THE NATIONAL ERA.

WASHINGTON, OCTOBER 10, 1850.

THE LAW IN RELATION TO FUGITIVES FROM SERVICE OR LABOR.

Before the enactment of the present law in relation to fugitives from service or labor, a person claimed as a fugitive might be arrested, and transferred, with or without legal process, to the State under the laws of which he was alleged to owe service or labor. The writ of *habeas corpus*, however, could be resorted to, for the purpose of releasing him from duress, and bringing him before a legal tribunal, where the validity of the claim might be tried. The person arresting him, too, was liable to an action for false imprisonment, or to the penalties imposed on kidnapping, should his claim be proven to be false or fraudulent.

The act passed by the late Congress is framed in such a way as to bring the whole power of the United States into requisition for the arrest and delivery of fugitives from service or labor, and to exclude any interposition or interference on the part of the State courts or authorities.

Under the act of 1793, any Federal judge is authorized, and, when called upon, required, to issue a warrant for the arrest of an alleged fugitive, to pronounce upon the claim to his services, and to deliver him up to the claimant, should the claim be proved to be valid. The act just passed extends the power of issuing process in such cases, and deciding upon them, to the commissioners appointed by the Circuit Courts of the United States, authorized in virtue of such appointment to exercise the functions that justices of the peace may exercise in respect to offences against the United States; and to as many additional commissioners as the Circuit Courts may from time to time appoint, with a view to afford all reasonable facilities for the arrest and delivery of fugitive slaves. There is no limitation as to the number, except the discretion of the Courts—so that the States may be crowded with these slave-catching tribunals.

When the trial is held before a Commissioner, his fee, where a certificate is rendered to the claimant, is ten dollars; where the proof is insufficient, and no certificate rendered, five dollars; to be paid, in either instance, by the claimant. So that, if he have six cases a week, he will make sixty dollars by finding the proof sufficient, and only thirty when he finds it insufficient. As he has *the sole power of determining* what shall be considered "satisfactory" evidence, and as there can be no appeal from his decision, the act of Congress in this way considerately proffers him a reward for being lax towards the claimant, and rigorous towards the alleged fugitive.

The Commissioners appointed by the Courts may be destitute of all legal qualifications—incompetent to judge of the nature and value of testimony. Few respectable men will consent to become professional slave-catchers—to undertake the discharge of functions so abhorrent as those imposed by the office of Commissioner. The result will be, that the office will be filled by men of disreputable or irresponsible character, who will not hesitate to speculate in the business of slave-catching.

Upon such men, equally with the Judges of the Supreme Court, and the Circuit Courts of the United States, is devolved the solemn responsibility of deciding the great question of Personal Liberty—of determining whether a man claimed as a fugitive, be a slave or freeman. It is for them alone to say what is satisfactory evidence. They may receive a fraudulent affidavit, or the testimony of a perjured witness, and they cannot be held to an account. No jury is allowed to decide upon the facts. They decide upon the law, the testimony, and the facts; acting under no responsibility—for no appeal lies from their decision—and their certificate, no matter though it be outrageously false, is conclusive, prevents any interference with the claimant, "by any process issued by any court, judge, magistrate, or other person whomsoever," even the Chief Justice of the United States.

This is monstrous. Such a provision would disgrace the veriest despotism in the Old World. It is manifest that it strikes down every bulwark of Personal Liberty erected by the wisdom of our forefathers. The jury trial, the habeas corpus, the right of appeal, responsibility of judges—all these safeguards are swept away by this abominable act.

The marshals and deputy marshals of the United States are bound also by the most stringent penalties, to engage in the work of slave-catching. If any one of them should refuse to receive a waraant issued by any of these Commissioners, or to use all proper means to execute it, he is fined one thousand dollars for the use of the claimant; and, should a fugitive, after having been arrested by him, or while at any time within his custody, escape, whether with *or without* his assent, he is to be prosecuted for the full value of said fugitive, for the benefit of the claimant.

The Commissioners are also empowered to appoint as many persons or runners as they may see proper, to hunt and arrest alleged fugitives; and such persons are to receive a fee of five dollars for every fugitive they may arrest, at the instance of a claimant, with such other fees as may be deemed reasonable by the Commissioner.

When, after a certificate is granted, the claimant swears that he has reason to apprehend the intervention of force to deprive him of the fugitive, the officer who arrested him is required to employ as many persons as may be necessary to carry him safely to the State whence he is alleged to have fled—and they are to be compensated for such services out of the Treasury of the United States.

It has been contended that the act assumes that slavery exists in the Territories of the United States. Section 10th provides as follows:

"*And be it further enacted*, That, when any person held to service or labor in any State *or Territory*, or in the District of Columbia, shall escape therefrom, the party to whom such service or labor shall be due, his, her, their agent or attorney, may apply to any court of record therein, or judge thereof in vacation, and make satisfactory proof to such court, or judge in vacation, of the escape aforesaid, and that the person escaping owed service or labor to such party," &c.

It must be recollected that the provisions of the act, although primarily intended to secure the delivery of fugitive slaves, also embrace, necessarily, the case of fugitive apprentices or persons held to service for a term of years. The master of an apprentice in a free State may avail himself of the provisions of this act equally with the master of a slave in a slave State. The act, therefore, in including States, Territories, and the District of Columbia, in its terms, does not recognise the existence of slavery in free Territories any more than it does in free States. Bad as it is, we deny that it assumes the existence of slavery in New Mexico and Utah. But if it did, it would assume a falsehood; nor could such an assumption create slavery where it did not exist. It is sufficient for us to know that no person can make satisfactory proof to any judge in Utah or New Mexico, that he owns a slave under the laws of either.

The new law seems to be hailed with pleasure by the South; by the North it is regarded with abhorrence. If the slaveholders had intended to create deep excitement in the free States, to extend agitation on the subject of slavery, to provoke into intense activity every latent feeling of hostility against their peculiar system, to force the Anti-Slavery question into every local and general election at the North, they could not have devised a more effectual method of accomplishing these results. The People of that section were wearied to a great extent with the controversy concerning the Territories; and, under a prevalent impression that it had been substantially decided in favor of liberty by the action of the inhabitants of those Territories, their excitement was at least suspended. But the passage of a law which violated every guaranty of personal rights, which instituted innumerable tribunals among them, acting without responsibility, in defiance of the ordinary forms of law, with an exclusive regard to the interests of slaveholders, which stripped a large portion of their population of all protection against fraud and brute force, which let loose the kidnapper among them, and compelled them to look upon and tolerate at their very firesides the palpitating, hideous form of Slavery, with its manacles and handcuffs, touched them to the quick, aroused their humanity, their conscience, their State pride, their constitutional love of Liberty, their habitual hatred of Slavery—and now, from the press, secular and religious, Whig, Democratic, and Anti-Slavery—from the pulpit, from the stump, from religious Convocations and popular Conventions, in city and country, throughout the entire North, we hear one burst of indignation against the law, and of execration of its makers. If the slaveholders want quiet, deprecate agitation, let them repeal that law, or amend it by provision for a jury trial, and the writ of habeas corpus. Otherwise, they may prevent the flight of a few slaves, secure the recapture of a few fugitives, but it will be at the cost of the fraternal feeling, about which so much is said, at the hazard of a sectional controversy, deeper, fiercer, bitterer, than any that has yet threatened the peace of the Union.

THE WHIGS OF NEW YORK.

Since our last issue, the seceding members of the late Whig Convention of New York have published an address, in vindication of the act by which they separated themseves from their brethren; and a committee appointed by them has put forth the following call for another State Convention:

"CALL FOR THE WHIG CONVENTION."

The Whigs of the State of New York who desire to maintain their connection with the Whig party of the United States, and who are opposed to the action of the Convention recently held in Syracuse, in condemning the course of President Fillmore and his Cabinet, and in seeking to renew agitation on the subject of slavery, are requested to elect delegates for a State Convention to be held in Utica on the 17th day of October inst. Each county will send as many delegates as it is entitled to elect members of Assembly.

COMMITTEE.

William Duer, Francis Granger,
William C. Hasbrouck, Daniel T. Uhlman,
John T. Bush.

The conduct of the bolters, so far, does not seem to [illegible] the approbation generally of that section of the party which sympathizes with it in other respects. The New York *Commercial Advertiser*, a strong Webster paper, discountenances their precipitate action. "We shall not presume," it remarks, "to advise Messrs. Granger, Duer, and their friends, upon their future course. With them we regret that the ultra sentiments of Senator Seward were so cordially endorsed. But we would also suggest that, unless they are prepared to throw overboard their reputation for consistency, they must come back to the position they occupied in November, 1848—that the voice of the majority is the voice of the Convention, and the voice of the Convention is the voice of the party. By these landmarks any party must abide that would successfully carry out its principles. We must have *some cardinal principle* which must remain unshaken amid all fluctuations of opinion and sentiment. *That principle is, that majorities must govern* wherever the representative system is fully carried out. In the Whig party it is so. If we neglect the primary meetings and other channels of influencing the Convention, the blame rests with us, and to the inconvenience or penalty we are bound, in all reason and honor, to submit. If conventional decisions wrong us, we can protest; if they conflict with our settled convictions so as to interfere with principles and conscience, we can retire from the party; but our friends who propose a rival Convention and a rival ticket will, we are sure, yet perceive that their entire ground is *untenable*, and their proposed action calculated only to estrange them from the Whig party, and to work mischief both to themselves and the principles to which they profess to be attached."

The remarks of the *Advertiser* are to the point. The Convention was composed of delegates fairly elected in accordance with the usages of the Whig party, and the result was a clear majority in favor of the position occupied by Mr. Seward. No irregularity—no fraud, vitiated the organization of the Convention. It was a fair representation of the party, and by the decision of an undoubted majority, deliberately expressed, the course of Mr. Seward, and the Whig representatives from New York who concurred with him, was emphatically endorsed.

Nor could it be pretended that these gentlemen had violated their instructions or the sense of the party, repeatedly affirmed in District and State Conventions, and through legislative resolves. The party and its leading journals had boasted of its paramount, inflexible devotion to the Jeffersonian policy of slavery-restriction, and had insisted without ceasing that it was the party of Progress, consecrated to the cause of human freedom, and pledged to seek the extinction of slavery by all constitutional means. Mr. Seward and his friends in the House of Representatives, sought to carry out these principles, and for their fidelity in this respect, the Whig State Convention of New York, honestly chosen, fairly constituted, and perfectly representing the party, bestowed upon them high commendation.

In what position, then, do these seceding members of the Convention stand before the people? They are *factionists*, denying the principle that a majority should govern, arraying themselves against the usages of their party, rejecting doctrines repeatedly affirmed by their party. No wonder the conservative Whig papers, although not sympathizing with the anti-slavery resolves of the Convention, should condemn or question the conduct of the seceders—no wonder that the Administration papers here should abstain from any commendation of it. Undoubtedly Mr. Webster would have been highly gratified at the passage of the resolutions submitted by Mr. Duer; but Mr. Fillmore has too much sense not to see that the cause of Whig conservatism in New York has sustained a severe blow from the rash, ill-advised action of its special friends. The Administration cannot dispense with the services of the Whig party in the Empire State, for the sake of bolstering up Messrs. Duer, Granger, & Co. It must feel anything but gratified with the pretence set up by the bolters, that they, the minority, are its friends, while the majority are its opponents—a pretence not warranted by the facts. For, the resolves adopted by the Convention, if possible, exceed those submitted by Mr. Duer in strong expression of confidence in, and cordial approbation of Mr. Fillmore's Administration. Therefore, the call issued by the seceders for another Covention, rests the propriety of that measure on a false statement—namely, that the late convention *condemned the course of President Fillmore and his Cabinet, and sought to renew the agitation on the subject of slavery.* A reference to the resolves of that Convention will clearly show the statement to be utterly false. Here they are:

"*Resolved*, That this Convention, respecting those who have sustained Whig principles with equal ardor in prosperity and adversity, *rejoice in the opportunity now offered for making expressions of renewed confidence in the present National Administration, and in the wisdom and efficiency with which it has been administered under circumstances of unusual embarrassment and difficulty.*"

"*Resolved*, That while we lament most deeply the irreparable loss of our Chief Magistrate, General Zachary Taylor, at a crisis in our country's history which his clear judgment and Roman firmness seemed so peculiarly designed to meet, we deem it most fortunate for the nation that his place is filled by a successor *so distinguished and capable as Millard Fillmore, in whose experience, fidelity, and enlightened statesmanship, the people of New York have learned to repose entire confidence.*"

So much for the action of the Convention "in condemning the course of President Fillmore!" Let us see how it sought to renew the agitation of slavery:

"*Resolved*, That the admission of California into the Union as a State, and with a free Constitution, meets with our hearty approbation; and as a Territorial Government is established for New Mexico and Utah, without any prohibitory clause, on the assumption that slavery is excluded by other causes, it is the solemn duty of Congress to extend the Jeffersonian Ordinance over those Territories *on the first indication that slavery or involuntary servitude is likely to be introduced into the Territories.*"

No agitation of the subject of slavery is contemplated by any of the resolutions except this; and, in this, it is proposed to "agitate" only "on the first indication that slavery is likely to be introduced into the Territories"—in other words, on the first indication that the "laws of God," as interpreted by Mr. Webster, are likely to be trampled under foot by the wickedness of man. What is there in this repugnant to even conservative Whiggery? Did not Mr. Webster and his friends justify their abandonment of the Wilmot Proviso, on the express ground that it was rendered unnecessary by the "law of God"—always declaring that, whenever necessary, they would be in favor of its application? And did these bolters so far forget the position of their great leader, as to take the ground that, should his policy prove insufficient for the protection of the Territories, should it become evident that slavery was about to be extended into them, even then the renewed agitation of the slavery question ought not to be tolerated? Such is the ground virtually occupied in this factious call. We are left to infer that the Convention about to assemble at Utica [illegible] to slavery no matter how imminent the danger of its extension. And with this base policy Messrs. Duer, Granger, & Co. endeavor to identify the Administration of President Fillmore! Why, Daniel Webster never committed himself to such a policy as this. On the contrary, in his great speech, in which he poured out all his heart on the subject, he solemnly pledged himself to the same policy as that announced by the late Whig Convention. To put this beyond doubt, we present in parallel columns the resolve of the Convention and the declaration, twice repeated, by Daniel Webster:

Resolve of the Convention.	*Declaration of Mr. Webster.*
Resolved, That the admission of California into the Union as a State meets with our hearty approbation; and as a Territorial Government is established for New Mexico and Utah, without any prohibitory clause, on the assumption that slavery is excluded by other causes, it is the solemn duty of Congress to extend the Jeffersonian Ordinance over those Territories on the first indication that *slavery or involuntary servitude* is likely to be introduced into the Territories.	Sir, wherever there is a particular good to be done; *wherever there is a foot of land to be staid back from becoming slave territory, I am ready to assert the principle of the exclusion of slavery. I am pledged to it from the year 1837; I have been pledged to it again and again; and I will perform those pledges*; but I will not do a thing unnecessary that wounds the feelings of others, or that does disgrace to my own understanding.

Daniel Webster stands pledged to *renew "agitation* on the subject of slavery," whenever it is necessary to have a positive prohibition against its extension. The Whig Convention at Syracuse occupies precisely this ground—neither more nor less. The fact that it occupies this ground is one of the two reasons assigned by Messrs. Duer, Granger, & Co., for another State Convention of Whigs, to support the Administration of President Fillmore against the action of the majority of the Whig party of New York! Who can help admiring the profound wisdom of Messrs. Duer and his friends, in calling a State Convention to support the Administration against the action of the regular Whig State Convention, because it openly endorsed a policy to which that Administration, through its leading members, stands pledged! Mr. Fillmore should permit these gentlemen to retire on third-rate Chargéships.

THE GOVERNMENT OF UTAH.

The following are the appointments for the Territory of Utah:

Joseph Buffington of Pennsylvania, Chief Justice of the Supreme Court of the United States for the Territory.

Perry E. Brocchus of Alabama, and Zerubbabel Snow of Ohio, Associate Justices.

Benjamin Young of Utah, Governor.

Broughton David Harris of Vermont, Secretary.

Joseph L. Haywood of Utah, Marshal.

Seth Blair of Utah, Attorney.

"THE HIGHER LAW INFAMY."

The *Pennsylvanian*, commenting upon our statement, that the Divine Law is higher than Human Law, and that where they conflict, the former must be obeyed before the latter, says—

"This doctrine, carried out to the full, would destroy the best Government that ever existed; leaving to every citizen the construction of the laws under which he lives, and allowing a defiance of the injunction of those statutes, which have been framed on the highest principles of Civilization and Christianity."

Our doctrine allows no such defiance; on the contrary, it asserts the duty of the citizen to obey all laws that have been framed on the highest principles of civilization and Christianity, and to disobey those which attempt to enjoin upon him the performance of duties in conflict with such principles. This doctrine, "carried out to the full," would always tend to the overthrow of bad Government, and the establishment of good. Taken in connection with the principle of submission to the penalties imposed on account of the transgression of Human Law, it is at once reformatory and conservative—promoting the amendment or repeal of bad laws, and securing meantime the public peace.

Politicians have uttered a great deal of nonsense about the Higher Law Doctrine. The old Pagans always recognised the will of their gods as above that of men. And what is the assertion of the inviolate sacredness of national rights by our Declaration of Independence, but an affirmation of the Higher Law? "We hold these truths to be self-evident, that all men are created equal—that they are endowed by their Creator with certain inalienable rights—among which are life, liberty, and the pursuit of happiness."

If these rights by the act of God are *inalienable*, then they necessarily override all human arrangements which attempt to subvert them. No human statute can take from a man a right which is *inalienable*—that is, impossible to be taken away.

What is the recognition in the Constitution of the United States and in our State Constitutions of the rights of conscience, what the inhibition of all legislation abridging them, but a recognition of man's allegiance to a Power above all Human Power, a Law higher than all Human Law!

Have not the members of the respectable, law-abiding Society of Friends, from its foundation to this time, in all countries, acted out this doctrine fully, in regard to laws imposing military duty, uniformly disobeying them, as at war with that Higher Law which, in their judgment, forbids the shedding of blood? Who charges them with being disorganizers, law-breakers, acting in such a way as to subvert Government, and reduce Society to a state of anarchy?

There is not one of these declaimers against the Higher Law who is not in fact a believer in the very doctrine he scouts as infamous and disorganizing.

Suppose the Legislature of any State should pass a law establishing a church with a certain creed, and requiring the attendance and worship therein of every citizen, no matter though he should believe that church the supporter of unsound doctrines or false morals. Suppose the editor of the *Pennsylvanian* believed this, would he obey the law, and violate his conscience?

But, the *Pennsylvanan* is horror-stricken at the idea of "leaving to every citizen the construction of the laws under which he lives." Has he not that right now? If he obey the Law, it is, as he understands it. It is impossible to place an intelligent, accountable being in circumstances, where he is divested of the right to inquire into the nature of the acts enjoined upon him, where he is not bound to ask, can I do this, and not violate my conscience? His right of private judgment, and his duty to exercise it, are from God, who has never delegated to Church or State, Ecclesiastical Council or Civil Tribunal, to Pope, King, or People, authority to release the individual man from paramount allegiance to Himself, or to exact from him *implicit* obedience.

But, the doctrine that we maintain is consistent, does not sanction one immorality, under the pretext of forbidding another. It does not authorize a man to accept office with an implied pledge or a positive oath to discharge all its duties, though he believes some of the duties are repugnant to morality. His declaration of faith in a Higher Law, as a warrant for the non-performance of these duties, cannot excuse or justify his bad faith or perjury: and if, after having been elected to office, he becomes convinced that some of the acts he is called upon to perform, are in conflict with the Higher Law, his course is a plain one:—let him resign instantly, and not plead the authority of that law for the non-fulfilment of duties he has sworn to discharge. Allegiance to God is not shown by Treason to man.

For the National Era

LIFE.

BY CAROLINE A. BRIGGS.

"*Perfect through suffering.*"—PAUL.

Must I suffer ere my spirit
Shall attain its highest goal?
Opens there no smoother pathway
To the upward struggling soul?
No—like seed that through thick darkness
Gropes its way above the sod,
So this soul of mine must ever
Struggle through the dark to God!

Light untempered pales the Blossom,
Suns unclouded blight the Grain—
So the Love that's winged with Wisdom
Calls His clouds and gives them Rain.
I, a Plant in God's great Garden,
Grain within His guarded Field,
Need I not, as well as Sunshine,
Rain to make me thrive and yield?

In the Day the great Earth wearies,
Sickens 'neath the burning Sun;
In the Night she rallies nobly
Till her strength is all re-won.
Dews fresh, dropt from Nature's chalice,
Cool and quicken all her powers,
Fit her for another morrow's
Struggle through the sultry hours.

In the Light my soul grows sickly,
Sluggish, faint—until, at length,
In the Dark how strong it struggles,
Battling for its bartered strength!
Tears like dews, refresh and hallow
All its powers for noble strife;
Fit and nerve it for another
Upward effort into Life.

[illegible], He saith,
Who, amid his daily cares,
Sees a mighty End upspringing,
Like choice Wheat among the Tares.
He who [illegible] Trial,
Strength from Struggle, Hope from Pain,
He twice lives—on Earth—in Heaven—
He who lives once, lives again!

CALIFORNIA.

The steamer *Cherokee* arrived at New York last Saturday from Chagres with 140 passengers and $1,000,000 of gold dust. The dates from San Francisco are to the 1st of September. The report of the destruction of the city of Sacramento by fire was groundless. The disturbances had been suppressed, and many of the ringleaders of the mob arrested and imprisoned. The excitement against foreigners in the mines had subsided.

MARYLAND.

Returns, official and reported, from the whole State, show the following result of the Governor's election, as compared with that of 1847:

1850		1847	
Clarke. (W.)	Lowe. (D.)	Goldsborough. (W.)	Thomas. (D.)
26,046	27,597	33,730	34,368

Democratic majority this year in the whole State, 1,551.

REFORM IN THE NAVY.

After years of agitation, and repeated decisions in the House of Representatives against the practice of flogging in the navy, rendered of no avail, however, by the opposing will of the Senate, the popular branch of the Legislature has at last triumphed, the Senate has yielded, and it is now no longer lawful to use the scourge in either our naval or mercantile marine. The cat-o'-nine-tails is forbidden, and masters or captains of vessels must find some better mode of enforcing discipline than by the terrors of the lash.

We are told that this act of Congress has awakened profound apprehension in the minds of many officers. They predict, as its consequences, insubordination, mutiny, anarchy. This is all natural, if not reasonable. They have been trained from the time they put foot on shipboard, to regard the infliction of corporeal punishment, or the dread of it, as the most powerful incentive to obedience, absolutely necessary to the maintenance of authority in circumstances where neglect or delay of obedience to its mandates may cost thousands of lives. Some commanders, they admit, possess the art of governing to such an extent, that recourse to the lash may not be required. There is an irresistible power in their word and look that extorts instant and complete obedience. But there are others, they say, who can govern only by a palpable exhibition of brute-force—their mandate becomes potential only through the terrors of their crew. To forbid them to use the lash, is to place them at the mercy of their hands, and to invite violence and mutiny.

But, it is too late now to speculate about it. The Congress of the United States, acting in obedience to a strong Popular Sentiment, has resolved that the experiment shall be made, whether it be not possible to sail our vessels and maintain discipline on board, without treating men as brutes—whether it be not possible to maintain a navy without resort to the barbarous usage of the cat-o'-nine-tails.

We can easily understand how the experiment may be made to work badly. If the Secretary of the Navy should withhold his sympathy from this reform, and do nothing to promote its successful working, to remedy incidental evils attending it, to suggest regulations calculated to supply the suppression of what has so long been relied upon as the most potent of disciplinary instrumentalities; if commanders of vessels should evince distrust of their authority, or timidity, or, in despair of maintaining discipline, neglect its enforcement by all the appliances still left within their power—we may expect to hear deplorable accounts of the consequences resulting from the "ill-judged philanthropy" of Congress, and strong memorials in favor of a return to the old mode of punishment.

But, we hope the Secretary of the Navy will exert his energies to the utmost for the purpose of giving the experiment a fair chance. Let him revise the present regulations for the government of the navy, so as to conform them to the new order of things; and apprize the officers of his intention to enforce the will of Congress.

Mr. Davis of Mississippi, when the subject was before the Senate, admitted that the reform was one demanded by Popular Sentiment—he apprehended evil counsequences, but was disposed to yield gracefully to the demands of the People; and he added, sensibly enough, that, so far, the system of punishments had been relied upon for maintaining discipline, but, now, he knew not what substitute to suggest, except a system of rewards.

We repeat, this was a sensible remark. Sailors are men. They have conscience, self-respect, patriotism, professional pride, the instinct of self-preservation, a desire to better their condition. In governing them by terror, all these feelings are liable to be disregarded, trampled upon, extinguished; what wonder that they should sometimes become so degraded and insensible as to respond to no stimulus but that of the lash?

Now, if this reign of terror is to be abolished, the reign of common sense must be substituted. At present, marines receive $7 a month, and seamen from ten to twelve. Raise their wages, so as to make the service an object of desire to respectable American citizens, and dismissal from it a penalty to be guarded against. The result would be, that well-behaved, steady citizens would take the places of the odds and ends of all countries that now crowd our navy. The character of the service would be elevated—discipline would be more easily maintained—the flag of the country would be placed on the safe footing of men devoted to its honor—and dismissal from duty would be felt as degradation and loss, instead of being welcomed as a relief.

FREE SOIL IN ILLINOIS.

The Democracy of the 6th District, Illinois, in Convention assembled, has put in nomination for Congress R. S. Malony, a Wilmot Proviso man, as we understand. The Convention adopted the following resolution:

"*Resolved*, That we are uncompromisingly opposed to the extension of slavery; and while we would not make such opposition a ground of interference with the interests of the States where it exists, yet we moderately, but firmly, insist that it is the duty of Congress to oppose its extension to territory now free, by all means compatible with the obligations of the Constitution, and with good faith to our sister States, that these principles were recognised by the Ordinance of 1787, which received the sanction of Thomas Jefferson, who is acknowledged by all to be the great oracle and expounder of our faith."

THE WHIG PARTY IN MICHIGAN.

The Webster *managers* have been more successful with the Whigs of Michigan than with *those of New York*. The Whig State Convention of Michigan, which met at Jackson, on the 24th ult., seems to have been under the control of Washington influences. It took the ground of Messrs. Cass, Clay, and Webster, passing resolutions commending them and the bills they supported for the settlement of the slavery question before Congress. *The Peninsular Freeman* reports that the resolutions were adopted by a very small majority, and remarks that had all the western delegations been full, they would have been rejected.

LATER FROM EUROPE.

The *Cambria* arrived at Halifax, October 3d, bringing news from Europe one week later.

It was rumored in England that negotiations are on foot by which Spain engages to pay her debts to England, France, and Holland, on condition of having Cuba secured to her by their joint action.

The Irish Catholic Synod of Thurles has condemned, *in toto*, the Educational Colleges of Government, in Ireland. The Liverpool *Journal* and *Chronicle*, journals controlled by Catholics, are loud in their disapprobation of the action of the Synod.

Public meetings have been held in England, at which it was proposed to bestow some suitable testimonial of public favor on the brewers and draymen who inflicted chastisement on Haynau, the Austrian butcher.

In France, movements are being made with a view of revising the Constitution, so as to prolong the powers of the President. About 700 emigrants, chiefly from the old Guard Mobile, are about to leave for California.

WITHDRAWAL OF MR. WILMOT.

By an arrangement, satisfactory to all concerned, Mr. Wilmot and Mr. Lowry have retired from the field, and G. A. Grow, who occupies precisely the same ground as Mr. Wilmot, has accepted the nomination of the Democracy of the District.

The following letter from Mr. Wilmot to his constituents is honorable to the writer, showing that while willing to sacrifice his own claim, nothing could induce him to compromise the interest of the great cause to which he is pledged:

TO THE PEOPLE OF THE TWELFTH CONGRESSIONAL DISTRICT.

TOWANDA, *September* 27, 1850.

You will learn from the proceedings of the Congressional Conference, which reassembled at Wellsborough on the 25th instant, that I am no longer a candidate for Congress. It is proper that the public should be fully informed of the reasons which have governed me.

It was early known to those friends with whom I had correspondence upon the subject, that I had no personal desire to be again returned to Congress. I became a candidate only when I thought I saw a determination to trample under foot the principles of freedom, upon which the Democracy of this district had stood and battled for the last four years. Within a few days after my nomination I visited the county of Susquehanna for the purpose of meeting with, and addressing its people. My malignant enemies followed me, filling the atmosphere with base and groundless charges against my integrity, and the purity of my motives. Everywhere, and at every step, I met the charge that I was influenced in my course by base selfishness and personal ambition. That I was an unprincipled demagogue, governed by no feelings of integrity or honor, and was only intent upon a seat in Congress as a means of support—that I cared for nothing but eight dollars per day. In my efforts to throw off these mean and unmanly accusations, I declared in my public addresses, and with entire sincerity, that I had no personal ambition longer to fill a seat in Congress—that I was only in the field as a candidate, because the principles of human liberty were assailed in this district, which was looked to by the whole country, as one of the great battle-fields of Freedom. I declared my willingness to decline, whenever a sound candidate could be brought into the field—one in whose integrity and principles confidence could be placed, and in whose hands the world could see the banner of our principles. Wherever I went, I made these public and solemn declarations. The masses of Susquehanna responded to my appeals, and were coming up by hundreds to my support. I felt that the battle had been fought, and that victory was certain. This my enemies and the enemies of free principles clearly saw; and not until this was made apparent, did they signify a disposition to regard, with any attention, these public declarations of my willingness to decline. On Saturday last, while on my way, fulfilling appointments for public meetings, information reached me at the Great Bend that Mr. Lowrey was willing to decline, and the name of Mr. Grow was suggested as a gentleman sound in principle, and wholly unexceptionable. I was also informed that Mr. Grow, if a candidate, would be nominated upon the resolutions upon which I stood, thus vindicating the principles which I proclaimed it to be my sole object to uphold and maintain. Thus the sincerity of my public declarations was put to the test. I must either object to Mr. Grow as an unsound man in principle, decline, or stand before the people as hypocritical and uncandid. To refuse to decline under such circumstances would have been to establish as true all the vile slanders of my unmanly traducers. With Mr. Grow I had an intimate personal acquaintance. He had been for a year associated with me in business, and I knew him as a man of integrity and honor. I also knew that from the first he had declared himself the friend of the Proviso and of Freedom in this great struggle with the Slave Power.

I have made no compromise—I have entered into no arrangement. I have declined in obedience to the public and solemn declarations which I made in my addresses to the people, and which I felt it necessary to make to shield myself from the slanders of my malignant and relentless enemies. It was from no apprehension of defeat, for I never felt more certain of success; but if defeat had been inevitable, I would have met it with cheerfulness in the midst of my friends.

For the present condition of things, neither Mr. Grow nor his friends, are in the least degree responsible. He has not sought to occupy his present position. He is a gentleman of high integrity and honor, and I have full confidence that he will not betray the trust which an honest people may place in his hands.

The great battle of Freedom is not ended. It has just begun. No mighty interest which ever had the control of a Government ever surrendered its power without a desperate and protracted struggle. This contest will not be ended until one or the other of the great opposing principles of Freedom or Slavery shall be overborne. The sceptre of power in this Government will be wielded by the Slave interests, unless the free masses of the country assert their rights, and take their institutions into their own hands.

D. WILMOT.

EDWARD EVERETT.—We learn from the *Lowell Courier* that Edward Everett is preparing for publication a systematic treatise on the modern law of nations, more especially in reference to those questions which have been discussed between the Governments of the United States and Europe since 1783; and that he is also making a selection of his contributions to the North American Review, with a view of their publication in a distinct form.

LOCOFOCO AND FREE SOIL JUNCTION.

The "regular Democratic" County Convention was holden at the Town Hall, in Salem, on Tuesday, Hon. George Hood, of Lynn, President. We trust that Father Ritchie and Editor Burke, of the Union, Gen. Cass, &c., will swallow the dose as complacently as possible, when they are told that the Convention nominated, on their ticket for Senators, *three out-and-out Free Soil party men*, and only *two* true blue "Democrats" of the old line, viz: John B. Alley, of Lynn, Edmund Kimball, of Bradford, and JOHN G. WHITTIER, of Amesbury, Free Soilers; and Frederick Robinson, of Marblehead, and Daniel Saunders, jr., of Lawrence, Locos!!! This is decidedly funny. *The Freeman*, one of the organs of the joint party, says:

"Mr. Robinson's liberal views of the question of slavery, and all other questions, are well known, and we shall be happy to give him our vote.

This ticket was nominated with a near approach to unanimity, and is a conspicuous example of political generosity. It met with some opposition, to be sure, from the *Salem clique of ex-office-holders, who, at one point of the proceedings, solemnly withdrew from the Convention!* But as the purpose of that disinterested and patriotic clique is well known to be "to rule or ruin," and to keep the Democratic party "conveniently small," and to prevent any triumph at the polls which does not lift *them* into office, this must be regarded as a happy event."—*Salem Register.*

From the sneering notice of the *Register* we perceive that the course of Mr. Webster, sustained as he seems to be by the majority of the Whigs in Massachusetts, is driving the [illegible] men of the Democratic and Free Soil parties to unite their forces for the overthrow of his influence. We know JOHN G. WHITTIER well enough to know that he could never sanction any political arrangement that involved corruption.

WHIG STATE CONVENTION IN MASSACHUSETTS.

The Whigs of Massachusetts held their State Convention in Worcester on the 1st inst. The present Governor and Lieutenant Governor were renominated. An address was issued, in which the action of Congress on the slavery question was reviewed. The admission of California, a free State, is hailed as a signal victory over slavery. In relation to Utah and New Mexico, while the Convention says that if the Whigs of Massachusetts could have had their way, they would have extended to them the benefit of the Ordinance of 1787, it rests in the confident assurance that no slavery will exist in either, and it abstains from all censure of those who voted against the Proviso. The settlement of the Texas boundary it sanctions, and is rejoiced at the passage of the law abolishing the slave trade in the District. It expresses its regret that, in the act relating to fugitives from service, the right of trial by jury was not incorporated, and says that, without this and other arrangements, it cannot be satisfactory to the people of Massachusetts. Its language, however, on this point, is so feeble and heartless that nobody will be disturbed by it.

Among the resolutions adopted are the following:

Resolved, That Massachusetts avows her unalterable determination to maintain all the principles and purposes she has in times past affirmed and re-affirmed, in relation to the extension of slavery—and the measure of success which has attended her exertions is a new incentive to continue and persevere in all constitutional efforts, till the great and good work shall be accomplished and perfected.

Resolved, That it is the duty of all true friends of freedom, in and out of Congress, to watch the progress of the present free territories of New Mexico and Utah, and to favor the adoption of all practicable measures to secure their early admission as States into the Union, with Constitutions like that of their elder and free sister, California.

Very indefinite, and by no means alarming. Mr. Webster will not feel hurt by them.

CORRECTION.

To the Editor of the National Era:

DEAR SIR: You say in an article in your paper, that I moved to allow slave States to come into the Union. I moved to strike out the clause admitting them to come in as slave States. A material difference, as you will see.

THADDEUS STEVENS.

September 25, 1850.

The reader of course corrected the mistake.—*Ed. Era.*

THE DEMOCRATIC STATE CONVENTION OF NEW YORK.

The New York Evening Post, in reply to our comments on the action of the late Democratic State Convention of New York, says:

"We think it as much of a triumph as ought to have been expected from us, to have nominated Martin Van Buren as our candidate for the Presidency, and by a significant and emphatic silence, to have rebuked the course of Senator Dickinson. And yet both these important results were accomplished. A committee, composed of a majority of pro-slavery men, refused to report a resolution approving of Mr. Dickinson's course; and a similar resolution, when afterwards offered in Convention, was unanimously rejected, on a vote for the previous question.

"Within fifteen minutes after this meritorious act, the Convention adopted the following, among other resolutions reported by the same committee:"

"'*Resolved*, THAT THIS CONVENTION DO PRESENT THE NAME OF MARTIN VAN BUREN TO THE PEOPLE AS THE DEMOCRATIC CANDIDATE FOR THE OFFICE OF PRESIDENT OF THE UNITED STATES, AND THAT WE WILL SPARE NO HONORABLE MEANS TO SECURE HIS ELECTION.'"

"This resolution was adopted without debate, by a vote of 93 to 27, and, but for its having been put to the Convention in connection with another resolution congratulating the country for something that had not taken place, would doubtless have passed unanimously."

Is not the *Post* mistaken? We certainly did not observe that the Convention passed any such resolution. It is all new to us, and to our neighbor of the *Union*, too, if we may judge from the perplexity into which the paragraph from the *Post* has thrown it! If our cotemporary be not mistaken, the passage of such a resolution was certainly a redeeming act in the proceedings of the Convention. But it is only a sly joke of the *Post*.

THE SECEDING WHIGS OF NEW YORK AND THE WASHINGTON REPUBLIC.

In an editorial in another column, we remark that the action of the seceding Whigs of New York has not received commendation even from the Administration papers here. The remark was true, when we wrote the article, but since that time, the Washington *Republic* has openly taken ground in their defence, and from day to day is treating its readers with denunciations of the great mass of the Whig party, and with a great amount of declamation in behalf of the dissentients. It scouts the idea that the Whig party ever has been, is, or can be, in any sense, an anti-slavery party, or embraces the anti-slavery principle in its creed.

We have tried hard to disbelieve that it was the special organ of the Administration, but we see no authoritative denial in any quarter of its pretensions to the confidence of Mr. Fillmore. It may, therefore, be as well to remind it that the personage whom it now arrays against every form of anti-slavery doctrine and agitation, stood pledged in 1836 to the leading measures of the anti-slavery reform.

The *Albany Evening Journal* brings up the following refreshing reminiscence:

The following letter, in reply to questions propounded to Mr. FILLMORE by an "Anti-Slavery Society," shows that the President formerly stood on the Platform which Gov. SEWARD now occupies:

BUFFALO, *Oct.* 17, 1838.

SIR:—Your communication of the 15th instant, 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 and 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 nation, 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 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 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 on the subject.

MILLARD FILLMORE.

PRESTON KING RE-NOMINATED.

The only true Democratic Representative from New York, in the present Congress, is, we are glad to see, regularly re-nominated by the Democrats of the 18th Congressional District, N. Y. This nomination was unanimous, and the Convention passed the following resolutions:

Resolved, That in the opinion of this Convention, the electors of this Congressional District are unanimously opposed to the further extension of slavery in the Territories of our Government, now, or hereafter to be, acquired; and we unanimously desire that the same measure of freedom may be secured to UTAH and NEW MEXICO, which has been established in OREGON and CALIFORNIA.

Resolved, That Hon. PRESTON KING has faithfully represented his constituents, as their representative in Congress, and receives as he is entitled to, their sincere thanks for his fidelity.

FREE SOIL STATE CONVENTION IN MASSACHUSETTS.

This Convention met October 3d, in the Washington Hall, Boston, which was crowded to excess. Joseph T. Buckingham, former editor of the Boston Courier, was elected President. Ten Vice Presidents were chosen, among them, Ex-Governor Morton, J. G. Palfrey, and Charles Sedgwich. Charles F. Adams, Charles Sumner, and eight others, were appointed a committee to report resolutions and an Address. An eloquent letter was read from S. C. Phillips, declining to be a candidate for the Governorship, but warmly avowing his continued devotion to the Free-Soil party.

Mr. Julian, member of Congress from Indiana, addressed the Convention in an earnest speech. Mr. Burlingame also entertained the audience with one of his lively, energetic outbursts. The committee on nominations reported the following—

Hon. Stephens C. Phillips, for Governor.
Hon. Amasa Walker, for Lieutenant Governor.

These gentlemen were then nominated by acclamation.

The Convention was further addressed by Messrs. Leavitt, Adams, Sumner, Bradburn, and White. Spirited resolutions were adopted, a committee was chosen to prepare an Address, measures were taken to "circulate the documents" during the canvass, and at last the Convention, after an enthusiastic session, adjourned.

We are glad to see no indication of relaxation in the labors of the Free-Soil men of Massachusetts.

MR. GERRIT SMITH.

Mr. Gerritt Smith who, from time to time during the last ten years, has seen fit to make us the subject of his severest denunciation, eagerly laid hold of the unfortunate article on the subject of fugitive slaves, from the pen of our *pro tem*, and made it the occasion of an attack not only upon the *Era*, but also the American and Foreign Anti-Slavery Society, which had once favored it with a good word.

Lewis Tappan answered him in his usual pithy, and conclusive style, but Mr. Smith was not satisfied. He addressed Mr. Tappan another letter, an extract of which will serve as a fair illustration of the feeling cherished by that gentleman towards one, whose sin is, not being able to *see* the wisdom of the famous address to the slaves in 1842, or to recognise the abduction of slaves, as the best means of abolishing slavery:

"Nevertheless, I am surprised that you have forgotten my repeated public animadversions upon Dr. Bailey's editorials on the subject of promoting the escape of slaves. I have never been at peace with the Doctor, since I witnessed the *cruelty of his attitude towards Thompson, Work, and Burr, and his respect for the piratical enactments*, which they had broken. I have never been at peace with him since he argued against the much-talked-of Address to the slaves of 1842, as *he argues against those imprisoned and beloved brethren.* And surely there was nothing in his *cowardly and heartless disclaimers and utterances* at the time of the sad failure of the Pearl enterprise to reconcile me to him. In the National Convention, in 1848, I made a speech, not a little of which respected Dr. Bailey's *wicked regard for slave laws.* You read it at the time. I *now* send you a copy of it.

"I put it to your candor then, whether these things, in the history of Dr. Bailey, were not enough, *as I view such things*, to render the eulogium referred to deeply offensive to me at the time I read it—and that was months ago?

"I need say no more to make it evident, that the *cold-blooded and sophistical paragraphs from Dr. Bailey's pen*, at the time of the arrest of the dear and noble Chaplin, and the similar and no more guilty paragraphs in the Era of the 29th August, were not the *cause* of any dislike of your Society's eulogium on the Doctor. I cannot plead guilty to the anachronism—to the Irishism—in which you would involve me. These paragraphs are but another illustration of that unfitness, of which I was, long ago, convinced, of Dr. Bailey to edit an anti-slavery paper."

We have italicised certain passages, and have no objection to leaving them, without comment, to the judgment of our readers. Mr. Smith's philosophy is more in fault than his heart.

NOMINATION.—Mr. White, member of Congress from New York, positively declines a renomination. Mr. Sackett of Seneca, New York, the *Tribune* learns, will be renominated, unanimously. Well—the party cannot make a better nomination. Mr. Sackett is one of the true men of the House.

THE LOUISVILL EXAMINER, formerly a weekly, of late a monthly paper, has been discontinued. We regret it. During the emancipation struggle in Kentucky it was conducted with marked ability, and the fruit of its labors then will not be lost.

KINGSLEY S. BINGHAM, "faithful among the faithless" from his State, has been thrust aside by the Hunker Democrats of the 3d District, Michigan, to make room for Gen. Hascall, a follower of Gen. Cass. We hope Mr. Bingham will appeal to the people against the corrupt managers of party.

COL. BAKER.—Among the Representatives in the present Congress who are about to decline a renomination, is Col. Baker, of Illinois; we regret this. He is a gallant man, and has proved himself to be a true and an able friend of the cause of freedom.

GENERAL CASS happened to visit New York lately, and the Democratic Republican Committee happened to get wind of it. The result was, a small bit of glorification, got up by Rynders, Mike Walsh, and other worthies, at the Tammany Hall, where the General made his appearance, and also a speech. He complimented Webster and Clay for their conduct in the late controversy, and was especially profuse of his compliments to the *Journal of Commerce* and Bennett's *Herald*, which he seemed to regard as the model patriot papers.

THE ALBANY (N. Y.) EVENING JOURNAL says that "indications not at all equivocal connect the Federal Administration with those who bolted from the Whig State Convention," and in connection with this, it remarks—"we are prepared to look treason, come from what source it may, full in the face."

Mr. Duer undoubtedly labors to implicate the Administration in their movements; but we doubt whether Mr. Fillmore will consent to be used as an instrument for breaking up the Whig Party in the State of New York.

THE HON. CHESTER BUTLER, a Representative from Pennsylvania, died a few days since at Philadelphia, on his way home.