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MISCELLANEOUS.

The Lost Bride;

A LEGEND OF THE WHITE MOUNTAINS.

BY MRS. SARAH JANE HALE.

"A tale of the olden time
When he was rich who had a happy home;
And love, pure virtuous love, a pearl of price,
Was placed above the show of fashion's gauds,
And piety was deemed the crown of life."

However much we may boast of our advances in knowledge and improvements in the arts, since the days of our fathers, the Pilgrim settlers of New England, it is by no means certain that we have advanced in the knowledge of our duties toward heaven, or in the art of living happily on earth.—Abundance does not bring content, nor security insure us peace. The passion for excessive wealth, always the ruling one in an age of speculation and trade has a far more withering influence on the tender and kindly feelings of our nature, those soft emotions whose virtuous indulgence make so large a portion of the heart's pure happiness, than have dangers, privations or even poverty. That devotion to one dear object, which constitutes the romance of love is not cherished where *fortune* is considered an indispensable ingredient in the marriage contract; nor is the domestic union of such a couple cemented by that mutual confidence, those kind, yet unobtrusive attentions, and reciprocal sacrifices to promote the happiness of each other, which confer so much of the real felicity of wedded life, the felicity arising from the certainty of being beloved.

Our ancestors must have enjoyed this certainty. Nothing save the affection which is stronger than the fear of death, that love which 'women's own fond spirit" can only feel, could have induced *her* to consent to share the dangers and distresses of the wilderness. Her empire is the heart; to rule there what will she not do or suffer?—The men had a wider sphere of ambition. They intended to found a nation whose faith should be pure, and freedom unconquerable. Yet even then their dearest hopes must have entered into their own families. When husbands and fathers went armed to their labor, and dared not venture from the sight of their homes, lest the savage enemy should surprise the helpless inmates, could they fail in love and fidelity to those they guarded so sedulously? And what smiles of gladness, gratitude and love must have welcomed their return from those who were dependent on them, not only for support but for protection, for life?

Neither riches nor rank influenced the choice of Robert Wilson, when he selected Mary Grant for his wife. Mary was poor and an orphan. Her father died on his passage from England, whether he was fleeing from a religious persecution that had confiscated his property and for three long years held him confined in a prison. He at length escaped and with his wife and child embarked as he hoped and prayed for a better land. His prayer was doubtless answered in mercy, for his was not a constitution or mind that could long have struggled with the hardships of the wilderness. he died the day before the vessel entered the harbor of Boston. His wife survived him only two weeks, and the little weeping Mary was thrown upon the charity of strangers in a new world.

They had kind hearts in those old times, and though their portion was ever so small, our pilgrim ancestors always imparted a share to the needy. Mary found many willing to wipe away her tears, and shelter her in their homes, and finally in Captain Waldron and his amiable wife, protectors indulgent as parents.

Captain Waldron resided at Dover, New Hamnshire, then considered as belonging to Massachusetts. He found Mary Grant at the house of a friend of his in Boston, and was so interested in her story and appearance that he carried her home, and, having obtained the consent of his wife, adopted her as his daughter.

Captain Waldron was a man of consequence in Dover, and his wife was considered one of the elite; it was frequently remarked that they would make quite a fine lady of Mary. But the qualifications for ladies were not at that period, graduated on precisely the same scale at Dover, or indeed in New England, as is now thought indispensable. Mary was called well educated, and yet she had never been taught dancing or embroidery, nor had she ever studied French, music, &c.

She could read English, however, as fluently as any modern fine lady, and read, too, with those tones of feeling which penetrate the heart of the listener. Her voice had music in its expression, and she sung so sweetly that no *gallant amateur* but must have preferred the warbling of "wood notes wild" to the most scientific performance of a modern belle on that much tortured instrument, the piano. Moreover, Mary could sew and knit, and spin, and milk, and lay the table, and prepare a dinner in the very best style, and all before she was seventeen. Then nature whose gifts are far more to be desired than those of fashion and fortune, had been prodigal to Mary. She was the fairest girl in the country, and many an aged woman, when gazing on her sweet face, would shake their heads and prophecy that she was not long to remain in this dark world.

Mary's beauty was not that kind that is 'unchangingly bright:' it was her loveliness of sentiment, the dignity and purity of the soul within, which gave to her countenance its irresistible charm. Her chestnut hair just touched with a golden tint, curled around her lovely, meek and fair forehead with grace and luxuriance which art cannot imitate. The lilly might perhaps have been thought to have predominated too much in her complexion. had not the least emotion called the blood so quickly and so eloquently to her cheek; and the pensiveness of her soft, blue eyes always changed to the lustre of joy when she welcomed a friend.

Still Mary's disposition was rather inclined to pensiveness. The recollection of her parents, whose deaths she still remembered, or that feeling of desolation and loneliness, which will at times press on the hearts of those who claim no kindred, had given to her face an impression of sadness, and to her character a cast of pensive seriousness, which, probably, under happier auspices, she would not have exhibited. Hers was just that kind of melancholy thoughtfulness, which in the aged, we call *wisdom*, but which, when possessed by one so young and fair is often said to forbode brevity of life or misfortunes in the world. And such has often been predicted the fate of Mary. But while she had been invested of all those feminine charms which have such an irresistible influence over the hearts of men, it is not strange that she should have been sought by many, nor that when young Robert Wilson had once seen and loved her that he should be determined to obtain her.

Robert Wilson was a native of Boston. His father, the Rev. Mr. Wilson, was one of the first settlers of that country; a true Puritan he was steady and sturdy in his opposition to and abhorance of every tenet leaning towards prelace or popery. He was an ardent, enthusiastic and pious man; but a very proud one. He was proud of the sacrifices he had made, and the persecutions he had endured for conscience sake; and proud to be accounted a shining light in the colony. And it is probable that the sway he acquired over the stern and strong minds among whom he mingled in the new world was more gratifying to his pride, than the homage of his vassals and dependents would have been, had he not, by his own incorrigible non conformity, forfeited the fair inheritance in England to which he might have succeeded. He was proud too, of his son, and in that he was excusable—Robert was such a son,as might justly make a parent's heart glad, if not proud.

Robert had accompanied his father on a journey through all the settlements of the colony, whither Mr. Wilson went to examine the state of the churches and endeavor to kindle their love. At Dover they tarried several weeks passing the time mostly at the dwelling of Capt. Waldron; and if the father's eloquence failed to warm or gain hearts, the son's persuasions were more successful. But Robert gave his own heart in exchange for Mary's which no doubt added much force to his eloquence.

Mr. Wilson beheld their mutual attachment with more complacency than those who knew his pride would have expected. Several reasons contributed to this. The maiden's manners pleased him exceedingly; he saw her always industrious and attentive to oblige him, and then he very much wished to have Robert married. It was his favorite maxim, that early marriges made men better citizens; and moreover, there was a fine piece of land on the green banks of the Cocheco which Robert might easily obtain for a farm. Some occurrence in Boston had highly changed and disgusted the elder Mr. Wilson—the inhabitants of Dover treated him with vast respect and he secretly indulged the intention of removing thither, should his son be prospered. So matters were soon arranged to the mutual satisfaction of all parties. Robert's farm was secured, and after he had accompanied his father to Boston, and procured necessaries for beginning in the world,he was to return to Dover, prepare a house, and the means of house keeping, and then he was to be blessed with Mary's hand.

No lover will imagine that Robert would make his stay at Boston of much duration. Despite the many warm friends among his youthful companions none could supply the void in his heart which his absence from Mary caused, and he was seen soon wending his way back to Dover, equipped to settle in the forest.

The appearance of his farm might not have been exactly to the taste of the city bred beaux of the present day. It lay in all the wilderness of nature, the tall trees tossing their heads proudly in the wind, as if bidding defiance to puny man, who was seeking to usurp the dominion that they had held undisturbed for thousands of ages—And in the recesses of dark old woods often lurked the wily savage, more terrific and blood-thirsty than the prowling lion or the crouching tiger. However, Robert Wilson surveyed the trees and thought of the Indians without shrinking. He had been bred to consider labor—hard hand-labor—honorable even for gentleman of the first standing and best education. The early colonists were obliged to labor, for hired help could not be obtained—and clergymen and merchants and lawyers often put their hands to the spade and axe. Mr. Wilson had always intended Robert for a farmer, as he observed that he was not over fond of study, and next to being a herald of the gospel, a tiller of the ground was the most righteous calling, in his estimation, a man could pursue.

Such were the father's sentiments, and Robert was prepared to illustrate them in the worthiest manner. He had a light heart, a strong arm, a sharp axe, and a sure gun; and the dangers and labors besetting his path of life gave him no more concern than would the obstruction of thistle down in his road to church. He was a tall, finely formed young man, of twenty-one, with eyes as black as a thunder cloud, and their flash very much like its lightning. His hair was as black as his eyes, and his rather dark complexion wore such a glow of health, and his whole countenance and demeanor so much of happiness and frank confidence, that all who saw him prophesied, and indeed, wished success to this handsome and active youth.

Their wishes and his own seemed likely to be realized. In one year from the time of his striking the first blow in the forest, his land wore the appearance of a pleasant cultivated farm. The trees had nearly all disappeared from the area of twenty acres, and the surface was covered and stumps nearly all concealed by a luxuriant harvest. There was the golden wheat, the bearded rye, tasselled corn, as tall and straight as a company of grenadiers; with pumkins and squashes innumerable, resting on the ground quietly ripening in the mellow beats of August.

On a gentle rising ground, in the middle of the young plantation, stood a small dwelling; I wish I could with propriety, call it a cottage, because to many young ladies it would give such a romantic interest to my story—but truth compels me to confess that, although prettier and more comfortable than their real cottages, it was not at all like a cottage of the imagination. It was twenty feet by twenty-four, formed of logs, the roof covered with boards, the inside divided into two apartments, with one little closet, and the whole lighted by three small glass windows. On either side of this dwelling rose a large elm tree, and several small ones were on the lawn in front of the house, purposely left standing for ornament, and wild rose-bushes and laurel and other flowering shrubs had been spared or transplanted by Robert to give additional beauty to his rural seat. Thick, dark forests and hills crowned with trees, formed the boundary on every side; but in front of the house the clearing extended to the Cocheco whose bright waters were seen dancing in the sunbeams, and performing a charming relief to the eye, after it had dwelt on the gloom of the surrounding wilderness.

To a person always accustomed to the city's elegance, or the retreats of ease and opulence, this wild place would doubtless have looked like a damsel prison—gloomy, lonely and terrifying: but to Robert, who could almost call it the creation of his own hands, it was a little Paradise, and when his bird of beauty should be within his bower, he would not have exchanged his home in the woods for those stately walls his mother had often told him of right should have been his habitation.

The wedding day at length arrived. It had always been anticipated by Robert as one that would bring unalloyed happiness; but Mary had often felt sadness, something like foreboding of misfortune, come over her mind whenever her marriage was alluded to She could not tell, even her own heart, the cause of this depression, it was not that she felt any doubt of Robert's character or affection; she loved him better than all the world beside, and trusted in the perfection of his goodness as a Catholic does in his saint—nor did she fear to dwell in the wilderness—there had not for a long time been an alarm from the red men. Why is it, that at times, a shadow will fall on the spirit which no efforts of the mind, no arguments addressed to the reason, can dispel?

There were great preparations for the wedding. Capt. Waldron liked a parade, and his wife liked to show her housekeeping, and the marriage afforded a justifiable occasion to gain popularity by a display of hospitality. Three o'clock was the hour for the ceremony; then followed the feast; and lastly all the wedding guests who had horses were invited to join and escort the young couple to their dwelling.

Of the wedding dresses I shall only say that these were very fashionable then, and would be very monstrous now, and a minute description of antiquated attire ought not to occupy much share in a story so brief, for the events it chronicles, as this must be.—The Rev. John Reynor officiated as clergyman; and then the whole party set down to dinner—the long table covered with all the good things which the country could supply. At the head of the feast appeared an enormous Indian pudding, (not made of Indians, as an Englishman once inferred such a pudding might be) served up in a huge pewter platter. The plates were the same substantial material, all shining like silver from a recent scrubbing—then they had roast beef and lamb, and wild game and all the fruits and varieties of the season. But they had no wine nor strong drink of any kind, and the most ultra temperance advocate would have found nothing to censure in the arrangements.

Robert Wilson's house stood about two miles from that of Capt. Waldron's and more than half a mile from any habitation. This distance was not considered much, but then it was through the thick old woods and the road was only cut and freed from the obstruction of trees. No carriages could have rolled over the rugged road, but that was no matter, as not a wheeled vehicle of any kind, excepting great lumber carts, had ever been seen in Dover. So the gentlemen mounted their goodly steeds, and each gallantly taking a lady behind him, set off, with bridegroom and bride at the head of the cavalcade in great style, followed by the smiles and good wishes of those who could not join for the lack of steeds.—Their progress was joyous and rapid till they entered a winding through the forest, when a more sober pace became necessary; but Robert's horse being accustomed to the way, still pressed on in advance of the clearing surrounding his house, approaching very near the river, the curve being made to avoid a large rock that rose like a wall on the north side of the road, confroming its width to a space barely sufficient for a passage. As Robert, was turning this rock, Mary utterd a wild shriek, was either torn or thrown from her seat, the horse bounding forward at the same instant, and while Robert, calling on his wife, was endeavoring to rein his steed, a gun was discharged by an Indian from behind the rock. The ball struck the horse, as he was rearing from the effect of the rein, on his breast, and he fell backwards upon his rider.

The report of the gun was followed by a loud shout from the wedding party, not that they suspected the cause of the firing; they supposed Robert had reached his home, and that some of the attendants had fired a gun as a signal for them to hasten.

Their shouts intimidated the savages who precipitatly fled with their prisoner, without attempting to scalp her unfortunate husband.

The party rode joyously up; but who can describe their consternation and horror, on finding Robert stretched apparently lifeless on the ground, covered with blood of his horse which they mistook for his own. while the bride was nowhere to be found. Calamities never fall with such an overwhelming force as when they surprise us in the midst of security and happiness. From that party, lately so joyous was now heard nothing but exclamations of fear, or lamentations over the youthful pair, or excrecations against the enemy. The men were all of them, unarmed; they could not, therefore, pursue the Indians with any hope of rescuing Mary; but having ascertained that Robert was still living, they bore him back to the dwelling of Capt. Waldron, from whence he had so lately gone forth in all the flush of youth and joy.

There was no sleep that night in Dover. The inhabitants seemed panic struck. They crowded to the fortified houses—mothers pressing their children closer to their bosoms as they listened in breathless terror, often fancying that they heard the stealthy tread of the savages; and trembling in agony, as they thought of their horrible yells. But the night passed away without alarm, and a bright morning sun soon dissipated their imaginary terrors. Robert had nearly recovered from the effects of his fall; and though his cheek was pale, there was a sternness in his dark eye which told that his spirit was unquelled. it was his determination to seek his wife,and several young men, after they found that his resolution could not be altered, volunteered to accompany him. They went first to the fatal rock: from thence they followed the Indians nearly a mile into the woods; but for a long time no further traces could be found.

After searching many hours they were joined by a praying Indian, as he was called. Mendowet learned the English language, and became a convert to Christianity soon after the colonists settled in Boston. He had received many favors from the Rev. Mr. Wilson, and had loved Robert from his infancy. He had lately wandered to Dover, and spent the summer in hunting and fishing around Robert's farm.

Mendowet soon discovered the trail of the hostile Indians. They had returned on their own steps after the departure of the wedding party, had kept the narrow path till it joined the more open one; and then they struck off through the wilderness.—After following about three miles their encampment was discovered. Mendowet examined it attentively and also the direction the savages had taken.

'How many are there?' asked Robert.

'Two besides the captive,' replied Mendowet.

Robert's cheek became paler as he stooped to pluck from a bush a fragment of lace and gauze, which he knew had belonged to Mary's bridal dress. Placing the fragment in his bosom, he inquired where Mendowet thought the hostile Indians were retreating.

'They are Mohawks,' returned the other. 'I know by the track of their mocasins; and they will go to their tribe on the great river on the lakes.'

'They shall not!' exclaimed Robert, stamping with fury; 'I will pursue them; I will rescue Mary, or die with her. Mendowet, you know the paths through—will you go with me?' And here he enumerated several articles he would give him, a gun, powder, &c. &c.

'They will go through the hidden paths of the Agiocochook,'* remarked the Indian thoughtfully.

'We can overtake them before they reach the White Mountains!' said Robert eagerly. 'You shall have the best gun that I can purchase in Boston, Mendowet, and my horn full of powder and a new knife.'

These were powerful temptations to the Indian; but a more powerful one was the ancient and inveterate hatred he bore the Mohawks. Revenge is an inextinguishable passion in a Red man's breast. Mendowet was a Christian, so far as he could be, without ceasing to be an Indian; but his new principles could never eradicate his early passion. Now, these Mohawks had injured a Christian friend, and the indulgence of his hatred towards them assumed in his view a Christian virtue. But there was one obstacle to his accompanying Robert. Mendowet concluded that these Indians would retreat through what is now called the "*Notch*" of the White Mountains; and of that pass he had a superstitious dread. But Robert urged him with so many persuasions, offered him so many rewards,and suggested also the certainty of overtaking the Mohawks long before they reached Agiocochook, that Mendowet finally consented.

The sun was just setting when this arrangement was concluded. To follow the Indian trail during the night was impracticable; and Robert, now that there seemed a possibility of recovering Mary became reasonable enough to listen to the advice of his friend, and consent to stay till the ensuing day. The night was mostly spent in preparations for his adventure, or in listening to the advice of Captain Waldron, who thought himself especially qualified to judge of the best method of proceeding in the attack of the Indians.

Some there were who tried to dissuade the young husband from the attempt to recover his bride by force; as the savages, they averred always murdered their prisoners when attacked. They told him it would be best to send a messenger to the Mohawks, who would doubtless, disclaim all knowledge of the violence which had probably been perpetrated by some stragglers from their tribe, and negociate for the release or ransom of the captive.

Robert's blood chilled at the suggestion that his rashness might accelerate the death of his wife; but the negotiation for her ransom would be uncertain and the period of her release might be distant. *He* thought that he could get along, surprise her captors unawares, free her and hear her sweet voice pronounce his name as her deliverer. As the picture brightened beneath his fancy, he started from his seat & rushed out to see if the morning light might not be discovered. It soon dawned, and completely equipped the Indian, with his musket and tomahawk, and Robert with a double-barrelled gun, sword, and plenty of amunition, and each carrying a pack containing provisions and restoratives for Mary, they set off on an expedition fraught undoubtedly with more *real* perils than the adventures of many proud knights, whose deeds are recorded in historic legends and emblazoned in the eschutcheons of their descendants.

[CONCLUDED NEXT WEEK.]

* Agiocochook—the Indian name of the White Mountains.

GOVERNOR'S MESSAGE.

Fellow Citizens of the Senate and of the House of Representatives:

FIRST of all, as it becomes the agents of a religious people, let us publicly acknowledge the Divine goodness in continuing unto us our liberties, as a state, and as a nation; for the good measure of health enjoyed by the people of this commonwealth, and for the abundant productions of the earth; and ask wisdom from above, that we may fitly perform the duties for which we are assembled.

The legislation of this state has generally been characterized by so much prudence and intelligence, that any advice or caution by me, of a general nature, would be quite superfluous.

The condition of the inhabitants of this state is, upon the whole, probably as good as that of any other people. We are an intelligent, moral and law-abiding people; we have institutions, securing the liberty and rights of the citizens; we have a fertile soil, a healthful and invigorating climate, and industrious habits, which enable us to surpass any other state in the Union, according to our population, in the value of our agricultural productions.

The subject of Education, in all its branches, is of such vital importance to a free people, so intimately connected with the individual welfare of the members of a state, and so indispensable to the very existence of the blessings flowing from free institutions and representative governments, that it is not surprising that it should annually have attracted the attention of both the Legislative and Executive departments.

Common school education is perhaps as generally diffused, among all classes of people in this state, as among any other community, in the United States or elsewhere; yet the system now in operation is far from realizing all the advantages which ought to be expected from it It is doubtless susceptible of great improvements; and the efforts which have been made in several of our sister states, within a few years, to investigate and obviate numerous evils, and to introduce a greater degree of uniformity and more efficiency in common school instruction, have not been without their beneficial influence. Let us profit by the example of others.

Valuable suggestions on this subject are contained in successive reports, made by legislative committees, during the two past years. Our higher institutions of learning, connected intimately, as they are with our common schools, and exerting an immense influence upon the intellectual condition of our citizens, ought also to receive the fostering care of the Legislature. No system would be perfect which should exclude these from consideration. Whether the creation of a Board of Education, with the powers and duties contemplated in the legislative report of last year, will not prepare the way for the introduction of great improvements is submitted for your mature consideration.

The Militia, without which there would be no safety to our government or country, are too apt to receive an annual compliment and then be neglected. Whether the law for the improvement of their condition, which had been prepared with great care, and passed at the last session, will prove useful and satisfactory to that numerous and patriotic body of citizen soldiers, for whose regulation and benefit it was made, I am not able at present to determine; and perhaps there has not been sufficient time,since the passage of the act, to test its utility.

By an act passed at the last session, relating to Capital Punishment, it is directed that if any person shall commit any crime, which by the law of this state is punishable with death, such person shall be sentenced to solitary confinement in the state's prison, until the punishment of death shall be inflicted; and also, if any person shall hereafter be convicted of any crime, punishable by death, such person shall in like manner be sentenced to solitary confinement, until the sentence of death shall be inflicted. By the act it is further provided, that no sentence of death shall be executed until after one year from the time of passing of such sentence, nor until the whole record of the proceedings in such case shall be certified to the Governor; nor until a warrant shall be issued, by the Governor, under the seal of the state, with the record annexed thereto, directed to the Sheriff of the county where the state's prison is situated, commanding said Sheriff to cause execution to be done upon the person, upon whom sentence had been passed. It is understood that there has been one conviction and sentence under this law, which it will be my reluctant duty to pass upon, as the law appears to me to be objectionable.

I cannot believe for a moment that it was the intention of the Legislature, by this act, to prepare the way for the total abolishment of capital punishment, even in cases of murder; for such a measure, in my opinion, would be fraught with evils of a most direful kind:—but this law, which changes in some measure our long established mode of administering criminal justice, may give occasion for a belief in the public mind,that after conviction there will be less certainty of punishment.

Although this statute may be open to some other objections, that part of it which relates to the issuing of a death-warrant by the Governor, is perhaps the most so. It is not sufficiently explicit, to show distinctly, whether it is a mere discretionary power, that he may or may not exercise, after examining the record of conviction, or a duty to be performed as a ministerial officer. If it means the first, it is in effect a power to pardon or commute, which is not given him by the Constitution, and cannot be conferred by the legislature. If it means the last, why impose this ungracious duty upon the Chief Magistrate,who in most governments, and in this to a certain extent, is entrusted with the privilege of releasing from punishment, and not the stern duty of inflicting it. But if he is to order a convict to execution, the most solemn of all offiicial acts, it should be done by express authority of law, and not left to inference or construction. It is submitted to your consideration whether this law should not be repealed, or at least revised.

The sad existence of Slavery in many of the states of this Union, should be the cause of deep humiliation to the moralist, the patriot, and the christian; but the continuance of this ineffable curse in the District of Columbia, and in the Territories, should excite our warmest indignation.—There, thousands of human beings are in perpetual bondage; and a slave-market is openly held at the seat of the freest government upon earth. This is a spectacle fit only for tyrants to behold; and to make this state of things not only permanent,but as if also to fasten the awful responsibility of it upon the citizens of the free states,a there have not been wanting representatives in the Federal Government,from those states (happily none from our own,) who have refused, where Congress has clearly the right to act, to let the oppressed go free, and to abolish a traffic, which, by the spirit of the laws even of that government, is ranked with piracy itself. Nay, more, they have silenced remonstrances of sovereign states against these grievous wrongs, and excluded the petitions of the people.

A state may not infringe the compact as it exists on the subject of slavery, any more than other parts of the Constitution. We have all sworn to support that instrument; and to attempt to evade or repeal the oath, by casuistical sophistry as to its binding force, would be neither just nor wise. But whatever legislative powers the states do possess, should be exercised as occasions arise, so as not to give one scruple more of living flesh than the bond requires.

An unhappy decision of the Supreme Court of the United States, made in January 1842, in the case of Prigg vs. the State of Pennsylvania, it is believed will occasion some danger to free colored people who may be found in this state. In that case it is understood to have been decided that the Federal Government have an exclusive right to regulate the mode in which the claim of a master over his fugitive slave shall be made; that Congress has already exercised that right, in a perfectly constitutional manner, through the law of 1793; that all legislation on the part of the several states, which directly or indirectly limits or restrains the right of recovery of fugitive slaves, is entirely null and void; that no state can pass a law in any way interfering with the power of summary removal from its territory of an individual claimed as a fugitive slave,—provided that this power be exercised under the sanction of the United States Courts; but it is not obligatory upon any state to suffer its own magistrates to exercise the same power.

The law of Congress of 1793 confers the same power upon state magistrates as that given to judges of the United States Courts, and upon that statute the Court says, that their magistrates may, if they choose, exercise the authority thus conferred, "unless prohibited by state legislation." This decision is at present the law of the land, and the danger is, that among our great number of magistrates, some may be found who are not well informed as to their duty, and may act unadvisedly, and thus, upon a false claim consign some unfortunate being forever to hopeless slavery,—for from the decision of the magistrate there is no appeal.

I therefore recommend to the legislature to pass a law prohibiting all magistrates, acting under the authority of this state, from taking cognizance of, or acting under, the act of Congress passed the 12th July, 1793, relative to fugitive slaves, or any other law that may be passed of similar import. This would seem from the aforesaid decision to be perfectly constitutional and proper, and indeed almost invited by the court, by the language before quoted. By such an act, the evil consequences of the decision may in some degree be mitigated.

I also recommend a law prohibiting all executive officers of the state from arresting or detaining in jail any person who is claimed as a fugitive slave; believing this to be a proper mode of exhibiting the determination of this state to do no act which she may constitutionally omit to do, to countenance the institution of slavery. The commonwealth of Massachusetts has recently passed such a law, and the example is believed to be worthy of imitation. If the passing of the statute proposed shall incidentally tend to prevent the recapture of fugitive slaves, may we not well exclaim in its defence, in the language of the sage of Monticello—"shall distressed humanity find no asylum?"

There are strong reasons for anticipating that an attempt will soon be made to annex the Republic of Texas to the United States, as well for the purpose of creating a perpetual market for slaves, as, from that large territory, to carve out slave states enough to give a preponderancy in the Union to the slave power. If such an attempt shall succeed, then woe betides our unhappy country. Who then can hope that the wrath of Heaven can be longer restrained?

I have spoken perhaps too freely upon this exciting subject; but at the capitol of Vermont, unlike that at Washington there is liberty of speech upon all public topics.

In our expenditures the utmost economy that is consistent with the maintaining and promotion of the public interests, should be constantly practised. The just medium between parsimony and extravagance,in public transactions, it is not always easy to discover, and it is to be found only by the good sense of those who make the laws; and this was one reason why our Constitution declares that the House of Representatives, which originates all appropriation bills, shall consist of men most noted for wisdom, as well as virtue. In this state, where the only permanent source of revenue is direct taxation, profuseness of the people's money should be carefully avoided.

It appears by the Report of the Auditor in the Treasury, that the State School Fund amounts to $200.234 95, and that of this sum $173,154 is due to the fund from the state, and the remaining 226 080 95 is due from individuals on loans. In one view, the state is in debt in the first sum; and in another view, it is a creditor in the last sum. The Auditor of Accounts has given very cogent reasons why the debt of the state to the fund ought to be cancelled; and if those reasons appear to the General Assembly, as they do to me, convincing and unanswerable, the debt will, as the fund is under the control of the state, be cancelled.

That a Tariff of duties upon importations, sufficient to supply all the reasonable wants of the National Government, and shaped with a substantive and *bona fide* intention to give adequate protection to home industry, is absolutely necessary for the true independence and prosperity of the country, is believed to be a fundamental political truth, which ought on all suitable occasions to be proclaimed. It is a doctrine, too, which should be put forth in no ambiguous terms, but ought distinctly to embrace the idea of protection for the sake of protection, that thus there may be but two sides of the question, and no cover for hypocrisy on either.

The last Congress found that the sliding scale of the Compromise Act had descended so low that the revenue was not sufficient to support the Government; that the low rate of duties had caused excessive importations of foreign goods, and consequently immense indebtedness and large remittances of specie abroad, while at home the results were, great injury to our manufacturers, as well as those who furnish materials, labor and subsistance, and almost universal depression of the business of the country. In this state of things, the majority of that Congress undertook to enact a new, and it is hoped a better Tariff; and after the strong opposition of the great body of the minority, and with the reluctant votes of a small number of that minority, the present Tariff was passed. Although it is but about a year since its passage, its operations has already been most beneficial. Business is now uncommonly active in the commercial cities; the important manufactories are in lively operation; the demand for the great staple of our state is revived and the price has somewhat increased; and it is believed that if the present Tariff can survive the attacks of its opponents in the next Congress,the business of the country will be in a permanent state of prosperity, and, consequently of agricultural productions in good demand.

If, as has been alleged, it shall turn out that the protection afforded to every interest, except that which is peculiarly our own, is too high, while the protection to that is inadequate, it is surely consolatory to reflect, that the portion of the people, from whom this complaint arises, may control the majority in the next Congress; and I may add, reasonable to expect, that that majority will raise the duty on wool to the necessary point. The correctness of this expectation, however, time will determine.

It should be remembered that the present Tariff was not secured without great sacrifice. The overweening opinions of the President, and the opposition of the minority in Congress, compelled the postponement, and perhaps the final loss, of the distribution of the proceeds of the sales of the public lands among the several states, to which they have a just right. This was done, least the want of sufficient revenue should oblige Congress to pass a Tariff highly protective; thus inflicting upon the states a double injury—the loss of their portion of money accruing from the sales of the public lands, and the risk of having the present Tariff demolished or impaired. While we have yielded to the necessity of suspending the Land Distribution, in order to secure protection, I conceive it to be our duty constantly to insist upon Distribution, as a measure which cannot be denied without trampling upon the sacred rights of the states.

I have thus used the common privilege of every citizen to speak upon some of the questions of national policy which now engage the attention of the public, meaning of course no disrespect to those who entertain different views. My opinions may be of small value, yet frankness requires that they