

The Liberator, Vol. XXV, No. 8

Extracted on Apr-23-2024 11:27:02

The Smithsonian Institution thanks all digital volunteers that transcribed and reviewed this material. Your work enriches Smithsonian collections, making them available to anyone with an interest in using them.

The Smithsonian Institution (the "Smithsonian") provides the content on this website (transcription.si.edu), other Smithsonian websites, and third-party sites on which it maintains a presence ("SI Websites") in support of its mission for the "increase and diffusion of knowledge." The Smithsonian invites visitors to use its online content for personal, educational and other non-commercial purposes. By using this website, you accept and agree to abide by the following terms.

- If sharing the material in personal and educational contexts, please cite the National Museum of African American History and Culture as source of the content and the project title as provided at the top of the document. Include the accession number or collection name; when possible, link to the National Museum of African American History and Culture website.
- If you wish to use this material in a for-profit publication, exhibition, or online project, please contact National Museum of African American History and Culture or transcribe@si.edu

For more information on this project and related material, contact the National Museum of African American History and Culture. See this project and other collections in the Smithsonian Transcription Center.

[[page header]] 30 THE LIBERATOR. FEBRUARY 23. [[/page header]] [[6 columns]]

iistart column 1]]

name. All our love for the lecturer, and all our interest in anti-slavery, could not keep down some feelings of choking at this unnecessary slur upon one whose services and character are so precious in American hearts. Indeed, we distrust the wisdom or justice of holding the men of other generations to the standards of our own. Men are to be judged by their own lights, not by ours, and there can be no pretence that slaveholding was as sinful two generations back as it is now. 'If I had not come and spoken unto them, they had not had sin.' said our Saviour, and, with Mr. May's notions of Mr. Garrison's mission, as almost or quite divine, we cannot see how he can fitly hold those who lived in the ante-Garrisonian era amenable to the Garrisonian Gospel. This, however, was to us only a small blemish, and evidently a beauty-spot to the audience.

The lecturer's opening comparison of the origin of the anti-slavery cause with the rise of the Danube, starting in a spring in a nobleman's garden at Baden, was admirably carried out. It formed a sort of musical theme, or key-note, to which he constantly and delicately referred in an artistic manner all through the lecture, and which finally grew into a flood of mild eloquence, as he likened, in conclusion, the swell of the current, which had feebly begun in Garrison, but had gathered a hundred noble tributaries (whose names were all mentioned) to the Mississippi, sweeping away the dykes of the south, and bearing its resistless fertility into the whole country. 'This moral Mississippi,' the anti-slavery sentiment of the North, was destined, he said, to a triumph over a Southern prejudices, similar to that which Northern waters had over Southern plains.

We know no instance of the union of radical notions, and uncompromising practices, with a mild spirit and gentle manners, equal to that exhibited by Mr. May. If he will let Washington alone, we will engage to thank him, should he think it is his duty to box our ears in public. We doubt not that the severity of the blow would be accompanied with a smile, which would make it easy to turn the other cheek. Our friend's satire and severity are lined with tenderness, and resemble the ordinary kinds of anti-slavery wrath about as much as the blackness of the clouds around the full moon resemble the blackness of the thunderstorm.

Leaving out the first third of the lecture, which was too general to be interesting, we think the last two-thirds were eminently instructive, and ought to be seen in print.

Mr. May exhibited the first number of the Liberator--a very interesting and curious document. He read from it the passage in which Mr. Garrison announces his intention of being as 'harsh as truth' in his treatment of slavery--a promise the public think him to have at least fully redeemed. [[horizontal line]]

DR. HOWE AND THE ADVERTISER.

The Boston Daily Advertiser having refused to publish the entire letter of Dr. S. G. Howe, which was sent to that paper in reply to some unjust strictures upon the Anti-Slavery Lecturing Committee of this city, the Atlas publishes it by request, and from it we make the following spirited extracts:—



Let it be granted, for the sake of argument, that two lecturers did handle the court pretty severely, and that a Boston audience of three thousand people pretty generally applauded them; what then? 'Is this the fault of the committee, lecturer, and audience, or of the Court, and of persons like the 'Writer,' who uphold it in the position it takes, favorable to slavery and hostile to freedom? The spirit of the Court, not the personal character of the Judges, was assailed. Let us suppose a case, only one very much less atrocious than the Burns case. Suppose that Congress had passed a law, authorizing the impressment of seamen. Suppose that a course of lectures was arranged upon the subject of service on shipboard, sailors' rights, &c.; and that the 'Writer' was one of the lecturers invited. After the course is arranged, down comes a press gang, seizes upon a young man, one of a most respectable family, one of the Quintii, for instance. The people are in tumult; they assemble in Faneuil Hall: the elder encouraging them to rescue the young man. But the press gang hale their captive before a press gang commissioner, who is 'judge' for that special service, and he declares that the law must be obeyed--that the young man may be carried off by force, and made to serve five years, perhaps for life, before the mast, in a man-of-war. Then a higher tribunal arrests the elder Quintii for treason, and they are bound over for trial. Now would not the writer, when he came to lecture, naturally allude to press gangs, and be severe upon the Court, which interpreted doubtful laws in favor of the press gang, which entertained complaints against those who resisted press gangs, and held them to trial for treasonable offences; and would not the audience applaud his severity, and say, go on,--give it to them! I trow, yea.

Well, was not poor Burns equal in the sight of God to the greatest of the Quintii; was he not equally entitled to his liberty? nay, was he not more fully entitled to it, since he had struck a brave blow to win it, and they had only enjoyed it?

With the above explanation and illustration. I do admit that the U.S. Courts have been pretty freely criticized: and the spirit which animates some of the Judge's very severely condemned. Most certainly I justify this. I hold, however, that the severest and most dangerous attacks upon the court have been made by Judges themselves, here and elsewhere in the United States. The Courts are but instrumentalities of the people. If the people begin to feel that conscience should be absolute and supreme, and law relative and subordinate, and the Courts continue to decree that law must be absolute and supreme, and conscience relative and subordinate, the people will demand better instrumentalities, and that soon. If Courts continue to be so administered as to admit the binding force of enactments of Government which outrage the feelings and shock the conscience and natural humanity of the people, then the courts will be revolutionized, and the Judge become the mere Chairman, to keep order, while twelve good men and true pronounce upon the law and the facts.

I am free to confess that I am not alarmed by this prospect. Indeed, I can conceive many cases besides that of fugitive slaves, in which a man's freedom and right would be safer if committed to 'God and the country,' than to commissioners and judges.

The writer asks whether it was not known, when Mr. Wendell Phillips was invited to lecture, that he cared for neither Union nor Constitution, and was in the habit of denouncing both?

Most certainly it was known. He was invited because he is representative of the class of men who advocate a particular mode of getting rid of the criminality of participation in the national sin of slavery, to wit: by abruptly dissolving a partnership--a Union, by which alone the system can be upheld and continued.

The committee did not make themselves responsible for Mr. Phillips, or any other lecturer, on the mode of treating the subject: they left to each one the responsibility, and the audience could applaud or condemn.

The committee do not endorse Mr. Phillips's doctrine; though, for one, I am free to say, that unless there is soon to be a change in the national policy—if this Union is to be a Union for upholding, extending, and perpetuating slavery, instead of freedom, then I go for the quickest and most effectual way of breaking it up.

What! is the Constitution a Divine Revelation, that we may not doubt its holiness? Has it not, rather, been transformed, by juggling politicians, into a horrible Fetish, demanding human sacrifices, which we are required to aid in offering up? Were we not yesterday hunting down one of the poor victims to be sacrificed to this Fetish?

Slavery rests upon the impious doctrine that MAN CAN BE LEGALLY CHATTELISED; that one man can own another man; can buy, sell and work his brother man, as though he were an ox or an ass; and wherever this infernal doctrine is not openly repudiated, condemned, scorned and spit upon, there and there only, can slavery find support. Massachusetts admits the doctrine; or, at least, Boston admits it: for men are here seized under cover of it, and are sent into slavery under cover of it, by Commissioners holding Judgeships; and when Christian people rise up, and cry out, 'This is a horrible doctrine, we will not let a poor fugitive be sacrificed to it,'--then the Mayor, and the police, and the military, turn out, and say practically,---'it is a good doctrine;' great is slavery,---the victim must be offered up, though the streets run with blood!'

[[end column 1]]

[[start column 2]]

Finally, the writer thinks he has me on the hip, when he asserts that the court merely charged that he who incites others to commit an offence is a participator in the offence; and asks, triumphantly, 'Does Dr. Howe deny either that this principle is good law, or good morality?' But here is the very gist of the whole matter. Offence against whom? against what? Does interfering to hinder and prevent a slave-hunter from carrying off into bondage a free and innocent man, from our very streets, constitute an offence against 'good law or good morality'? Some Courts, some Judges, and perhaps the writer, say yes! but God,speaking through Jesus Christ, and through the unperverted sentiments of humanity, says no!--but do unto thy brother as thou wouldst he should do unto thee; and so help me God, I will!

I speak not for the Committee, but for myself alone, and say that by every manly means will I resist the re-enslavement of any fugitive that may be attempted here. By legal means, if possible; if not, then by all other means that are just; by exciting my fellow-townsmen to resist it; by resisting myself; by barring the passage with my body; by such other means as the courage and presence of mind left to me in the crisis may

suggest as available against any but overwhelming force.

I would not have said this before Courts and Commissioners showed themselves the ready tools for enforcing a barbarous enactment, which no legislation can ever transform into binding law. I would not have said it before it was manifest that the hunted fugitive, who cried to us for protection, could not be shielded by the law; but I say it now and deliberately.

This is my answer to the 'writer's' taunting question, whether 'Dr. Howe's not tamely submitting to law is merely a form of expression, or does it mean what it seems to imply?' It means what it seems to imply; let the 'writer' make treason of it, if he will.

Whoever else may throw a stone at me, an advocate of peace, for resisting law, let not those begin who approve of ordering out horse, foot, artillery and armed police, to 'keep the peace,' by upholding a kidnapper, while I would keep it by knocking him down, if necessary; because their way will surely cause more bitterness and blood than mine would, before this horrible business can be ended. [[horizontal line]]

From the Milwaukie Free Democrat.

LETTER FROM JUDGE JAY.

The following letter from the venerable Judge Jay, of New York, the worthy son of the first Chief Justice of the U.S. Supreme Court, will be read with interest. Enclosed was a check for fifty dollars, a practical proof of his devotion to the principles of freedom, and of his abhorrence of human slavery:—

NEW YORK, Feb. 2d, 1855.

Sir:--I learn from the papers that you have been tried, convicted, and sentenced, for resisting the execution of the Fugitive Slave Act. That law was, in my opinion, conceived in sin. It was a vile bid for Southern votes in the Presidential contest. I cannot understand how any man who respects himself fears God, and hopes for salvation, can descend to the turpitude of catching slaves. Our Fugitive Law is a horrible outrage on justice, humanity and Christianity, an outrage committed by native Americans calling themselves Republicans! I am not aware of any law of equal atrocity existing in Russia, or Austria, or France.

The wickedness of the Fugitive Law, and the countenance given to it by interested and unscrupulous 'gentlemen of property and standing,' emboldened the present Congress to perpetrate the Nebraska villainy. The Jury who convicted you did themselves great honor by the remarks accompanying their verdict. They would have done themselves still more honor, had they resolutely refused to enter the Jury-box, telling the Judge on the bench that they would not be made instrumental in giving efficacy to an accursed law.

Please accept the enclosed check, as a contribution toward the payment of your fine. May your conviction and sentence have a mighty influence in extending and deepening a detestation of American despotism, and of its Northern minions.

SHERMAN M. BOOTH, Esq. [[horizontal line]]

LETTER FROM SENATOR CHASE.

The Milwaukie Free Democrat publishes the following letter, lately received by the editor from Hon. S. P. Chase, of Ohio. It will be seen that this distinguished jurist and statesman entertains no scruples against removing from office, judges who have disgraced themselves by executing with alacrity the Fugitive Slave Act:--

WASHINGTON, FEB. 7, 1855.

Dear Friend:—The telegraph flashes to us the news that the Supreme Court of Wisconsin has delivered you out of prison. If this be so, as I most earnestly hope it may be, that Court has the honor which I trusted the Supreme Court of Ohio might have had, of first practically declaring the unconstitutionality of the Fugitive Slave Act. The decision may bring on a conflict between the State and Federal Judiciary, in which the State Court will certainly have the right side, and doubtless, the courage to maintain it. Wisconsin now presents a most interesting spectacle of Constitutional Right and Eternal Justice, opposed to Unconstitutional Usurpation and Arbitrary Power. The progress and results of the struggle most deeply interest all good men and true patriots.

The election of Durkee--that sincere, honest, and faithful man--to the Senate, gives great satisfaction to all the friends of freedom here. You may remember that in 1802, after the accession of Mr. Jefferson to the Presidency, Congress repealed the Judiciary Act of the preceding year, by which repeal all the Judges appointed under the Act were deprived of their offices. The present District Judges hold their offices under acts equally repealable. The spirit which the administration of the Fugitive Slave Act is awakening in the country, may, not improbably, require a future Congress to repeat the Jeffersonian precedent.

I had the pleasure of adding my mite of ten dollars to the Congressional contribution for the indemnity of yourself and Rycraft. I wish I could make it ten times as much: but, at present, this is not possible. You must not, however, be permitted to sustain any pecuniary loss; and must allow me hereafter to contribute further if necessary. Cordially your friend, S. P. CHÁSE. SHERMAN M. BOOTH, Esq. [[horizontal line]]

TREASON IN THE U.S. SENATE.

[Correspondence of the Tribune.]

WASHINGTON, Saturday, Feb. 3, 1855.

The variety of character in the Senate is a subject of study. Judge Evans, of South Carolina, a very sedate, and, I have no doubt, a very honest man, without suspicion as to the righteousness of slaveholding, sits near Senator Wade, an equally honest man, but a most decided opponent of slavery. Somebody sends very regularly to Mr. Evans a copy of the Liberator (Garrison's paper), which he reads attentively, but with the most profound and verdant astonishment. Turning to his friend from Ohio, he exclaims, 'Isn't it abominable that such a paper should be allowed in this country!'

'Why,' says Senator Wade, 'that's considered in our State as a most excellent family paper.' I am sorry to hear you say so,' says the Judge, evidently much surprised.

The temper of the times was illustrated to-day. A Northern Senator, having read the appeal in the Independent for subscriptions to pay the fine of S. M. Booth, collected among his colleagues quite a handsome

sum toward that object, which greatly shocked the loyal feelings of Douglas, Weller, & Co.

An incident no less illustrative and significant occurred not long since. A slave applied to one of the Senators from a Western State for a contribution to purchase his freedom. 'Why the devil don't you run away?' asked the Senator, adding, 'I can't give money to buy slaves.' The poor fellow as turning away disappointed, and the rest of the company, the Southern portion especially opened their eyes. 'Here,' said the Senator, calling him back, 'here's ten dollars, take that and run away, but don't ask me for money to buy a slave.'

Here you see what treasonable characters there are even in the Senate of the United States. And what is more, they seem to be increasing. But, as Senator Wade said to Douglas, "What are you going to do about it?" [[end column 2]]

[[start column 3]]
THE LIBERATOR.
[[horizontal line]]
No Union with Slaveholders.
[[horiz line]]
BOSTON, FEBRUARY 23, 1855.
[[double-horizontal line]]

HEARING ON THE PETITION FOR THE REMOVAL OF JUDGE LORING.

The Committee on Federal Relations held a public hearing in the Representatives' Hall, Tuesday afternoon, on the petitions presented to them for the removal of Hon. Edward G. Loring from the office of Judge of Probate. The Hall and the galleries were crowded to their utmost capacity, and hundreds were obliged to go away.

The Committee consisted of Messrs. Albee of Middlesex, and Pierce of Norfolk, on the part of Senate, and Messrs. Stone of Boston, Knowles of Eastham, Devereux of Salem, Warner of Northamptom, and Gould of Falmouth, on the part of the House. Mr. Albee was chairman.

On the part of petitioners, Messrs. Seth Webb, Jr., Wendell Phillips, and Charles M. Ellis appeared before the Committee. Judge Loring neither appeared in person nor by counsel, but sent the following letter to the Committee, in reply to the notification of the hearing.

To the Joint Standing Committee on Federal Relations; GENTLEMEN: I have the honor to acknowledge the receipt of notice to attend a hearing before you upon the petition for my removal from office on Tuesday afternoon, February 20th, in the Representatives' Hall, at 3 o'clock.

In fulfillment of the duty imposed on me by my official position, as a judicial officer of Massachusetts, as well as in justice to myself, I submitted, on the 10th day of February, to the Honorable the Senate and House of Representatives, a remonstrance and protest, containing a statement of the facts and circumstances of my action in the matter to which the petitioners refer. That document has been referred to you. I do not know that I can add to it, and therefore avail myself of the

opportunity which your notice affords me, respectfully to recall your attention to that statement, and request of the committee such consideration of its facts and reasonings as in their judgment they may deserve, or the occasion may prescribe; and I submit, in view of them, that my acts present no case for exercise of the extreme and peculiar power of removal, as the same has been universally expounded and administered in all American Constitutions, and that conformity to the Constitution and laws of the United States is not reason for withdrawing from a judicial officer that security which the Constitution for Massachusetts assures him 'during good behavior.'

I have the honor to be, very respectfully, Your obedient servant, EDWARD G. LORING

Boston, Feb. 19, 1855. SETH WEBB, JR., Esq., of Dedham, first spoke in behalf of the petitioners, stating clearly that he proposed to show that it is the right and duty of the Legislature to address the Executive for the removal of Edward G. Loring. Jerusalem had her days of purification, and Rome her days of lustration for the crimes of her great public men. Of such a nature is the act which the Legislature is called on to perform. A great act of infamy has been done in Massachusetts, when Anthony Burns was sent back from under the shadow of the State House and through the streets of Boston into the ruthless and brutal hands of a Virginia horse-jockey and slave jockey. Then an act was done for which

somebody is responsible. Let us know who it is! (Applause.)

After further remarks, fixing the responsibility on E.G. Loring, Mr. Webb said: We ask you, Mr. Chairman, simply, that he be a judge no more. We say that it is not fit that a man on whom rests the spotless ermine of the Massachusetts judiciary should bow down to false gods, and go into the house of the Southern strange woman. He has defied us with the assertion that so long as the people of Massachusetts permit, he will be a judge under the laws of Massachusetts, and a Commissioner under the laws of the United States; that the piratical flag of slavery. We ask, not that he should be punished, but that he should be removed from his public to a private station, and that he may be placed with the others of the pack, of whom one was he who could not be endured at the foot of the stairs leading to this Hall.

Had he not defied the people, and advertised that he would send fugitives still into slavery, he might be forgiven and permitted to remain in office: let him repent, and he may be taken back. But while this defiant and impudent attitude remains in the face of an overwhelming public sentiment, speaking everywhere from hill and plain, we cannot do otherwise, so help us God, than ask for his removal. As we understand it, so long as he persists in being a fugitive slave Commissioner, so long there is something on his hand which all the perfumes of Arabia will never wash away. This being the attitude which he has himself chosen to take, we respectfully submit to you, in behalf of these petitioners and our own, in behalf of the people of Massachusetts whom he has disgraced, and whose honor he has trampled under foot, in behalf of the whole free States, through which, from Wisconsin and lowa to Maine, there went forth one shudder of horror at the deed he did, in behalf of our common country and of civilized humanity, we pray you to remove him from the bench he has degraded and disgraced.

Mr. Webb argued briefly that the Legislature had a right to remove him

in the manner prayed for by the petitioners, and quoted chapter 3d of the Constitution, relative to the tenure by which the judges hold their office. He closed by presenting the following points for the consideration of the committee:

- 1st. The Legislature has the right to address the executive for the removal of a Judge, whenever, in its judgment, such removal is demanded by the interests, the public sentiment, or the honor of Massachusetts.
- 2d. The Judge of Probate of Suffolk county ought to be removed, because, in acting as a Commissioner under the Fugitive Slave Act, he outraged the just and solemn convictions of the people of Massachusetts, whose judicial servant he was, and committed a deed infamous in the eyes of the civilized world.
- 3. Because, in reducing Anthony Burns to slavery, he wrested the laws to the support of injustice; tortured evidence to help the strong against the weak; prejudged a fellow-creature whom he found in the possession of freedom, into unceasing bondage, and throughout the case, administered a merciless statute in a merciless spirit-hereby proving himself unfit longer to be a Massachusetts Judge.
- 4th. Because he holds two offices incompatible with each other, according to the theory of our institutions and the spirit of the Constitution of the United States and the Constitution and laws of Massachusetts; and because he openly avows his intention of defying public sentiment, and acting in both those offices as long as he is permitted.

WENDELL PHILLIPS was the next speaker, and in commencing, said the flood of petitions which had been presented on this subject were not the result of a concerted movement, but were the result of the spontaneous feeling of the people. He also commented on the strictures of a portion of the press, that the petitions were signed by women, arguing that there was a peculiar fitness in their signing them, as the Judge of Probate was the first one to whom the widow and orphan must go in their time of affliction. The petitioners, he said, did not come to attack the Judiciary of Massachusetts. They reverenced the Bench, and it was because they reverenced it, and because they feel that it has been disgraced, that they come and ask for the removal of Judge Loring. He might almost say he came in the name of the other Judges of Massachusetts, and asked for their sakes for the cutting off this unworthy member.

The petitioners, he said, all ask that you should take the proper steps to secure the removal of Judge Loring. There are two ways in which this can be affected; by impeachment, and by address of both branches of the Legislature to the Executive. The petitioners do not ask for his impeachment, because they do not say that [[end column 3]]

[[start column 4]] he has, in his official capacity, violated any of the laws of the Commonwealth. The Constitution provides another way, and that is, that a judge may be removed by address of the two Houses of the Legislature to the Governor. He read the clause giving the power, and said it would naturally be inferred that a judge must be removed by

address, without the address being based on a charge of crime. The defence of the remonstrant is that he is not liable to removal, because he has not violated a law of the State. Mr. Phillips contended that it was not necessary, in order to remove by address, that he should have violated any law. He may be removed for any cause which the Legislature may deem a fitting cause. He quoted the language of the Constitution, that judges may hold their offices 'during good behavior,' as sustaining this view. The providing of two different ways of removal was another argument to the same effect. The course of the Commonwealth in time past on the removal of inefficient judges was further cited.

Mr. Phillips said this provision in the Constitution had been passed on by the greatest men the Commonwealth ever knew. In the Convention of 1820 this clause was discussed deliberately by statesmen, in an unimpassioned state of mind, and he quoted the discussions of that Convention to show that the Legislature has an unlimited power of removal. To establish this point, he quoted at great length the remarks of various members of the Convention of 1820, among them Messrs. Storey (afterwards Chief Justice,) Daniel Webster, Cummings (afterwards Judge,) Hubbard (afterwards Judge of the Supreme Court,) Austin, and many others.

Mr. Phillips then proceeded to show that the Legislature, having the power of removal, ought to exercise it in the case of Judge Loring. He argued, first, that Mr. Loring's remonstrance was based simply upon a technicality that he had in spirit-violated the sentiment and will of the Commonwealth as embraced in the statute of March 24, 1843, which inflicts a fine of \$1000, and imprisonment for a year, on any officer of the State who should aid in enforcing the Fugitive Slave Law of 1793. Some lawyers argue that the act of 1843 covers the Fugitive Slave Law of 1850. It was in existence when Judge Loring took his office in 1847, and he knew it, and Massachusetts then said to him: no judge shall aid in the arrest or detention of a slave; and yet he says Massachusetts asked him, in taking his oath, to support the U. S. Constitutionto return the slave! I was going to say, a man who would put in such a plea as that is unfit to hold the office of judge. He argued that Mr. Loring violated the express will of the people of Massachusetts, as expressed in the statue of 1843which, if it has lost its validity, has not lost its significance.

His second principle was, that the method of the trial showed Judge Loring to be unfit for the office of Judge. He then recited the manner of the arrest of Burnsthe manner in which he was taken to be tried; the interferance of Mr. Dana, Mr. Ellis and others, in the slave's behalf; but for which, he said, in another hour the decision would have been given and the certificate granted. The Judge refused Mr. Dana's application for time for the slave to obtain counsel and advice. Mr. Dana again interposed, and plead for time for the slave. You have a Judge of Probate on your bench. Mr. P. said, who needs to have his court-room filled with honest men by accident, and drag him back to duty. Your petitioners say you ought not to have a Judge who cannot be trusted in a private chamber with an innocent man.

Mr. Phillips said that after the case was adjourned, he went to Harvard to see Mr. Loring, to get permission to see Burns. He gave him a letter of admission, and in handing it to him said, 'The case is so clear, Mr. Phillips, that I do not think you would be justified in placing any obstacle in the way of his going back, as he probably will.' In this he showed that the case was prejudged. The act of Judge Loring in making out the bill

of sale of Burns while the hearing was yet pendinghis giving notice (as common rumor says he did) of [[???]] to the counsel for the claimant 24 hours before he did to the counsel for Burns, were also commented on as acts showing Judge Loring's unfitness to hold his present position. The law of this decision was cited as another argument for the removal. Judge Loring placed the testimony of one man, of whom nothing was known but that he was a slave trader, against that of seven honest men, our own citizens, and gave the preference to the former. He also did violence to the rules of evidence, in admitting a part of Burns's confession and excluding the remainder, which if he had admitted it, must, under the decision of the Supreme Court of Massachusetts, have given the slave his freedom.

In conclusion, he argued that Massachusetts should now reiterate the expressions of her opinion on slavery which she made on the act of 1853. The Supreme Court of the United States has said the acts of 1793 and 1850 are identical. The Legislature of 1843 said that a Massachusetts officer, who should aid in returning a slave under the former, should be fined \$1000, and be imprisoned one year. WE ask you to say the same in regard to the law of 1850. This Legislature has the power to redeem the ermine of Massachusetts from disgrace, and make it honorable. Cut off this offending member, and you have done it.

CHARLES M. ELLIS, Esp., next addressed the committee, urging that if ever there was an occasion when this power of removal should be exercised, it was in this case. The people, he believed, demand its exercise. The acts which Judge Loring has done, though not in his official capacity, are such as to destroy the confidence which should exist between him and the community, and therefore the power of removal should be exercised. Massachusetts, he said, cannot be true to her conscience and allow him to remain in his office. He concluded by expressing the hope that he would be removed.

The further hearing in the case was then postponed until Wednesday of next week, at 3 P.M.

[[horiz line]]

[[image-hand pointing to the right]] We copy from the Mercantile Journal the above sketch of the pleas made at the State House on Tuesday last, before the Committee on Federal Relations, for the removal of Judge Loring. Next week, we shall give a full report of the masterly speech of WENDELL PHILLIPS made on the occasion, and reported for our paper.

[[horiz line]]

THE OVERSEERS OF HARVARD COLLEGE met in the Senate Chamber on Thursday, Governor Gardner presiding. The nominations of Dr. George Shattuck as Professor of Clinical Medicine; Dr. D. H. Storer as Professor of Obstetrics and Medical Jurisprudence; Dr. E. H. Clarke, Professor of Materia Medica, were confirmed, and several reports were accepted. The most important action was the rejection of Edward G. Loring, (for whose removal from the office of Judge of Probate, on account of his action in the Burns fugitive slave case, strong efforts continue to be made,) who had been appointed by the Corporation a lecturer in the Dane Law School. Only ten voted for his confirmation, while nineteen opposed it. The following is supposed to be the correct state of the vote:

YeasPresident Walker, William T. Andrews, the Treasurer, R. C. Winthrop, E. S. Gannett, T. Worcester, Abbott Lawrence, Geo. W. Blagden, R. A. Chapman, John H. Clifford, Emory Washburn.

NaysGov. Gardner, Lieut. Gov. Brown, H. W. Benchley, Daniel C. Eddy, Barnas Sears, D. W. Alvord, R. A. Miller, Hoses Ballou, Samuel Hoar, J. Hayden, S. D. Bradford, Francis Bassett, Geo. S. Boutwell, N. Cogswell, George Morey, Thomas Russell, N. B. Shurtleff, J. H. Twombly, H. B. Wheelwright.

[[horiz line]]

RESIGNATION OF A U. S. COMMISSIONER. Geo. W. Meeker, Esq., has resigned the office of U. S. Commissioner, which he has held for many years in Chicago, owing to his repugnance to acting under the Fugitive Slave Law. The following is a copy of his resignation:

To the Judges of the Circuit District Court, U.S. District, Illinois: Being unwilling to act in enforcing the provisions of the Fugitive Slave Law, I hereby resign the office of United States Commissioner, for a long time held by me under your appointment.

Respectfully, your obedient servant, GEO. W. MEEKER. Chicago, Jan. 29, 1855. [[end column 4]]

[[start column 5]] NEW PUBLICATIONS. [[horiz line]]

A TREATISE ON PUNCTUATION; designed for Letter-Writers, Authors, Printers, and Correctors of the Press; and for the Use of Schools and Academies. With an Appendix, containing Rules on the Use of Capitals, a List of Abbreviations, Hints on the Preparation of Copy and on Proof-reading, Specimen of Proof-sheet, &c. By JOHN WILSON. Third edition, enlarged. Boston: Printed by John Wilson & Son, 22, School street. 1855. pp. 334.

We are glad to see a third edition of this truly admirable work, evincing as it does a growing appreciation of a treatise, the most accurate and comprehensive to be found on English Punctuation. The commendations bestowed upon it, at home and abroad, must be very gratifying to its author, and are richly merited. It ought to be in every family, in company with the Dictionary and the English Grammar; and especially in the hands of every man aspiring to be an author, or a newspaper correspondent. Scarcely one manuscript in a hundred, however correct in style or valuable in matter, that comes into a printing-office, is correctly punctuated. None seem to be more ignorant of the art that some of the best scholars, who are saved many a blush, in regard to their lucubrations, by the carefulness of the proof-reader or compositor. The drudgery imposed upon printers, in this particular, is immense: it is a grievance that calls loudly for redress.

Among those who best understand the art of punctuation, there is not

always exact conformity of methods, or agreement of opinion; but Mr. Wilson's work will help to correct this incongruity, and comes the nearest to perfection of any work extant on this subject. 'If every author and letter-writer,' says the Monthly Religious Magazine, 'could be put in possession of this perfect little work, printers and correctors of the press would canonize Mr. Wilson forthwith; for it would create a new era in their profession.'

[[horiz line]]

THE INITIALS: A STORY OF MODERN LIFE. Philadelphia: T. B. Peterson, No. 102, Chestnut Street.

Not having had time to give this closely-printed volume, of 400 pages, such a perusal as to warrant us to pass judgment upon its merits, we can only give its title, and the following notice of it from the Ladies' National Magazine:

'This is one of those novels which will continue to be read, like those of Scott, and other great masters of fiction, long after the generation which saw it first has mouldered in the dust. The scene is laid in Germany. The fair author is a daughter of the celebrated Lord Erskine, formerly Lord High Chancellor of England. Educated in Great Britain, but since her marriage to a German nobleman, living on the continent, she depicts life in Germany with rare fidelity, though without falling into that mawkish sentimentalism which is the fault of native-born novelists. In the whole realm of modern fiction, there is not a more lovely creation from Hildegarde, the heroine. Her conduct, under the most trying circumstances, is ever noble; but ever also natural to her character. The charm of this novel, indeed, is that while it has nothing forced or exaggerated about it, it is nevertheless full of romance. Everything happens as it ought to happen, yet the incidents are never strained, nor the actors made to belie their natures. To read 'The Initials' is to call back the days of one's youth, when the future was rosy with hope, and when all things were fresh and beautiful. The work is eminently instructive. It has already run through several editions in England, and is destined, we predict, to have an unparalleled sale here. We know no fiction, in fact, which we would sooner recommend, for while it will fascinate all who read merely for amusement, it will delight as well as improve those who seek for something even in a novel.

For sale by Phillips, Sampson & Co., and by Fetridge & Co., Boston.

[[horiz line]]

HOME LIFE; OR, A PEEP ACROSS THE THRESHOLD. By Miss CAROLINE A. SOULE. With Illustrations by Billings. Boston: A. Tompkins and B. B. Mussey & Co. 1855.

This volume contains twelve stories, told in a sprightly manner, and prettily illustrated, 'with more of truth than of fiction in them,' and calculated to improve the mind as well as gratify the taste of the reader. We agree with the writer in the sentiment that, 'until home-life be what God meant it should be, what humanity pleads it may be,a foretaste of heavenly life,it is useless to look for purity and happiness in the world's great thoroughfares. We must gladden the heart, ere the lip can sing; and to gladden the heart, we must make it clean.' All children, whether

of a larger or a smaller growth, will be interested in "A Peep across the Threshold' at 'Home Life.'

[[horiz line]]

SPIRITUALISM. By JOHN W. EDMONDS and GEORGE T. DEXTER, M.D. Volume II. Third Edition. New York: Partridge & Brittan, Publishers, 300 Broadway.

We have already acknowledged the receipt of this large and beautifully printed volume, and made a long extract therefrom. Its visions and 'revelations,' if such they may be called, are in many cases striking and curious; but how much of these is from the Spirit land, or is merely the result of a highly excited imagination in an ecstatic or abnormal state, every reader must decide for himself. Some of the views are extremely picturesque, while others are wholly too material, too sensuous, to challenge sober and intelligent credence. Many of the 'communications' purport to be made by Lord Bacon and Baron Swedenborg. We do not say that this is impossible, nor do we imagine that there is any intentional deception; but we do say, while constrained by what we have seen and heard to believe in spiritual agencies, that we recognize nothing that indicates the presence of either of those great minds, in the cases alleged. Nothing is given by which they may be identified, either as to manner or matter. Take, for example, the first message recorded from Bacon:

'Well, my friend, though I am always with you, (?) still I cannot make myself visible, or talk with you, without the Doctor's aid. I love to talk with you; and, were the Doctor and yourself differently situated, I would probably (!) occupy more of your time than perhaps (!) would be pleasant. Have you anything to ask? Is so, let me hear it, and I will answer.

BACON.'

Is this the Baconian style? or is what follows, purporting to come from Swedenborg, to be gravely credited as the language of the Swedish seer?

'Imagine a world filled with an almost untold number of intelligent spirits, . . . interested in every thing which tends to the advancement of truth, and to the removal of every impediment which may obstruct the reciprocal action of that truth in its upward progress from earth toward heaven, and then imagine the deep, the fervent, the enthusiastic, and the abiding interest with which these beings have considered the wisdom or the practicability of the publication of Judge Edmonds' letter, (!) and the effect which that letter has had on the public mind, now that the press has given utterance to the sentiments it contains. . . . In the depths of the forest, and amid the silence of nature, you may imagine spirits meeting spirits, and the first salutation is, 'The Judge's letter is out.' (!!!)

Enough! For such a specimen of bathos, we are entirely satisfied, Swedenborg is not to be held responsible; and had we no other evidence than this, to convince us that departed spirits are sometimes enabled to indicate their presence to those yet in the flesh, we should be incorrigibly skeptical. Indeed, of all that has been received, through various mediums, purporting to come from Swedenborg, Wesley, Franklin, George Fox, and many other distinguished lights of the world,

we find nothing to convince us that they caused it to be transcribed; and a very large portion of it has been so common-place and puerile as to make its publication a matter of astonishment.

[[horiz line]]

HUMANITY IN THE CITY. BY REV. E. H. CHAPIN, New York: De Witt & Davenport, Publishers, 160 & 162 Nassau Street. Boston: Abel Tompkins, 38 & 40 Cornhill. [With a Portrait of the Author.]

A series of admirable Essays on the 'The Lessons of the StreetMan and MachineryThe Strife of PrecedenceThe Symbols of the Republicthe Springs of Social LifeThe Allies of the Tempter'&c. &c. [[end column 5]]

[[start column 6]]

LETTER FROM REV. S. A. STEINTHAL. BRIDGWATER, (Eng.) Feb. 1, 1855. MY DEAR SIR--I have to-day received your paper of 5th January, and find that my letters have not met with the approval of Mr. Joseph Barker. Well, my views will, I dare say, have been fully expressed in your columns since that date, so that I need not attempt to prove myself able to repulse the attack made upon me. If Mr. Barker knew me and my views better than he does, he would not have used some expressions in his letter that he has done, and which fall without effect against me, although they would have hit a good old Tory pretty severely. The best reply, however, that could be given to Mr. Barker's views, will be found in Mr. Webb's letter in the same number of THE LIBERATOR; and his name being well known in America, will prove that it is not absolutely needful to be foolish or worse, in order to agree with me that things are not so bad with us as Mr. Barker would lead you to believe. I should only like to ask Mr. Barker why he drags unnecessary questions into this discussion. What has my Unitarianism to do with English rights or wrongs? I am sure that my religious opinions never lead me to sectarianism; nor do I, because I believe, as perhaps Mr. Barker does too, in the Unity of the Godhead, agree with every other opinion which those who hold this doctrine may maintain. When Mr. Barker has heard me oppose Universal Suffrage, National Education repeal of the law of Succession, &c., then let him accuse me of doing so, but not till then. We Unitarians are not such a privileged class in England as Mr. Barker thinks. I regret to say, that the great majority of my hearers are not voters; I wish they were. They are working-men; and though perhaps Mr. Barker does not know how it is, yet I have had very good opportunities of knowing what working-men think and feel; and I do know that Mr. Barker's views are not those entertained by the majority. That gentleman has a bad habit of misrepresenting, perhaps unintentionally, but nevertheless, very effectually. Why, you might believe from his statement that hanging was a punishment inflicted for poaching. If a poacher is found trespassing in pursuit of game, and, in order to make his escape, shoots a game-keeper, an English jury would no doubt find him guilty of murder; but, after all, that is something very different from what Mr. Barker has stated. Now, let me not be understood to defend game laws; I believe every man should be permitted, upon his own ground, to kill game; but while our present laws exist, I think we owe them obedience, as long as they do not demand us to act contrary to conscience, and I have yet to learn that conscience would find fault with me for abstaining from shooting a hare, even though it were nibbling my cabbages. No, Sir, we may write as much as

we please about it, or leave the matter to rest immediately, there is no wrong in England so atrocious and indefensible as slaveholding; and while I hope I shall not be slack in aiding all attempts for reform at home, I hope also that I shall not relax my labors against American slavery.

I am delighted to see that the Bazaar has prospered so well this year. I hope our Bridgwater box was not one of the late arrivals, as I fancy it went in time to be with you before the opening. We shall look forward to the account which I suppose Miss Weston will send us, as usual, of the proceedings.

There is a question which I should be glad to see discussed a little in your columns, and that is, what the effect of India Reform will be upon the slaveholders. I quite agree with a sentiment most eloquently expressed in Dr. Bellows's lecture in New York, that the economic question is the very lowest ground on which to argue the question of slavery; but, still, I cannot help thinking that if the slaveholders should be made to see that slaveholding is really costing them money as well as virtue, they will cease the sooner from their iniquity. Perhaps you will have noticed the meeting held in Manchester, a short time ago, at which Colonel Cotton laid before the audience a plan for the cultivation of the district watered by the Godavery river, and for bringing it into communication with the sea coast. If his calculations are correct, (and he is a man of great experience,) and if his plans are carried out, we should be able to produce a very large amount of cotton, sufficient, indeed, to prove an awkward competitor to the Southern States. Very naturally, from mere business considerations, the Manchester merchants, when they have fairly investigated this scheme, will adopt it, if it promises any profit. Now, what I want to know is, what do your leading abolitionists think of plans like these with reference to slavery. While some of us believe that no effort should be diverted from direct anti slavery work, we also think that any help given to these and similar projects must unavoidably help on our great cause. I, for one, and many of our Bridgwater friends, would be glad to know what your opinions are at present upon this subject. If you can satisfy us without any great inconvenience to yourself, you would oblige us.

We are having a good week of teetotal working here. Dr. Lees, whom you will remember, is with us, and is giving a series of very useful lectures. To-morrow evening, his subject is the 'Maine Law, its principles and results.' It is a significant thing, that the Doctor never succeeds in eliciting so strong a burst of applause, as when he alludes to the Maine Law. I expect, therefore, that we shall have an overflowing house. The Doctor, who is sitting beside me, sends his kind regards to you, and wishes you success in your labors. So do we all.

And now farewell, with kindest remembrances to all my friends in the States.

Yours, very faithfully, S. ALFRED STEINTHAL.

P.S. I see you have been writing about anti-slavery novels in THE LIBERATOR. Are you are of the fact, that Dr. Lees published 'Archy Moore' in the 'Truth Seeker,' in 1846?

[[horizontal line]]

EXTRACT OF A LETTER FROM REV. S.A. STEINTHAL. BRIDGWATER, (Eng.) Jan. 23, 1855. MY DEAR MR. MAY:

Do you ever see the organ of D'Israeli's party, The Press'? It is a very clever paper indeed. Last week, in noticing a work lately published by Mr. Dalton about British Guiana, it speaks about emancipation having been injurious to the colony, and almost laments that we were foolish enough to set our slaves free, since at present American, Spanish, Portuguese, and other slaveholders, have been the only gainers by our sentimental policy! You can judge what our English Tories are, 'ex ungue disce leonem.' In the same article, it speaks of the colored population having become extensive freeholders, enjoying privileges of education, and taking a higher standing than formerly in society: but, of course, the benefits these low people have obtained, their having become responsible beings, &c., are nothing in the scale, when we reflect upon the losses those interesting creatures, the planters, who were accustomed to prey upon their fellow men, have sustained! It quotes, in another article upon the periodical literature of your Southern States, some articles from a magazine published in Charleston, I think, with something like approval. In those articles, slavery is defended, and a return to the slave trade almost advocated. The wise reviewer of The Press 'concludes that slavery must grow with the growth of the United States, and strengthen with their strength.' I must own that this appears to me to read like a prophecy that the United States must come to an end, for I have sufficient faith left me to believe that God will not permit iniquity to prevail forever. You see we are not all anti-slavery in England yet. You need not despair, therefore, for the States. By the bye, your census reveals to us here a source of hope for the slave, and it is an awful one; the letters of your Southern correspondent John Ball seem to confirm such expectation; that slavery will set in a servile war against the white oppressors. Your slave population seems to me to be increasing at such a rate, that it will be an utter impossibility to retain them long in bondage; and if men like John Ball, to whom I send my most hearty and most sincere expressions of good feel-

[[end sixth column]]

The Liberator, Vol. XXV, No. 8 Transcribed and Reviewed by Digital Volunteers Extracted Apr-23-2024 11:27:02



Smithsonian Institution

National Museum of African American History and Culture

The mission of the Smithsonian is the increase and diffusion of knowledge - shaping the future by preserving our heritage, discovering new knowledge, and sharing our resources with the world. Founded in 1846, the Smithsonian is the world's largest museum and research complex, consisting of 19 museums and galleries, the National Zoological Park, and nine research facilities. Become an active part of our mission through the Transcription Center. Together, we are discovering secrets hidden deep inside our collections that illuminate our history and our world.

Join us!

The Transcription Center: https://transcription.si.edu
On Facebook: https://www.facebook.com/SmithsonianTranscriptionCenter

On Twitter: @TranscribeSI

Connect with the Smithsonian Smithsonian Institution: www.si.edu

On Facebook: https://www.facebook.com/Smithsonian

On Twitter: @smithsonian