The Burlington Free Press.

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GEORGE W. BENEDICT,
EDITOR AND PROPRIETOR.

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POETRY.

THE EVENING PRAYER.

I know three little children—and at my side they kneel,
When o'er the western mountains the twilight shadows steal;
So trusting and so truthful the words they utter then,
My heart goes back, and is with them a simple child again.

They are a mercy to me—throughout the live-long day
I hear their happy voices in rude and noisy play;
Two brothers and a sister—from frolicking and mirth
They gather, when the evening falls, about our household hearth.

Oh! not with man's much reverence—nor yet in childish fear—
Do they approach the "King of Kings"—these worshippers sincere—
But fearlessly and boldly from out those lips so fair,
Is breathed, in tender, earnest tones, that solemn evening prayer.

I know it reaches Heaven—I know 'tis heard above!
Such love must find its setting where all is light and love;
And bitterly it grieves me, that in this world-wide field,
The hearts of these dear little ones must selfishly grow cold.

They tell me learning's measured by the years that o'er us roll,
But childhood hath a wisdom in't that speaketh of the soul.
All perfect as it came from Him, who, blessing the forgiven,
Said—"Suffer them to come to me—such are the blest of Heaven."

Congregationalist.

THE KANSAS EMIGRANTS.

BY J. G. WHITTIER.

We cross the prairie as of old
The Pilgrims crossed the sea,
To make the West, as they the East,
The homestead of the free.

We go to rear a wall of men
On Freedom's Southern line,
And plant beside the cotton tree
The ragged Northern pine.

We'll've flowing from our native hills
As our free rivers flow;
The blessing of our mother-land
Is on us as we go.

We go to plant her common schools
On distant prairie swells,
And give the Sabbaths of the wild
The music of her bells.

Upearing, like the Ark of old,
The Bible in our van,
We go to test the truth of God
Against the fraud of man.

No pause, nor rest, save where the streams
That feed the Kansas run,
Save where our Pilgrim gonfalon
Shall float the setting sun!

We'll sweep the prairie as of old
Our fathers swept the sea,
And make the West, as they the East,
The homestead of the free!

MISCELLANY.

A Leaf from the Parish Register.

I had once a long search to make among the register books of Chorley Parish. It extended over many years, and kept me poring, day after day, over the musty pages in the old vestry room. Abraham Stedman, the clerk, whom you all know very well in Chorley—kept me company all the whole time; and in one of my mid-day pauses, when we were sharing some bread and cheese and beer over the vestry fire, he told me the following passage in his life.—

I have lived in the parish, said he, going on now for seventy years. When I think of past times, my present friends in the place seem strangers to me. Our old acquaintances die off one by one, and new ones come into their places so gradually, that we scarcely miss them; but one day we look round, and find that the world has passed into strange hands.

[At this point Abraham Stedman paused and looked at the vestry fire for a few moments; I was silent, waiting for him to proceed.]

The story I am going to tell you is wonderful enough, though there are no ghosts in it. I do not believe in ghosts. If any man ought to have seen ghosts, I ought; for, I may say, without any offence to my kind friends of today, that all my truest and oldest friends are gone to the ghost-land; and I am sure they would pay me a visit if they could. Besides, I never feared to walk about an old house in the dark at midnight, or to go at that silent time through the churchyard where most of my friends lie, or even into the church if I had occasion.

On Christmas Eve—I cannot say exactly how many years ago it is now, but it was not very long after I was made clerk—the rector (that was poor Mr. Godby) told me he was in a little perplexity about the sexton's being ill, seeing that there would be no one to ring the bells. Now I always made a point of sitting up with the sexton on that night, and taking a hand at the bells; for I could ring them pretty well, and it seemed to me only a little kindness, proper to the season, to offer to keep him company in such a lonely place. He was a much older man than I was, and I knew he was glad of my society. We used to have a little fire up in the belfry, and make toast and posset an hour or two after midnight. But this time the sexton was ill, and I promised the rector at once that I would ring the bells; and so it was agreed that I should.

I used to offer my company to the old man because I knew that he was timid and a little superstitious; but, for myself, I did not mind at all going there alone. At exactly half-past eleven, on that Christmas eve, I took all the church keys, and started from my house to fulfil my promise. It was very dark that night, and windy, and several of our old lamps had either dropped out for want of oil, or been blown out by the gusts. I could not see any one in the street; but as I left my door, I fancied that I heard footsteps a little way behind me. I should not have noticed it then, if it had not been that on several nights previously I had fancied that some person had secretly followed me, as I went about the town. I came up to a little band of carol singers soon after, and stood listening to them a minute or two. When I bade them a good night and a merry Christmas, I had forgotten about the footsteps. It was striking the three-quarters as I passed over the stile into the church-yard; and just after that I caught a sound like the footsteps again. I looked back and waited awhile; but I could hear nothing more. I was ashamed to walk back a little way, for I began to think that I was becoming a coward, and conjuring up things out of my fear. It was true I had fancied this before that night; but it had never troubled me till then, and so I did not doubt it was some superstitious feeling about my task that was at the bottom of it. "What object could any one have in following a poor man like me, night after night?" I asked myself. So I went on through the pathway between the grave stones, humming an old ditty.

Now, though I had resolved to banish all thought of the supposed footsteps from my mind, I could not help just turning half round as I stood with the great key in the lock, and looking about in the direction I had come. I own I was frightened then, for at about thirty yards, I saw distinctly, as I believed, the dark head of a man peeping at me over the top of one of the tombstones. I stood in the shadow of the church porch, so that it would be difficult for any one at that distance to observe I was looking that way. The tombstone was some way from the gravel path, and out of the line of any one passing through the churchyard, and indeed, as you know, no one would have occasion to pass through the churchyard unless he were going to the church, like myself. I hesitated for a moment and then walked briskly towards it; but the head seemed to withdraw itself immediately and disappear. What was more strange, I walked round the very stone, and could see no one near; nor could I hear any movement. A little further was another tombstone, somewhat higher and with a carved top, and I tried to persuade myself that it was this top coming close behind the other stone which had deceived me. But this could not hold for stand how I would in the church porch. I could not bring the second tombstone exactly in a line with the first, to my eye. I felt a little uneasy at this strange fancy; but it would not do to go back for it was near twelve, and I had promised the rector to be in the belfry, ready to ring out a peal on the stroke of midnight. So I opened the door quickly, closed it behind me, and walked, feeling my way down the aisle.

I was quiet in the dark, for my lantern was in the vestry room, and I kept a tinder box and matches there to light it. I had to grope about for the keyhole of the heavy iron-plated door, and again to fumble among my bunch of keys to find the right one. I am not a man of weak nerve; but a strange sensation came over me, as I stood there in the dark, feeling through all the bunch for the key. The air of the church was close, and had a faint smell of mouldering leather, such as you smell in some libraries. I believe it made me feel faint; for, just then, I had so a tingling in my ears, that I seemed to hear the bells already beginning to peal forth in the belfry. I listened and fancied I could hear distinctly that confused jingle which proceeds full peal. The fancy terrified me for the moment, for I knew that I had seen the sexton ill in bed that day, and that even he could not be there, unless he had got the key from me. But when this notion had passed, I set it down for another invention of mine, and began to think the tombstone affair no more worthy of belief than this. So I turned the great key with both my hands! and, opening an inner fire-proof door, I let myself into the vestry-room.

When I was once in there, I knew where to find my lanthorn and tinder-box in a moment. I always kept them on the second shelf from the ground, in the closet just behind where the plan of the parish estate at East Haydocke hangs up framed and glazed. But the new sexton kept her dusters and brushes there also, and we used to have words about her throwing my things out of order sometimes. This time I found that she had scattered my matches, and I had to stoop down and feel about for them among all the things at the bottom of the closet, which took some time. When I found them, I struck a light and blew the tinder with my breath. I saw the sexton do exactly the same thing one night as I stood in the dark, right at the end of the aisle, and his face reflected the fire at every puff, and looked quite devilish as it shone out strongly and faded away again. I mention this because I have thought of it since, and believe it had something to do with what befel me that night. I lighted my candle, and shut it up in my lanthorn. It gave a very weak light, and the sides of the lanthorn were of thick, yellow horn, very dirty and dusty with lying in the closet; for I rarely had occasion to go into the church after dark.

Swinging this lanthorn in one hand, and holding wood under the other arm to light my fire with, I went up the steps again into the dark side aisle. Just at that moment, and as I was shutting the vestry room door, I suddenly felt a heavy hand laid upon my arm. I started and cried, 'Who's there?' letting my lanthorn fall, so that the light went out. Nobody answered; but some one immediately held me from behind, trying to keep back my arms with extraordinary strength. I was not a weak man, although I am short; but I struggled long to get round and face my enemy, and just as I was getting a little more free, another one came to his assistance. I called aloud for help, but they stuffed my mouth with something, and swore if I called, they would shoot me through the head. Upon this they bound my arms tightly, and led me back to the vestry-room, where I sat on a chair, while they lighted a candle they had with them.

I was a little frightened, as you may suppose; but I thought they were only thieves, who had followed me, and got into the church through my forgetting, in my fright about the tombstone, to fasten the church door; and, as I knew that there was very little in the vestry-room, I was rather glad to think how they would be baffled. When they got a light, I saw that they had masks on. They were well dressed, and although they swore at me, it was evident that they were not common burglars. I could tell that from their language. One laid a long shining pair of pistols on the baize that covered the table out of my reach. I knew that he did it to intimidate me; for he asked me immediately for my keys, in a loud voice. It was no use my refusing them; I was quite helpless, and they had nothing to do but to take them out of my hands. I told them that the rector kept all the plate in his house, and that there was nothing in any of the closets but a few bottles of wine, and some wax candles. The oldest man, I think, asked me then where the books were kept; but I would not tell him. I determined that, let them do what they might to me, I would keep to my determination, not to tell them where the books were. They tried much to terrify me, with words at first, but finding that did not do, the elder one, who was the principal in everything, put his pistols to my ear, and declared he would ask me three times, and after the third time, fire. Now I was in great terror at this, and never believed myself so near death as I did then; but I had made a kind of vow to myself, and being in a church, I thought a curse would be upon me if I yielded; so I held my tongue; and when he found I was firm, instead of firing, he flung his pistols down upon the table again, and began sullenly to try all the locks he could find about the room with the keys he had taken from me. In this way he soon found the books he wanted in a fire-proof safe.

And now both of them began to pore over the books by the light of the candle. They choose two with vellum covers, which I knew to be the marriage registers—the old and the new one—containing all the marriages that had taken place at old Chorley church for seventy years back. I heard one ask the other if there was no index; for they did not understand our way of indexing, which was merely to write down all the letters of the alphabet, with the numbers of the pages at which names beginning with each letter could be found—taking the first letter from the bridegroom's name of course. So they had a long search, each of them turning over the leaves of one book and examining it page by page. I watched their faces, and tried to bear in mind at what part of the book they were, in case they should stop. The one who had the old book came to a place at last, which seemed to contain what he was looking for. He showed it to his companion, and they conferred together for a moment, in a whisper. Immediately after the older one tore out, I thought, some half dozen leaves. He was going to burn them in the flame of the candle at first; but his companion stayed him, and he tore them up, and put them in his pockets. As soon as they had done this, they turned hastily to depart, as if they were anxious to be gone now their business was done. The elder one took some more cord from his pocket, and bound me fast in the great vestry chair drawing the cords round my wrists and ancles, till I cried out with the pain. Then threatening again to return and blow my brains out if they heard my voice, they went out down the aisle, leaving the vestry-room door open. All this happened in little more than an hour; for the clock chimed the two quarters after midnight at this very moment.

I sat there two hours alone; but it seemed to me so long that, if I had not heard every quarter chime, I should have expected to see the day dawn through the stained glass window. It was the dreariest two hours that ever I passed in my life. It was bitter cold, and sitting here helplessly in one position, my limbs grew frozen, and the cords seemed to get tighter and tighter, and stop the movement of my blood. It was no wonder I felt nervous after such a scene. Where I sat, with my back to the wall, I looked right into the church, and the door was left open. I could feel a cold wind rushing from it into the room, and, as I sat staring into the darkness, strange fancies troubled me. I saw dark shapes floating about, as I thought and peeping at me from the sides of the doorway; and now and then I noticed something like little flakes of light, moving in the gloomy space beyond. I would have given anything for the power to close the door. I fancied strange noises, and began to think of the people I had known who lay in the vaults just below me or in the graves about the church; and several times a heavy hand seemed to be laid upon my arm again, just in the spot where the man had first seized me. Once I could not persuade myself but that I could hear a low, deep tone from the organ; and again the supposed jangling of the bells annoyed me. So I sat listening intently when the whistling of the wind passed out of doors and hearing and seeing all kinds of strange things, till the chimes went to the quarter after two.

Soon after that, I saw a little shining light moving about at the bottom of the church. It came nearer to me, and I heard a footstep. I had fancied so many things, that I was not sure yet whether I was deceived again, but now I heard some one call 'Abraham Stedman! Abraham Stedman!' three times. It was the rector's voice, and I answered him; but he did not know where I was till I called to him to come into the vestry-room. He held up his lamp, and was much surprised to find me as I was. I related to him what had happened and he unbound me. He told me he had lain awake since midnight wondering to hear no bells ringing, and had grown uneasy; for he thought I could not have failed to keep my word, and he knew that I was in the church alone. So at last, he had determined to come in search of me.

This affair made a great stir in Chorley.—But we could get no clue to the parties, nor to their object in mutilating the register.—They had taken out so many leaves that it was impossible to tell what particular entry they wanted to destroy; but it was a curious thing, that on examining the skeleton index, we found that although there were as many as thirty entries in those six leaves, every one of them began with three letters. This was a very small clue, and the marriages of that part were all of many years back; so that no one could even tell what the names were. It was no wonder that we could get no trace of the two men. Before the next year came round, Chorley people had got something else to talk about; as no one came for a copy of the missing entries in the register, they began to forget all about my adventure.

Eighteen months after the night which I was bound in the vestry-room, old Mr. Godby sent for me one night, and told me he thought he might yet be able to trace the two strangers. He had got a copy of a London newspaper, in which there was an advertisement addressed to parish clerks, inquiring for the marriage register of a Mr. Maclean, which took place about thirty years before. The initial of that name was one of our three letters; but as the advertisement mentioned no place, that would seem a very small matter to go upon. But I had always thought that the entry which the two strangers had searched for was on the first of the leaves which they tore out, and that it was the other leaves underneath which were torn with it, to put us off the scent. Now on the first page, we found that there were two entries, both beginning with M; which was something more. Besides, Mr Godby reasoned that a register about which the parties interested were so uncertain, was the very one which, any person knowing of its existence and having an interest in preventing its appearance, might endeavor to destroy. These three reasons seemed to him so good, that he went up to London about it; and a day or two after, he wrote me to join him. We were soon upon the scent now; for Mr. Godby had ascertained who were the persons likely to be guilty, supposing that we were right in our conjecture, that the missing register concerned this family. When I saw one of them, I recognized him immediately, although he had worn a mask in the church. I knew him by his appearance, but when he spoke, I could swear that he was the man, and the officer arrested him. We got such evidence against him afterwards, as clearly to prove him guilty. People were hung for such a crime then; and it was with great difficulty that he escaped with transportation. He confessed all about it afterwards, and said his companion had gone abroad since, he did not know whither; and I believe they never caught him. His motive—as you may suppose—was to defraud children of large property, by destroying proofs of their legitimacy; by which he would be benefitted as the next of kin of the deceased person; but the lawyers set all to rights again, in spite of the missing register.—*Household Words.*

A VERMONT ARTILLERY MAN IN THE BRITISH NAVY.—The Brandon *Post* extracts the following from a letter received by W. W. McCall, of that village, from his brother, who was formerly for a time a resident there:

LIVERPOOL, 3d July, 1854.

I shipped on board H. M. Steam Frigate *Gladiator* on the 24 of June, and since then we have been cruising in the North Sea and along the Norwegian coast on the look out for Russian vessels. Our Captain's name is Brooke—son of the Captain who took the Chesapeake, in the engagement between her and the Shannon. They have rated me First Class Petty Officer, as Captain of the Main Top. Our guns are very heavy calibre, being 68 pounders. They can throw a ball five miles, and do fearful execution at three miles. We have two swivel guns of the same size on the bow and stern, that can be fired in any direction. When boarding each man is armed with one of Colt's revolvers besides his cutlass and boarding pike. I don't know how this war will terminate, or whether I shall ever see an engagement; but I must take my chance with the rest, and you may be sure I wont be the last in the *melee*. We had big gun practise at sea; I am second captain of one of the broadside quarter-deck guns, and had the privilege of firing three rounds at a target at 1000 yards distance, by the Captain's express order. I am happy to tell you that I got great praise from every officer in the ship, as my shot fell just around the flag on the cask, and they all thought I had been accustomed to firing guns. The Captain asked me next day where I had fired guns, and I told him I belonged to an Independent Artillery Company in the States.

THE LAND GRADUATION BILL.—The scale of graduation, enacted by Mr. Cobb's Graduation Bill, which passed both Houses at the last session of Congress, is as follows: All lands which have been in market for ten years or upwards shall be subject to entry at one dollar per acre; fifteen years and upwards, at seventy-five cents; twenty years and upwards, at fifty cents; twenty-five years and upwards, at twenty-five cents; and thirty years and upwards, at twelve and a half cents per acre. Upon every reduction, the occupant and settler to have the right of pre-emption at such graduation prices, until within thirty days preceding the next graduation; but not to interfere with any right which has heretofore accrued to actual settlers. Any person applying to enter any of the aforesaid lands, is required to make affidavit that he or she enters the same for his or her own use, and for the purpose of actual settlement and cultivation, or for the use of an adjoining farm owned or occupied by him or herself and that, together with such entry, he or she has not acquired from the United States under the provisions of this act more than three hundred and twenty acres.

GREAT IMPROVEMENT IN THE MANUFACTURE OF PAPER FROM STRAW OR GRASS.—We were yesterday shown some specimens of paper made entirely of straw; also some of grass, of a superior quality, and nearly as good, so far as we could judge, as rag paper. The exhibitor, a practical chemist, informs us that he can produce paper for all purposes, of a superior quality, from straw or grass for about half the cost of rag paper. The merit that he claims is a means of depriving the straw of its *silex* and other qualities which interfere to produce a paper strong, opaque and pliable enough for any use.—*N. Y. Times.*

PAPER OF WOOD.—Platner & Smith of Lee, have realized the idea of Julius Roth of Philadelphia, and made some paper entirely of wood. It is made by Mr. Roth's process, in which he has been experimenting for six years, and for which he has obtained a patent. The North Adams *Transcript* describes the product as strong and quite white; it is difficult to realize that it is, as it actually is, made entirely of wood.—*Springfield Republican.*

PAPER FROM THE PLANTAIN.—We see it stated, on the authority of the Demerara Royal *Gazette*, that paper of a good quality has been successfully manufactured in that region from the plantain, whose spontaneous growth in almost every country renders it a cheap substitute for the articles at present used.

The Defense of Liberty.

The passage of the Fugitive Slave law of 1850, was supposed by many to be the end of all legislation on the subject. For individuals, there was thenceforth left simple obedience, where they could not give a hearty acquiescence, and as for the States they had neither rights, powers, nor duties in the case. The Legislature of Vermont, however, did not think so. They thought they had both powers and duties and they accordingly passed a law for the protection of the citizens of their own State. The last Connecticut Legislature followed in the same path, and their action has been followed in some quarters by the same clamor of unconstitutionality and factious resistance. An article, understood to be from the pen of Gov. Dutton of Connecticut, defending with clearness and ability the constitutionality of the Connecticut Act for the defence of Liberty, and showing the necessity for such legislation, recently appeared in the *New Englander*. We give below the acts of Vermont and Connecticut, with a portion of the article referred to, which applies almost equally to both. The other free States will, we trust, do their duty by the passage of similar acts, leaving, of course, the questions which may arise from any real or apparent conflict of jurisdiction between the General and State governments, to be settled by the proper tribunals.

Be it enacted by the Senate and House of Representatives of Connecticut in General Assembly convened:

SEC. 1. Every person who shall *falsely and maliciously* declare, represent or pretend, that any free person is a slave, or owes service or labor to any person or persons, with intent to procure, or to aid or assist in procuring, the forcible removal of such free person from this State, shall pay a fine of five hundred dollars, and be imprisoned five years in the Connecticut State prison.

SEC. 2. In all cases arising under this act, the truth of any declaration, report or representation, that any person being or having been in this State for was a slave, or owes or did owe service or labor to any other person or persons, shall not be deemed proved except by the testimony of at least two credible witnesses, testifying to facts directly tending to establish the truth of such declaration, report or representation, or by legal evidence equivalent thereto.

SEC. 3. Every person who shall wrongfully and maliciously seize or procure to be seized any free person entitled to freedom, with intent to have such the person held in slavery, shall pay a fine of five thousand dollars, and be imprisoned in the Connecticut State prison.

SEC. 4. Upon the trial of any prosecution arising under this act, no deposition shall be admitted as evidence of the truth of any statement in such deposition contained.

SEC. 5. If upon the trial of any prosecution arising under this act, any witness shall, in behalf of the party accused and with intent to aid him in his defense, falsely and wilfully, in testifying, represent or pretend that any person is or ever was a slave, or does or ever did owe service or labor to any person or persons, such witness shall pay a fine of five thousand dollars, and be imprisoned five years in the Connecticut State prison.

SEC. 6. Whenever complaint or information shall be made against any person for any offence described in any section of this act, and upon such complaint or information, a warrant shall have been issued for the arrest of such person, any person who shall hinder or obstruct a sheriff, deputy sheriff or constable in the service of such warrant, or shall aid such accused person in escaping from the pursuit of such officer, shall be imprisoned one year in the Connecticut State prison.

SEC. 7. No declaration, pretense or representation that any person is or was an apprentice for a fixed term of years, or owes or did owe service merely as such an apprentice for such fixed term, shall be deemed prohibited by this act; and no such declaration, pretense or representation that any such person is or was such an apprentice for such fixed term, or owes or did owe service merely as such an apprentice for such fixed term, shall render any person liable to any penalty under this act.

It is hereby enacted by the General Assembly of the State of Vermont, as follows:

SEC. 1. The same power is hereby given to, and the same duties imposed upon, the circuit judges of the several judicial districts of this State, which are given to, and imposed upon, the judges of the Supreme Court, by the provisions of chapter thirty-eight of the Revised Statutes, entitled "of Habeas Corpus."

SEC. 2. It shall be the duty of state's attorneys, within their respective counties, whenever any inhabitant of this state is arrested or claimed as a fugitive slave, on being informed thereof, diligently and faithfully to use all lawful means to protect, defend, and procure to be discharged, every such person so arrested or claimed as a fugitive slave.

SEC. 3. The application of any state's attorney in writing to any one of the judges of the Supreme Court, or to any circuit judge, signed by such state's attorney in his official capacity, stating in substance the name of the prisoner and the persons detaining him, if known, and that the person arrested, claimed or imprisoned as a fugitive slave, claimed or imprisoned as a fugitive slave, shall be sufficient authority to authorize the issuing of the writ of habeas corpus as provided in said chapter thirty-eight of the Revised Statutes, and said writ may be signed by any one of said judges, or the clerk of the supreme or county court, and said writ shall be made returnable to the Supreme or County Court, when in session, in the county where such application is made; and in vacation said writ may be made returnable forthwith before either of the judges aforesaid.

SEC. 4. It shall be the duty of all judicial and executive officers in this State, in their respective counties, who shall know, or have good reason to believe, that any inhabitant of this State is about to be arrested or claimed as a fugitive slave, forthwith to give notice thereof to the state's attorney of the county in which such person resides.

SEC. 5. Whenever the writ of habeas corpus is granted in vacation, as provided in this act, or as provided by existing laws, if upon the hearing of the same before any one of the judges aforesaid, the person imprisoned, arrested or claimed as a fugitive slave, shall not be discharged, such person shall be entitled to an appeal to the next stated term of the County Court in the county where such hearing was had, on furnishing such bail, and within such time, as the judge granting the writ, on hearing the case, shall adjudge to be reasonable and proper.

SEC. 6. The court to which such appeal is taken, and any other court to which a writ of habeas corpus in behalf of any such person claimed or arrested as a fugitive slave is made returnable, may and shall, on application of either party to such proceeding, allow and direct a trial by jury, on all questions of fact in issue between the parties, in the matter aforesaid, and the taxable costs of such trial shall be chargeable to the State, whenever the same would be otherwise chargeable to the person arrested or claimed as a fugitive slave.

SEC. 7. The several circuit judges shall have the same powers now vested in the judges of the Supreme Court, by virtue of an act in amendment of chapter one hundred and three of the Revised Statutes, relating to persons confined in close jail, on executions of tort, approved November 13, A. D. 1848.

SEC. 8. This act shall take effect from its passage.

Approved November 13, 1850.

We consider the passage of this law not only justified, but demanded by the circumstances in which we are placed. It cannot, and should not be denied, that this law has some reference to the Fugitive Slave Law, and especially to the manner in which that law has been enforced. We assume, for the purpose of considering the law in question, that that law, in its general provisions, is constitutional. But we insist, that in the details of it, there has been a gross violation of the rules of courtesy and decency, towards the governments of the individual States. Each State is a distinct sovereignty, and the amount of reciprocal duties between the State government and a citizen is far greater than between the General Government and the same citizen. The latter has certain rights and powers within the boundary of the former, but they are limited, and whatever has not by the Constitution been vested in the Union, remains with the States. Notwithstanding this, Congress passed a law, authorizing an officer of the General Government to go into a State, seize a person who is apparently a citizen of the State, take him before a Magistrate of the same Government, and if he so directs, carry the person so seized out of the state, and beyond its reach without giving the slightest notice of any of their proceedings to the Government of the State which is thus invaded. The whole proceeding is as bourish as it would be for a man to go into his neighbor's house, and there seize a boy, an inmate of the house, by the collar, and drag him off, claiming him to be an apprentice, without saying a word to the owner of the house. Whenever a person is claimed as a fugitive slave, the State in which he is at the time, has an interest in the question, and ought to be notified and heard. In the case of a fugitive from justice, this is always done. It would be regarded as a great outrage if the Governor of New York should send an officer here and carry off any person, however criminal he may have been in that State. In the case above quoted, Judge McLean says very justly, that a "State may protect a slave against all the world, except the claim of his master." He says, "He is answerable under the laws for his acts, and may claim their protection." In the question, whether the person claimed is a slave or not, the State has an interest, and in any proceeding involving the decision of that question, it ought to be made a party. If he does not owe allegiance to the master, he does, while he makes his domicil in the State, owe allegiance to the State. The State has a right to require his services. But according to the Fugitive Slave Law, if the Governor of the State should attempt to interpose, and claim the person seized as one owing allegiance to the State, and entitled to its protection, he would be regarded as an intruder.

There is one provision in the Fugitive Slave Law, which we cannot regard as only subversive of every principle of justice, but as manifestly unconstitutional. It provides that the claimant may go before any Court of Record, or judge in vacation, and make proof of the escape and the owing of service or labor; whereupon a record is made of the matters proved, and a general description of person alleged to have escaped, and a transcript of such record made out and attested by the Clerk, with the seal of the Court being exhibited to the Judge or to the Commissioner, must be *taken and held* to be conclusive evidence of the fact of escape, and that service or labor is due to the party mentioned in the record. Now the Constitution provides that the judicial power shall be vested in certain Courts. It has always been held to be unconstitutional for the Legislature to exercise judicial powers. But here the Legislature undertakes to control the action of the Judge or Commissioner. The record is declared to be evidence, showing of course that it is to be weighed by the trier, and yet he has no judgment to exercise in the case. He might as well be a mere automaton. Courts can decide that certain evidence is conclusive, upon the ground that it is, in its nature, more to be relied on than any other. But this evidence is not of that character. It would be held by any Court, as not binding at all on the party, in deciding the question of his right to freedom, as he would have had no day in Court. If the Legislature can bind the conscience and control the opinion of a judicial tribunal, Courts may as well be dispensed with, as they would merely play the part of puppets in the hands of others. If such a record is in all cases to be held to be conclusive, it would follow that if a claimant should by falsehood or fraud obtain such a record in South Carolina regarding a freeborn inhabitant of Connecticut, and this could be proved by the clearest evidence, the Judge or Commissioner would be bound to reject all such evidence, and order the poor victim to be delivered up. We cannot see how, according to that law, if the record described the individual, so that there could be no mistake as to his identity, it would be competent for the Judge or Commissioner to allow the person seized or the authorities of the State, to show that the person claimed never was out of the State in his life.

As the General Government had manifested such a disregard for the rights of the States and of the citizens of the States, it was high time for the State Governments to take the matter into their own hands, and to pass laws for the Defense of Liberty. As citizens of Connecticut, we are proud of her for having set the example and established a precedent.

The Greytown Homicide.

The N. Y. *Evening Post* publishes the statement of Wm. M. Miller, an intelligent New York merchant, who was on board the Routh and witnessed the shooting case at San Juan. The statement is clear and intelligible, and makes out as clear a case of deliberate murder against Captain Smith as was ever perpetrated. The following is an extract.

Wm. L. Miller, residing at 582 Houston street, in the city of New York, states. I was on board the steamer Routh, when Antonio the pilot was shot. I took passage in the Routh at Machuca Rapids. About two o'clock in the forenoon, as I was sitting in my hammock below, I heard loud talking on deck, and from some bunges which appeared to be alongside. Presently two colored boys came down and took out three pistols, two of which they concealed in their breast. I asked them what was the excitement? They told me Capt. Smith was turning the boat around to go back and shoot Antonio, the patrone of the bungo we had just now passed. I asked the reasons of his shooting him. They said that Capt. Smith and he quarrelled every time they met; that he once worked on the boat with Capt. Smith; that they had a quarrel, and quarrelled every time they met afterwards. The boat went on back up the river for about half an hour, when she turned round and ran right down, bows into the broadside of Antonio's bungo. I had gone out on the guard. There were two bungos lying together, Antonio's outside. It sounded as if the boat was smashing the bungos all to pieces. Antonio kept sitting on the stern of his boat—the *chopa*. He did not rise until the steamer struck his bungo, when he rose up, held up his left hand to Capt. Smith, and said—"*Cuidado, capitan, usted rompe mi bango.*" "Take care, captain, you break my bungo."

He was about to repeat the same expression, and got out the word "cuidado," when a ball entered the nipple of the left breast. While standing in this position he had in his right hand a single-barrelled gun on half-cock, the butt end of it resting on the chopa of the bungo, his right hand grasping the barrel about three or four inches from his mouth.

The instant the shot entered him he took two steps forward, and was in the act of taking the third, when he tumbled head foremost into the other bunga next the bank. The steamer then went on. As far as I saw in looking back, he remained in the same position with his feet up.

Mr. Miller also states that the murderer is no more an American than his victim, but a mulatto, Portuguese and Negro.

SOUTH CAROLINA.—We always like to peep into the papers of this chivalric State. We find so much that is rich, in morals and in politics, that it repays us well. A late number of the Charleston Mercury contains an account of a celebration of the 4th of July, at Orangeburg Court House. Among the sentiments we noticed the following:

"*The Free Negro States.*—We envy them not—institutions whose fruits are mob violence, murder, and every crime which disgraces humanity.

The Nebraska and Kansas Bill.—Though right in principle, the only benefit we expect from it is the union of the South in resistance to the aggressions to which we hope it will excite our enemies.

But it was left to Capt. Moss to develop the true theory of freedom. Hear his language, and be astonished at the brazen impudence of this true representative of the empire of South Carolina:

"*The Institution of Slavery.*—The strongest element in republican Government; the one is absolutely essential to the existence of the other."

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