which he escaped, and instead of going to Canada it would be sufficient he should reach our coast.

Counsel read a number of sections of the statutes of Ohio on the subject of habeas corpus.

Mr. Gitchell, on the same side, then followed elaborating upon the same points. He urged that the return showed that the Marshal took these negro children under a void decision and a void order, and that the claim set up that that custody deprives this Court of the privileges of trying the right by which he holds these people could not be tolerated. Among the authorities cited by Mr. G., he referred to the Rosetta case decided by Judge Parker.

Mr. Headington, on the part of the Marshal, next addressed the Court. He remarked that he had waived a technical objection, which must have terminated this proceeding, from the simple motive that he did not wish to place the Marshal in a position of being, even in appearance, in contempt of this Court. He then surveyed the extensive field of discussion opened up on the other side, and beginning at the sections of the Statutes of Ohio, referred to by Mr. Jolliffe, contended that the answer of the Marshal fully came up to all the requirements of section 17, page 51, of Swan; and that if the return was insufficient, it must be in point of substance, and not from want of a compliance with the form of the statute. The constitutional argument opened by the other counsel was then touched upon, Mr. Headington remarking that to his apprehension it had been diffused over so broad an extent it would not hang together, and declining to travel himself into the indefinite regions of the "higher law;" as he conceived when he got there they should have nothing to guide them. To say that "higher law," overrides the Constitution and the other laws which come in contact with it, was to say that every man was his own judge as to what that law is, and that he might set up his own opinion in opposition to the law and the Courts, and thereby abolish all law. Counter authorities were cited, and in relation to the Rosetta case, in which the Court had been asked to reinstate the decision of Judge Parker, he observed that that case could scarcely be relied on as authority by the counsel, as the decision of Judge McLean might at least set off the opinion of Judge Parker. The return itself he contended was evidence that Mr. Pendery was an United States Commissioner. If the fact were disputed the proper coure to pursue would have been to traverse the return, and then Mr. Pendery might be called on to testify and produce his commission.

The next proposition argued, was that this Court had no right to interfere in any way with the exercise of authority by an officer of the United States under the acts of Congress, and the Constitution of the United States; and that although the State of Ohio has a sovereign power so far as her Constitution gives it, and it is not taken away by the Constitution of the United States, it has no right whatever to trench on the exercise of an authority under the Constitution of the United States, and under a sovereignty entirely independant of it.—Authorities cited.

In the decision of Judge McLean in the Rosetta case, it was expressly held under a similar state of facts that the party being in the custody of United States officers under proceedings pending before a Commissioner, the State Court had no right interfere with that custody—no right to revise the proceedings on a writ of error or habeas corpus, or take them out of the hands of the United States officer, to inquire whether the proceeding was regular or the cause of commitment sufficient. The decision of Judge Leavitt was also relied upon, in which it was decided that the authorities of the State could not interfere with the custody by the United States Marshal, under the Fugitive Slave Law, even for the purpose of holding the parties subject to the laws of Ohio, to punish them for the crime of murder. It was also urged, that the certificate given by the commissioner could not be called in question collaterally in any other proceeding, and could only be contested by direct removal of the question on error to a higher Court, for the purpose of reversing the decision.

Judge Burgoyne said that on the bringing in of his return he had supposed the matter would have been disposed of in a short time; but the argument having taken so wide a range, and resulted in the examination of so large a number of authorities, some time must necessarily be required to look into and decide the grave and serious questions presented. If upon a full examination of the case it should appear the Marshal's return was insufficient, the next step in the case, following the usual practice, would be to issue a rule requiring him to show cause why he should not be attached.

In the Criminal Court before Judge Carter, the following proceedings were had, as we learn from the Gazette of the 7th:

THE CRIMINAL CHARGE AGAINST THE NEGROES—RETURN OF THE SHERIFF.

The Prosecuting Attorney, Joseph Cox, Esq., drew the attention of Judge Carter yesterday afternoon to return of the Sheriff in the matter of the four negroes, Margaret, Mary, Simon and Robert Garner, indicted for the murder of the negro child. He read the writ commanding him to produce the bodies of these persons, and the following return of the Sheriff.

HAMILTON COUNTY, February 29.

"The within-named defendants, Margaret Garner, *alias* Peggy Garner, Simon Garner, senior, Robert Garner, *alias* Simon Garner, junior, and Mary Garner, were discharged from my custody on the 28th inst. by Humphrey H. Leavitt, Judge of the United States District Court for the Southern District of Ohio, under a writ of *habeas corpus* issued from said Court dated February 25, 1856, and to me directed, which writ of *habeas corpus* is hereto attached; also the certificate of said Judge discharging said prisoners from my custody.

G. BRASTEARS,
Sheriff Hamilton County, Ohio."

After the decision of Judge Leavitt he (the Prosecuting Attorney) issued another *capais* to which the Sheriff returned that he could not find the parties.

Judge Carter remarked that he had not the least hesitation in saying that it was competent for the Sheriff of this county, acting on the order of the Court in the issuing of the *capias* to have arrested these defendants, no matter what may have been their position in reference to any other Court in the land. Under a Government like this there is no refuge for crime, and the perpetrator can occupy no position which would render him irresponsible to the laws which regulate the punishment of crime. It was therefore competent for the Sheriff to arrest the parties though they were before the United States Court on a trial as to whether they were fugitives from justice. It struck the mind of this Court that after the issuing of *capias* by the States Court, it was the duty of the United States Court in all propriety, and even under the rules of comity, forthwith to have terminated their proceedings so far as the question of the negroes being fugitives from justice was concerned, and hand them over to answer for the crime committed in the mean time. To hold any other doctrine would be to say that fugitives from labor were irresponsible for crime. This would be entirely outrageous, to say the least of it. She Sheriff was undoubtedly, bound to obey the writ of *habeas corpus* issued by the United States Court; he did so. But the United States Judge in his exceeding wisdom decided that the question of the negroes being fugitives was paramount to the charge of murder, and by the decision of that Court the Sheriff was obliged to deliver the custody of the parties to the Marshal of the United States. With this action of the Sheriff no fault could be found, but after he did that he might have served another *capias* on the parties before they reached the limits of the boundary of our State; though, probably, the remarkable expedition with which they were hurried off to the boundary line of another State did not give him time to inform himself as to his duty. Under the circumstance that the defendants were now without the jurisdiction of the State, the Court would suggest to the Prosecuting Attorney that he had better get a requisition from the Governor of Ohio.

Mr. Cox said he had sent to the Governor a statement of the facts with a copy of the indictment, that he might take such action as he thought proper.

Judge Hoadley, in relation to the remark of the Court upon the subject of another *capias*, said that he had applied to Judge Leavitt to receive a supplimental return, setting up the fact that after the original return was filed, the Commissioner had proceeded to decide the case and grant his certificate, and that the claimants had received it. In the application to receive the amended return it was shown an affidavit had been made to the Marshal under the ninth section of the Fugitive Slave Law, and he urged to the United States Judge than this changed the state of facts, and rendered it a controversy between the private right of the master and the right of the State. but Judge L. refused to receive the supplemental return, though his decision covered the proposition therein. If a new capias, therefore, had been issued, it would have been followed by another order of the same kind. Here the subject ended.

AN UNSUCCESSFUL EFFORT TO SAVE THE UNION.—When the resolution to go into the election for U. S. Senator, was before our House of Representatives, Mr. Henderson of Madison moved to amend as follows:

Resolved, That in such election it is the opinion of this House that no man should be supported who has ever expressed, or who entertains sentiments of indifference to the preservation of the Federal Union.

The House rejected this effort at Union saving by a vote of 55 to 36. Mr. Wade was elected and the Union yet survives.

RELIGIOUS LIBERTY DISHONORED.—Mr. Jolliffe in his letter of acceptance of the token of approval of his efforts to save the unfortunate fugitives, presented by some of his fellow citizens, says:

"Religious liberty, without which man is deprived of the highest dignity of his nature, lies to-day in dishonored dust in Ohio by the decision of Pendery; and the right of the State—a right which every wandering horde of savages poseess—to inquire into an accusation for homicide within its limits—is made subordinate to the will or judgment of the officers of another State. All this is without law, and against law—and against the constitution of our country, and it remains only to be seen whether the people of Ohio will arise as one man and assert their rights, or tamely submit to outrages that would drive any other people to the very verge of madness.

A NEW SEA CONTEMPLATED.—Capt. Allan of the British Navy, proposes the plan of cutting a canal from the Gulf of Akaba to the Dead Sea, and also one from the Mediterranean through the fissure of the mountain range of Lebanon, thus pouring the waters of these seas over the great Arabian Desert and making there a vast sea.

AN INFAMOUS SPEECH.

Lewis D. Campbell, one of the representatives from this State, in Congress, is still playing his strange antics before the people. His last was to appear before a Fillmore ratification meeting in Washington, and make a speech, the report of which as we find it in the papers, we give below. Some of the Republican papers say that this speech does not commit Mr. Campbell to Fillmore. It looks to us otherwise; but at all events it proves him a heartless, unprincipled man, and that his professed attachment to the principles of freedom are not to be trusted. Mr. Campbell occupies the second most important station in the present Congress, at the Head of the Committee of Ways and Means, and this speech teaches plainly enough that he is by no means proof against the corruption of the slave power. The people need not be surprised at any future betrayal of the cause of freedom at his hands.

But to the speech; Mr. C. said:

He had just come in, and did not exactly know what the meeting was doing and what they were talking about; but if the object was to perpetuate the great principles of American liberty, he was with them. (Cheers.)

It seemed to him that the old parties were now in that particular situation known as "confusion confuzled!" (Laughter.) He had labored with his eminent friend from Kentucky, (Mr. Crittendon, who sat near him on the stand,) in the old Whig party, shoulder to shoulder, but that party was now said to be defunct in the abstract. As to the old Democratic party of the days of Jackson, he believed if all Pierce's marshals and deputy marshals should be armed with warrants, and should take a year for the search, they would return the warrants endorsed as did the Kentucky constable when he treed his man in a swamp, "*Now est incentus, over creekibus in swampibus up a stumpe!*" (Laughter and cheers.)

Here there was some disturbance in the meeting, and cries of "Put him out," "Sag Nicht," when Mr. C. cried, "No don't put him out; but give him a seat on the stand!" Order was soon restored, and he went on.

Mr. Campbell now went into a lucid, eloquent, and humorous defence of some of the prominent principles of the American party. He was not a member of any church, but he was inclined to the Protestant faith because he was brought up in it, and because history taught him it was the faith of freedom. The American party wished to keep Church and State separate, and they would do it in spite of the Jesuits. (Cheers.)

The American nation were not as weak as they once were. The Indians who once infested his own State, and who at one time were near the place where he lay an infant; those Indians who were hired by British gold to murder the women and children, thanks to the bold hearts of Kentucky who marched to the relief of Ohio, had been exterminated. The nation was now strong, and intended to be on equal terms with other nations. They intended to give their citizens a right to travel in foreign lands without having their baggage ransacked by Papal authority to find and take away the Bible they kept for their private devotions, even though that Bible was the gift of a dying mother, as the myrmidons of the Pope do now. And we intend, when Sam gets strong enough in the knees, and he seems to be getting stronger every day, to have our citizens buried decently when they die in a foreign land. Now, an American Protestant dying in Italy is not as decently buried as you would bury a Newfoundland dog.

He said we could and would manage our own internal affairs to suit ourselves also, without any of the proffered aid of John Bull, Patrick O'Flaherty or Hans Bergerskiterhopen either. We, like other people, had our troubles in the camp, but that was none of other people's business. The trouble was about a colored gentleman on the fuel, or, in other words, a nigger in the wood pile.—(Laughter.) On this matter he had his own opinion, and should continue to think for himself.—But he thought he could retire to an ante-room now with his friend from Kentucky and his friend from North Carolina, (Messrs. Crittendon and Haughton,) and though they were two to one against him, they could fix that matter up in ten minutes, if it would only stay fixed. But the nigger business was an outside issue. It had no business in the American party, and for his part, he wished to keep the gemmen ob color out. (Laughter and cheers.)

Somebody had talked about the dissolution of the Union! All he had to say about that was, "The thing can't be did!" (Tremendous cheering.) He knew that many of the gallant Buckeye boys had waded the Ohio river, and wooed, won and carried home some of Kentucky's fairest daughters. Do you think they want to split? No, sir! It is no use talking about that. "The thing can't be did!" (Cheers and Laughter.)

You have met to-night to ratify the nominations of the American party. But I don't care for the men. They are insignificant, compared with the principles. Men and platforms are nothing; that is, the details of the platforms. The great thing is the preservation of the great and glorious principles those men are nominated to support. Americans! you now have your work before you! Your principles are before the people. Your candidates are in the field, and it only remains for you to do your duty, and you will be victorious. (Great cheering and long continued.)

Mr. Crittenden, of Kentucky, and Mr. Haughton, of North Carolina, afterwards addressed the Assembly. Resolutions were passed endorsing the candidates and the platform.

This expression of the Americanism of Mr. Campbell will give a sad chill to those who had high expectations with regard to what the "Republican majority" of the house of representatives could do for freedom in Kansas or elsewhere. It is also a damper to the prospect of republican success in the Presidential campaign. There are many old Whigs whose votes the Republicans hoped to win, who will be pointed by Mr. C's course towards Fillmore, with whose pro-slavery conservatism they have strong affinnities.

The following paragraph, from the Logan Co. Gazette, indicates the tendencies of this class of men. We may say here that the Cincinnati Gazette, though dead set against abolitionism, and eminently hunkerish, has declared against Fillmore and Campbell, and yet sticks to the Republican party. The Gazette says:

Two of the leading and most influential of the old Whig papers, and zealously, yet rationally anti-slavery, withal, speak of Mr. Fillmore in such terms as make it very probable that they will give him their support.

Who were the Ohio seceders from the American Convention? Are they men of so much talent, or character, or authority, that the intelligent people of this State should blindly follow their lead?—Look at their names. Who are they? Did you ever hear of them before?

Whigs—Americans — people of Ohio: Think and act for yourselves.

EXPENSE OF RETURNING A FUGITIVE SLAVE.—The Cincinnati Gazette says: "We have received from a reliable source the following facts: During the late slave case trials in this city four hundred persons were sworn in as special or Deputy marshals, to each of which a certificate has been issued for twenty-eight days service at two dollars a day, which makes in the aggregate *twenty-two thousand and four hundred dollars.* We have further learned that these certificates of service have been purchased at sixteen dollars discount on each, which gives the snug sum of six thousand four hundred dollars, which goes into somebody's pocket. These statements are made on good authority."

FILLIBUSTERS are emigrating in considerable numbers to Nicaragua.