

shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due."

It is matter of public history, that this provision was inserted in the Constitution of the United States, as the result of a compromise, and for the purpose of enabling the owners of fugitive slaves to recover them, in the free states; and that, without it, no constitution could have been formed. The provision, I believe to be binding upon the state, and upon the people of the states, and every public functionary is under the solemn obligations of an oath to obey its mandates. By means of this, Congress had the discretionary power to legislate, to carry out the design of the provision, not infringing on any other article or section in that instrument; and this constitution, and the laws of Congress and treaties made in pursuance of it, are declared to be the supreme law of the land.

If the late act violates this instrument, in what does such violation consist? Not in establishing new or unusual rules of evidence, for when the constitution is silent, they are within the legislative discretion. Not in denying a jury trial, for it does not differ, in this respect from the law of 1793, which has remained for fifty-seven years in force, and been sustained, both by state and national decision, with but little, if any, complaint.

One of our most able elementary writers is of the same opinion.—Judge Story, in his commentaries on the Constitution, uses this language: "It is obvious that these provisions for the arrest and removal of fugitives of both classes, 'from labor and justice,' contemplate summary, ministerial proceedings, and not the ordinary course of judicial investigation. And in the case of fugitive slaves there would seem to be the same necessity of requiring only prima facie proofs of ownership, without putting the party to a formal assertion of his rights, by suit at the common law." Judge Grier denies, in any case of extradition, that a jury trial is warranted by the Constitution, authorized by usage.

I think no cause, of a mere preliminary examination, can be found, or trial by jury, in any of the United States.

The 6th article refers to a final criminal judicial trial, to establish or acquit of guilt, and the 7th to civil trials, at common law, meaning final judicial trials.

These are the only provisions in the Constitution of the United States on the subject, and neither reaches any case of preliminary examination, and especially where the proceedings are ministerial, rather than judicial.

Is the law unconstitutional because it suspends the writ of Habeas Corpus? Suppose it is, what is the consequence? Merely that the provision suspending the writ would be void, and the writ issue, as in other cases. I am, however, of the opinion, the language used does not suspend the writ. It is no more than the language which the law applies to every court of exclusive competent jurisdiction.

The writ is to discharge from illegal restraint; if the imprisonment be legal, the writ itself is discharged.

These have been, so far as I have observed, the main objections to the constitutionality of the law, neither of which, in my opinion, is well taken. It is void because it opposes the law of God? Here I will quote the language of one of our most distinguished men, whose great experience and extensive acquirements are his least commendation. In a case lately tried before Judge McLean in the State of Indiana, this identical question was presented, and he uses this language in his charge to the jury: "No earthly power has a right to interpose between a man's conscience and his Maker. He has a right, an inalienable right to worship God according to the dictates of his own conscience. For this he alone must answer, and he is entirely free from all human restraint to think and act for himself. But this is not the case when his acts affect the rights of others. Society has a claim upon all its citizens. General rules have been adopted in the form of law for the protection of the rights of persons and things. These laws lie at the foundation of the social compact; and their observance is essential to the maintenance of civilization. In these matters, the law, and not conscience, constitutes the rule of action."

I think the view thus expressed, is unanswerable, and the result, therefore, to which I have arrived, in my own mind, is, that the law is binding and obligatory, and should advise against its opposition by any act of violence.

By this law the slave is deprived of no right which he enjoyed before, under the law of 1793, or under the constitution of the United States, as explained by the Supreme National Tribunal, in the case of Priggs vs. the Commonwealth of Pennsylvania.

It was there held that, although Congress might legislate, legislation was unnecessary for the capture of fugitive slaves, that the Constitution executed itself, and the owner might

seize and return them, when found in any other State, by virtue of its authority alone.

I must not, by any means, be understood, however, as attempting to defend the propriety and expediency of this law. It is unacceptable to a large majority of the people of the North.

Public disapprobation will continue to hamper its execution, and agitate its repeal. It is, in my opinion, inexpedient. The old law of 1793, was infinitely better for the security of the master; for, exceptable as it was, in some of its features, a long and general acquiescence had given it a moral force, which this can never attain.

A law that makes exparte evidence conclusive of the masters' rights to recapture and return his slave; that denies a jury trial here or elsewhere; that provides for the appointment of swarms of petty officers to execute it; that gives a double compensation to find every claim set up in favor of the master; and pays the expenses in any case, from the public treasury, can never receive the voluntary co-operation of our people.

But with all these objections to the propriety of the law, violence is not to be thought of for a moment. There is a constitutional and legal remedy. A remedy that will not overthrow that stately edifice of freedom erected by our ancestors on the ruins of colonial oppression and dependence, and which has hitherto been protected by the majesty and supremacy of law.

That remedy is amend mentor repeal, and even if that fails, the Union of these States is still worth preserving, and the law, however odious, should be submitted to, as both a civil and a Christian duty.

No State was more indignant at the course pursued by South Carolina, when that State threatened to nullify a law of Congress, and dissolve the Union, than Ohio.

Let her people be careful not to imitate an example they have so repeatedly condemned, but ever let them rally round the Union of these States, whether assailed from without, or from within.

The Flag of the Union must be carried down to future generations, unsullied and untorn; and, if not, in God's mercy, let Ohio defend it, till the last act has sealed its miserable doom. REUBEN WOOD.

December 12, 1850.

Court in Bank. We notice the following among the recent decisions of this Court.

Oliver Coverles vs. Griswold E. Warren, et al. Error. Galia. Avers, J. held.

That the statute relating to estray animals, and to the taking up of boats, rafts, &c., going adrift, does not authorize the party taking up a raft to seize it under a writ of replevin, when in the hands of the owner, even though the owner had regained possession of it by force.

Judgment affirmed.

Town of Centerville.—This town has organized under an act of incorporation passed last winter. The following are the officers elected. J. C. McCollister, Mayor; Dr. J. Harrop, Recorder. John Sanns, M. D., Treasurer; Dr. Williams, Thos. Buck, A. M. Waddell, David E. Edwards and T. G. Bigelow, Trustees.

GALLIPOLIS & KANAWHA PACKET.

The light draught and fast running Steamer SKIPPER.

J. H. SUMMERS, Master, leaves Gallipolis every Wednesday and Saturday morning; Kanawha Salines every Tuesday and Friday.

For freight or passage apply on board.

HEREBY INFORM the public generally, and especially Physicians, heads of families, and country dealers, that I have just received from the city of Philadelphia a very large assortment of Dr. Cassell's, Dr. Zenger's, Vegetable and animal Oils, Patent Medicines, Perfumery, &c., &c., which, with my former stock, makes a full and general assortment of Good Articles of the kind, as was ever in this market. I respectfully invite Physicians to give me a call; for the reason, that in selecting my medicines, I have used every precaution in the compass of my power, to get an article that those of the best quality. No one was ever more fully impressed than myself, with the conviction, that it matters but little what the capacity of a Physician may be, if his prescription, when sent to the Druggist, is filled up with inert or adulterated medicines. Under such circumstances, a Physician of the best skill may lose his reputation, and his patient lose his life; and all for the sake of a little gain of the meanest kind. My light medicines, and medicinal roots generally, and my Chemicals altogether, are from the Laboratory of Charles Ellis & Co., of Philadelphia, one of the largest and best establishments of the kind on this continent, conducted by men, celebrated for their science and integrity, and all whom all Empiricists and quackery are treated and despised. In selecting my Patent Medicines I have been careful to reject every article not in well established repute. It is impossible in an advertisement to give an enumeration of half the articles in a Drug Shop but I can assure all that may favor me with a call, that they can find no better articles in my line, and as cheap as they can be had any where in this region.

Dec 18, 1850. JOHN E. FLEMING.

The Stock holders of the Union Woolen Factory will meet at their office on the first Monday of January next to elect President and Directors and to consider business for the ensuing year. Gallipolis Dec. 18, 1850.

CHARLES CURTIS, President.

The Fall of the Comet. In forty degrees in length, but so thin in substance that stars are visible through it. The marvellous tales of some nostrum-mongers are nearly as long, and quite as easily seen through.

The proprietor of Dr. Guyott's Extract of Yellow Dock and Sarsaparilla, however, has no occasion to resort to such tales in order to attract public attention.

The actual cures performed by the article, wherever it is introduced, is the basis upon which the reputation of the remedy is founded, as the hundreds of certificates of renewed hopes—health and life, that are continually flowing in upon, will prove.

Humbly may flourish for a time, but a remedy must possess rare medicinal virtues, to establish the reputation that Dr. Guyott's Yellow Dock and Sarsaparilla has established wherever it has been used.

See advertisement in another column.

Of all diseases flesh is heir to we say, deliver us from Corruption. She, with soft and stealthy steps, hurries the victim in a great many cases into another world, with constant and flattering hopes of a speedy recovery.—There are an hundred different articles now offered to the public, as great cures for this dreaded malady, but none have we seen that is entitled to the confidence we repose in Dr. Rogers' Compound Syrup of Liverwort and Tar. We have heard and seen its effects, and the certificates too, of some of the leading men in Cincinnati are appended to the pamphlet. If you have a cough, use this medicine. If you are fearful that this dreadful disease is preying at your vitals, delay not, but take this and use it. It will not harm you, if it should possibly do you no good.

See advertisement in another column.

GALLIPOLIS MARKET. December 19, 1850.

CORRECTED WEEKLY, BY E. DELBERT & CO. ENTIRELY VEGETABLE.

It is warranted to be purely and ENTIRELY VEGETABLE.

As a Female and Family medicine it has no equal.

Be sure you inquire for Dr. S. D. Howe's Shaker Sarsaparilla, and take no other.

Quarter Bottles \$1 per bottle, or six bottles for \$5.

For sale by DR. S. D. HOWE & CO., Proprietors.

No. 1 College Hall, Cin., to whom all orders must be addressed, and by MAGNET & NARET, Agents, Gallipolis, O.

Oct. 17, 1850.—3m

FRESH OYSTERS!! AT HENRY VENER'S.

The subscriber would respectfully inform his numerous friends and the public generally that he has just received, by way of Wheeling, a large shipment of BALTIMORE OYSTERS, fresh from the shell, put up in cans, well packed in ice, and is now prepared to serve them to customers at his SALOON, (which has been fitted up expressly,) in any style called for.

He has also made arrangements to be supplied regularly throughout the season with FRESH OYSTERS, so that his friends will in future know where to find the FRESH ART.

PRICES: Stewed, Fried, or any other style, per dozen, 30 cts. Raw, per dozen, 25 cts. Whole cans, \$1 75. Half cans, 87.

H. VENER. Nov. 21, '50.—3m

From Arnold Buffum, the Philanthropist.

Dr. Brandreth, my dear friend, if to be good and to do good is the highest duty of man; and if to do good is the highest evidence a man can give of his goodness, then I feel, that I am a man who has come up to the mark of man's destiny.

As a testimony that this is not vain fancy, I give the following brief sketch of my own experience.

When I was twenty years old, I was very sick for about two months with what my physician called "Slow Fever," during which time I took much medicine; from that time for 24 years, I was very often sick and under the care of my physicians, and purchased a box of Brandreth's Pills, and finding them on trial, to be more effectual in removing disease, than any medicine I had ever tried before, I replenished my supply from time to time, as occasion required.

Since that time I have spent three years in the Western Country, where I was very much exposed to vicissitudes likely to produce disease; twice I have crossed the Atlantic Ocean, and have now spent the last four years in an office in this city. Once while traveling in the West, I was taken suddenly very ill, my friend at whose house I stopped called a physician, who made a very careful examination of my case, and then proposed to commence a process which he stated would reduce my system as to confine me to my bed for some time, and he also stated his prescriptions, took a dose of Brandreth's Pills, called the next day and paid the physician for his visit, and pursued my travel, and this is the only instance of my being visited by a physician, and purchasing the first box of Brandreth's Pills 12 years ago.

My health is now vastly better than it has been for 34 years before I commenced the use of these Pills. They have been my constant companion wherever I have been, by land or by sea, and my only medicine. I am now ten pounds heavier than I was before I used them; when I take a cold now, I have no cough, and I attribute all this change, under God, to the substitution of Brandreth's Pills, for the medicine which was before used, and to which I was before subjected. My wife, too, by the same means enjoys the same uninterrupted good health. Our Doctor's bill for both of us, have not amounted to five dollars in twelve years. When we find our health impaired from any cause, we take a dose of Brandreth's Pills, and the difficulty is removed, and judging from my own experience, I believe if every family should adopt the same practice, the health and the longevity of the community would be greatly promoted.

Most respectfully friend, ARNOLD BUFFUM.

L. F. MAGUET, Gallipolis; Thos. Evans, Centerville; J. H. Allen, Cambridge; J. L. Newman, Ridgeway; J. W. Welch, Patriot; Martin Gilmore, Point Pleasant; V. J. Jas. List, Pomeroy; C. M. Martin, Jackson. Nov. 21, 1850.

NOTICE.—At my instance an attachment was issued by the Hon. the Court of Common Pleas of the Peace of Gallipolis township, Gallia Co., against the property and effects of Wm. M. Shirts, an absconding debtor, a non-resident of the State of Ohio. JOHN WILLIAMS. Nov. 25, 1850.—3m

Henry Tipton's Estate. Notice is hereby given that the subscribers have been appointed and qualified as Administrators on the estate of Henry Tipton, late of Galia county, Ohio, deceased.

HUGH DAVIDSON, Admr. Dec. 19, '50.—3m

Look here, my Friend! Are you a Father, laboring for the support of a family, and suffering from general debility and low spirits, so that life almost seems a burden, use Dr. S. D. Howe's Shaker Sarsaparilla.

ARE YOU A MOTHER? Suffering from disease to which females are generally subject, use Dr. S. D. Howe's Shaker Sarsaparilla. It will certainly cure you.

Male or female, old or young, all and every family should have this excellent Family Medicine by them. Call at our depot, or on one of our Agents, and get a sample, gratis, where you will find it.

FACTS! FACTS! FACTS!!! That can be substantiated by thousands of living witnesses in this city and county, viz: that the Shaker Sarsaparilla, has been the means of permanently curing more diseases to which the human family are continually subject, than any other preparation of Sarsaparilla ever yet offered to the public.

The purity and efficacy of the Shaker Sarsaparilla is well known, and requires no long list of certificates and cures to introduce it; its increased demand for the past twelve years, is its best recommendation.

This medicine has established its high reputation throughout New York and New Hampshire, and the Eastern States generally, by its numerous and well attested cures; and also by the recommendation and approval of the first physicians, who now use it in their private practice.

It is the only Sarsaparilla that acts on the Liver, Kidneys and Blood at the same time, which renders it altogether more valuable to every one, particularly Females.

Dr. Cassell, Professor in the Ohio Medical College, says the Shaker preparations are truly valuable, and recommends them to the public. No Mercury—no Mineral—no Poisonous Drugs in the Shaker Sarsaparilla.

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The Great Remedy for Consumption of the Lungs, Affections of the Throat, Bronchitis, Pain or Weakness of the Breast or Lungs, and other Affections of the Pulmonary Organs.

WISTAR'S BALSAM OF WILD CHERRY. It is a fine herbal medicine, composed chiefly of Wild Cherry Bark, and the genuine Licorice Root, (the latter imported expressly for this purpose,) the rare medicinal virtues of which are also combined by a new chemical process, with the extract of—thus rendering the whole compound the most certain and efficacious remedy ever discovered for CONSUMPTION OF THE LUNGS.

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It is offered to any person who will produce one-fourth the amount of real estate of positive curable cases of Consumption, or diseased Lungs, as Dr. Cassell's LIVERWORT and TAR, has made in this city or any other place where it has been introduced. Although it has not been put in the city papers, an editorial notice, by the Proprietor, for the sale purpose of gain, (as most medicines are without regard to their worth,) yet the demand has been enormous. In the city of Dayton alone, where this medicine has not been advertised to the amount of ten dollars, we received an order from Messrs. Ellis, Chadler & Co., to the amount of one thousand bottles. And this too, in the summer season, when there is comparatively little or no demand for medicine of this character.

STATEMENT OF DR. HIRAM COX. Late Professor in the Cincinnati Eclectic Medical College, and a physician well known, who has extensive practice in relation to the cure of Miasa Belt, after having been great up to die with the last stage of consumption by a number of able physicians.

Mr. A. L. Scoville.—Sir: However reluctant I have been to permit my name to appear attached to a certificate, bearing the name of Patent Medicines, Nostrums or Cathartics, I nevertheless think it my duty, not only to my patients, but to the community, and all afflicted with diseases requiring such medicines, to state that in three particular cases of incipient Consumption, viz: Miss Bell, sister of Mr. John Cox of this city, a Miss Darger, sister-in-law of Mr. W. Vander, both of whom were in the city of Cincinnati, and Mr. R. K. Cox, one of our city council, that Dr. Rogers' Compound Syrup of Liverwort and Tar operated upon me like a specific, and any remedy of a similar character in my opinion, that I have ever used in my practice. One of the cases above, viz: Miss Bell, appeared to be laboring under the last stage of Consumption, as pronounced by several physicians who were in attendance previous to my being called to treat her case. She is at this time in the enjoyment of as apparently good health, and from appearance, as likely to die with any other disease, as any other young lady in the city. As it respects the health of the other two cases, the threatening pulmonary symptoms seem to have subsided, from the use of a few bottles of the Syrup above.

Very respectfully, HIRAM COX, M. D. Cincinnati, Jan. 25, 1847.

Have you a Cough? Call on the following well known citizens and see whether they will not recommend you to try this medicine as one: Hon. Judge Wm. Burke, J. P. Gorman, Esq., Griffin Yeats, Esq., James Foster, Esq., Col. J. Riddle, Stephen Burrows, Esq., David Churchill, Esq., Thomas Mitchell, Esq., J. T. Craspey, Esq., Esopeter Harrison, Esq., Mr. Samuel Trevor, of the firm of Wood & Trevor, Messrs. John R. & Rev. George Maley, Rev. Mr. Walker, Mr. Samuel R. Lee, Mr. John H. Hudson, at the corner of Main and Abigail streets, used this medicine upon a periodical cough of more than fifty years standing, with entire success.