

We live in solemn times. A new era is dawning on this question...

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fully, she must follow up her resolutions by corresponding action. The testimony she has given against sin has not been heeded...

GOV. GEARY ON KANSAS AND THE REPUBLICAN PARTY. Joseph Ford, a Buchanan Democrat of Minnesota, publishes a letter in the Chicago Tribune...

I repeat his language as literally as possible, and I assure you that I do not color or exaggerate the facts. In relation to the character of the men who have been laboring to destroy his power and influence, he observed:

'I believe that at least two-thirds of the people of the territory are in favor of making Kansas free; but under the operation of the plans which their opponents have devised, there is no doubt that a pro-slavery Constitution will be adopted.'

'Among the pro-slavery men there is no freedom of speech—hardly of opinion. The first inquiry made by them of every new-comer is, "Where are you from?" and if the answer is, "From the North," that man is marked, and neither his person or property is safe.'

In this conversation, of which I have given but a brief outline, the Governor, though there were others in the room, a part of the time at least, spoke principally to me, as I had particularly requested a statement of facts as they had come under his observation.

Governor, what am I, a northern Democrat, to do? I am tempted to declare here that I am ready to work hereafter with the Republican party! He answered quickly and decisively:

'There seems to be no other course for an honest and intelligent man to pursue.'

THE CHURCH AND SLAVERY. The Church and Slavery. By ALBERT BARNES. The spirit in which this book is written commends it to the careful attention of all...

WM. LLOYD GARRISON, President. WENDELL PHILLIPS, Secretary. S. H. GAY, Secretary.

NEW ENGLAND ANTI-SLAVERY CONVENTION. The Annual New England Anti-Slavery Convention will be held in Boston on Wednesday and Thursday, May 27 and 28, at the MELODEON...

REMARKS OF WM. LLOYD GARRISON, ON THE SUBJECT OF TEMPERANCE.

On Sunday evening last, Mr. Garrison delivered an address on Temperance, in behalf of the Parent Washington Society, in the Mercantile Hall, Summer street, before a crowded and intelligent audience.

Mr. Garrison began by saying that he accepted, with great pleasure, the invitation which had been so kindly extended to him, in behalf of the meritorious Society holding its meetings in that hall, to speak to the people in advocacy of the world-renouncing doctrine of total abstinence.

On Sunday evening last, Mr. Garrison delivered an address on Temperance, in behalf of the Parent Washington Society, in the Mercantile Hall, Summer street, before a crowded and intelligent audience.

Thirty years ago, then a young man just entering his majority, he had taken the pledge, and consistently adhered to it to the present time. Soon afterward, he became the editor of the first temperance journal ever established in the world, entitled the 'NATIONAL PHILANTHROPIST,' and bearing this motto—'Moderate drinking is the downhill road to intemperance and drunkenness.'

Mr. G. proceeded to speak of the cheering contrast which was seen between the condition of this beneficent enterprise in 1827 and in 1857. Then, there was scarcely a pledged teetotaler to be found; now they are to be counted by millions.

He proceeded to give reasons why this struggle with a depraved appetite and a vicious custom must necessarily be a long one—bequeathed from sire to son, and from age to age. It was not a Waterloo conflict, terminating with the setting sun; nor the overthrow of an oppressive government, after the manner of 1776; nor the abolition of a system like that of chattel slavery, which, in the British West India Islands, was at last, in the twinkling of an eye, consigned to its appropriate place, the bottomless pit.

The natural effect of the cessation of popular hostility to the cause, and its attainment to high respectability, was a state of complacency, of listlessness, of somnolence. Where everything looks fair and safe, there is a tendency to seek repose.

It is much to be desired that the friends of the Society should come together in large numbers, from all parts of the country, to confer upon the great interests of the cause at this eventful period.

We reiterate our former declaration, that the object of the Society is not merely to make Liberty national and Slavery sectional—not to prevent the acquisition of Cuba—not to restore the Missouri Compromise—not to repeal the Fugitive Slave Bill—not to make Kansas a free State—not to resist the admission of any new slave State into the Union—not to terminate Slavery in the District of Columbia and in the National Territories—but it is, primarily, comprehensive, and uncompromising, to effect the immediate, total and eternal overthrow of slavery, wherever it exists on American soil, and to oppose and confront whatever party or sect seeks to purchase peace or success at the expense of human liberty.

It will be seen that the anniversary of the American Anti-Slavery Society takes place on Tuesday next. We need not say how desirable it is to have a full attendance of its members and friends on that occasion.

First—it was in peril from its very respectability, paradoxical as this might appear. It needed to be pushed with such boldness and fidelity as to unmask all dissemblers, and to disturb the public quietude. There must be no compromise, no half-way measures, no reliance upon station or numbers.

Second—there was no small danger in committing its management to the hands of men in official station—the clergy as a body. Their very position would tempt them to reduce its vigor, qualify its application, weaken its testimony, according to circumstances.

Third—there was danger of placing too much reliance upon the growth of the popular religion, as a remedy for intemperance. An experiment of two hundred years had shown the fallacy of such a reliance. Theological dogmas had comparatively little to do with practical morality. It had been found necessary to go out of all existing religious organizations, and form temperance societies; and this had been equally true in the cause of peace and of anti-slavery. The religious experiment had been tried for many centuries in England, and had proved a failure, so far as temperance was concerned.

Fourth—There was great danger that the friends of temperance would place too much reliance on the State—on law-rolling their moral responsibilities upon the government; whereas, the government was only a machine, with no indwelling life, not self-moved, but acted upon, and, in a country like ours, as changeable as an April day, taking its hue and shape from the collective opinions and feelings of the people.

Mr. Garrison said he would here very briefly state his views in regard to the Maine Law. It was well known to many that he was a non-resistant; that, in consequence of conscientious scruples, he had withdrawn himself from the government, and declined to exercise the elective franchise; hence, he could take no part in a political struggle with reference to the enforcement of that law.

He proceeded to give reasons why this struggle with a depraved appetite and a vicious custom must necessarily be a long one—bequeathed from sire to son, and from age to age. It was not a Waterloo conflict, terminating with the setting sun; nor the overthrow of an oppressive government, after the manner of 1776; nor the abolition of a system like that of chattel slavery, which, in the British West India Islands, was at last, in the twinkling of an eye, consigned to its appropriate place, the bottomless pit.

Still, though that Law had doubtless its uses as the symbol of a renovated public sentiment, and as a restraining power, there must be little reliance placed upon it, compared with moral instrumentalities—the intelligent, voluntary, well-principled adoption of the pledge. Abstinence from intoxicating drink must be a clearly apprehended duty, not a mere sentiment. He (Mr. G.) abstained, not in compliance with impurity, not as an ascetic, not in a pharisaical spirit, but just as he abstained from wrong-doing in all other particulars. It belonged to his moral code—it permeated his whole being.

He proceeded to give some reasons why this struggle with a depraved appetite and a vicious custom must necessarily be a long one—bequeathed from sire to son, and from age to age. It was not a Waterloo conflict, terminating with the setting sun; nor the overthrow of an oppressive government, after the manner of 1776; nor the abolition of a system like that of chattel slavery, which, in the British West India Islands, was at last, in the twinkling of an eye, consigned to its appropriate place, the bottomless pit.

Mr. Garrison referred to the value of alcohol for medicinal purposes, to its use in case of sickness, and also for sacramental purposes, as opening three sources of temptation to obtain it under false pretences, and thus perpetuating inebriety. Against this, no security could be found, except in the adoption of the total abstinence pledge.

With the statistics of intemperance before him, with the light blazing in noon-day effulgence upon his accursed traffic, with his own personal experience and observation as to the horrors engendered by his avocation, who can measure the guilt and inhumanity of the conscience-hardened rum-seller?

Mr. G. desired to put it to the understanding and the conscience of every one in that assembly, how much less guilty was the man who persisted in indulging his appetite for strong drink, no matter to what extent, and thus tempting others to sell for the sake of gain, besides setting a most vicious example? What claims had he to respect and confidence?

He referred to the deep interest which the women had in the movement, especially arising from their liability to outrages of every kind in the married state, owing to the drunken brutality of their husbands; and he would have every single woman make it imperative, that none but a teetotaler should lead her to the altar—in which case he thought there would be a mighty reformation in the land.

He rejoiced in the recent moral awakening in this beneficent cause—the disposition actively manifested to return to the old efficacious method of disseminating the light and circulating the pledge, in the true Washingtonian spirit. Let this be pushed with increasing zeal and devotion. Of course, old objections would still be urged, and they must be met with all long-suffering and patience. It would still be asked, "What good is there in taking the pledge?"

The Bible, says a pious observer, 'does not enjoin total abstinence.' Whether it does or not, body and soul enjoin it by all the laws of being; for alcohol is a poison, and therefore the injunction becomes imperative, 'Do thyself no harm.' It is not a biblical question. 'I have forty reasons why my witness is not in court,' said a lawyer to the judge; 'the first is, he is dead.' 'You need not give the remainder,' was the reply.

By chemical analysis, and by its effects upon the human system—body, intellect and soul—it is demonstrated to be a poison, more dangerous, more destructive, and more alluring, than any other yet discovered. This ends all debate, and answers every objection.

'O, I can use it prudently—I am in no danger of falling.' Who but one grossly self-deceived, utterly self-deluded, can say this, in view of the wreck of so many eminent, wise and mighty men? Of the myriads lost, who meant to die a drunkard! Not one. Figuratively speaking, the wisdom of Solomon, the faith of Abraham, the strength of Sampson, had all fallen before the demon.

It was the prayer of Agar, 'Give me neither poverty nor riches'—which is the law of proportion, of justice, of equality. The classes most cursed by intemperance are the rich and the poor. Nature testifies against such inequalities. Men should endeavor to shun poverty by industry, economy, thrift, sobriety. Men should be afraid to accumulate great wealth, and should render this impracticable by their benevolence and philanthropy.

The true doctrine is, 'Touch not, taste not, handle not.' All possess not the same temperament—all are not as easily led astray. But we should know ourselves—watch our tendencies in regard to our appetites as we do in cases of consumption—and refuse the wine-cup as we would to commit a wrong. In health, repudiate it utterly. In sickness, use it as you would belladonna, arsenic, prussic acid, and less readily. If you have been a hard drinker, refuse it even as a medicine.

We have in our country (said Mr. G.) a vast, gigantic, consolidated system of violence, oppression and blood, requiring for its overthrow all possible sobriety, as well as faith and courage—namely, chattel slavery. Let moderate drinking prevail, and the waves of intemperance dash over the land, and our national destiny is sealed—a double damnation awaits us!

When a fire is discovered in the humblest tenement in the village, whether kindled by accident or design, spreading from room to room, the alarm is instantly given, voices wildly commingling convey the warning on the wings of the wind to all the inhabitants, engines are hurried to the spot with almost superhuman energy, and a multitude of the old and young promptly assemble to prevent, by a timely application of water, a general conflagration. Such is the estimate placed upon the pecuniary welfare and general safety of the community, in such an emergency.

A more frightful conflagration is raging all over the country, in every city, town and hamlet, involving in peril or suffering almost every family—a conflagration, destructive not merely of wealth, but of intellect, heart and soul, all human affections, aspirations, achievements, parental and filial ties, social felicities, and domestic enjoyments; destructive not merely of perishable dwellings, but of the temples of the Holy Ghost, those bodies and spirits formed expressly to glorify God, their beneficent Creator. Who can contemplate this awful spectacle, and be dumb, inactive, unconcerned, without incurring deep guilt and deserving severe condemnation? What is the element to be used for the extinction of this desolating fire? Literally, as in the other case, the free, constant, vigorous use and application of water! Total abstinence from all intoxicating substances! How sure and simple the remedy!

Hecatombs of our fellow-creatures have already been burnt to ashes, and multitudes continue to rush madly into the devouring fire. Let us, one and all, combine by precept, example and testimony, to smother those brands from the burning, and put an end to this direful conflagration. Thank God, there is no occasion for despair. Hark!

'Ho! to the rescue!' from the hills, cry, And men have heard, and to the combat sprung. Strong for the right, to conquer or to die! Up, Lutterer! for on the wings are flung The banners of the Faithful!—and, ere long, Beneath their folds, the hosts of God's elect Stand in their strength. Be thou their ranks among!

PRO-SLAVERY ARGUMENT.

We spoke, in a former paper, of some arguments contained in a Congressional speech of some Alexander Stephens, of Georgia. Since, in the same speech, he also undertook to present some arguments in favor of slavery, and since this speech has been thought worthy of extensive distribution, we will copy our opponent's argument in full, and add such comments as it may suggest.

'Gradation, too, is stamped upon every man-made law, as well as inanimate—if, indeed, there is anything inanimate. A scale, from the lowest degree of inferiority to the highest degree of superiority, runs through all animal life. We see it in the insect tribe, in the beasts of the earth, and we see it in the races of men. We see the same principle operating in the heavenly bodies above us. One star differs from another star in magnitude and lustre; some are larger, others are smaller; but the greater and superior uniformly influences and controls the lesser and inferior within its sphere. If there is any fixed principle or law of nature, it is this. In the races of men we find the same differences in capacity and development. One man is inferior to the white man; nature has made him so; observation and history have proved the fact; and all attempts to make the inferior equal to the superior is but an effort to reverse the decrees of the Creator, who has made all things what we find them, according to the counsel of his own will. The Ethiopian can no more change his skin or his nature than a negro, and he will remain a negro still. In the social and political system the inferior negro is assigned to that subordinate position which he is fitted by the laws of nature. One system of civilization is founded in strict conformity to the laws of nature; another is founded in strict conformity to the natural fitness of things, is the principle upon which the whole fabric of our Southern institutions rests' (p. 14, 15).

Impudence is unquestionably a great and most effective power in the transaction of the business of this world. To utter such stale truisms in connection with such gross falsehoods as we see above, and to place them in an orator intended to represent to the masses that the latter were authentic and inevitable deductions from the former, would have required not only great command of countenance in Mr. Stephens, but no inconsiderable amount of courage, had he not been surrounded by a majority (in the House of Representatives) who, having thoroughly committed themselves, in private and public life, to the tyrannical policy advocated by Mr. Stephens, were thus constrained to the support of any method of defending that policy, and might thus be relied on to make whatever was necessary to avoid laughing in his face when he uttered the preposterous language above quoted. Since, however, it has been uttered, and since some one has thought so poorly of the intelligence of the Northern people as to circulate it among them as a defence of slavery, we will sketch a few arguments in examining it.

We may fairly presume the captain of a pirate vessel to have made some proficiency in impudence, and to have discarded, as thoroughly as Mr. Stephens himself, the idea of obligation to speak the truth. We shall therefore do no injustice to such a person in supposing him, after boarding a merchant ship, killing those who resisted, and tying the hands of the survivors behind their backs, to address those survivors as follows:

'Gradation is stamped upon all the works of nature. We see it in the insect tribes, the fishes of the sea, the fowls of the air, the beasts of the earth, and the heavenly bodies above us. One star differs from another star in magnitude and lustre; some are larger, others are smaller; but the greater and superior uniformly influences and controls the lesser and inferior within its sphere. If there is any fixed principle or law of nature, it is this. In the races of men we find the same differences of capacity and development. The merchant sailor is inferior to the pirate. Nature has made him so; observation and history, from the remotest times, establish the fact; and all attempts to make the inferior equal to the superior is but an effort to reverse the decrees of the Creator, who has made all things what we find them, according to the counsel of his own will. If you had had capacity and development enough to keep this vessel, we should not have taken it. Your inferiority is thus proved by unquestionable facts, and in our social and political system the inferior is assigned to that subordinate position for which he is fitted by the laws of nature. Men, run out a plank, and show them over the side.'

Facts are stubborn things. In all ages, pirates have not merely asserted their superiority, but proved it. They, not less than the slaveholders, have in all ages illustrated the operation of that great law of nature quoted by Mr. Stephens—the greater and superior uniformly influences and controls the lesser and inferior within its sphere. And supposing one of the inferior and subordinate class, in spite of the overwhelming evidence of half his shipmates lying dead on the deck, and his own hands tied behind his back, had been so absurd as to mutter something about rights not making right, and about his having been engaged in an honest occupation, would that have changed the laws of nature and reversed the obvious position of the parties? Would he have walked the plank any the sooner?

Mr. Stephens's argument may be stated in another form, thus: trees grow according to the laws of nature; man, in the use of the powers which the Creator bestowed upon him, modifies certain parts of the trees into clubs, and organizes the institution known as club-law; it is not plain, then, that where resistance to the application of club-law resists not only human law, but the laws of nature and the laws of God!

But, as all human works are marked by impetuosity, even Mr. Stephens, when he strays beyond his strong hold of club-law, and the divine right of the strongest, makes one or two little slips, which, at the risk of seeming hypercritical, we will notice. Although the gradations in stars, beasts, birds, fishes and insects, to which he refers us for illustration, are exceedingly numerous and varied, and the varieties of condition and degree of development of the human family not less so, Mr. Stephens makes but two classes of the latter, white men and negroes; the specimens of the degradation of human nature, the simplicity and comprehensiveness of this classification would be admirable, if the classification itself were only true; but, unfortunately for Mr. Stephens, and to the testimony of all the most competent and reliable travellers and historians is diametrically opposed, that his, we learn, from unquestionable evidence, is very great variety exists in the manners, customs, capacities and attainments of even those African tribes which are known; that some have made great improvement in agriculture, others in manufactures and mechanic arts, others in hunting and the domestication of such animals as can be made useful in that manner, and others in gentleness, courtesy, honesty among themselves, and hospitality to strangers; though it may be that Mr. Stephens, educated in conformity to the very different standard of morals and manners prevalent in Georgia, may not actually the qualities last named to be virtues at all, except those instances of hospitality which are exercised at the expense of others.

But, as successive discoveries are made in the interior of Africa, and with those of its tribes which have been least, or not at all, acquainted with Mr. Stephens's saints, the agents of European and American commerce, we find more and more specimens of a higher character and a better culture. All these, however, and all which remain to be discovered, are unceremoniously lumped together by Mr. Stephens in his second class. They are negroes. 'Do what you will,' he says, 'p. 15,' a negro is a negro, and he will remain a negro still.' The fact is incontrovertible. If you stop there, and do not jump to the further conclusion that no justice can be done to humanity except by the very different standard of morals and manners prevalent in Georgia, may not actually the qualities last named to be virtues at all, except those instances of hospitality which are exercised at the expense of others.

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But again: the testimony of history in all ages, and of the most reliable voyagers and travellers of the present century, contradicts Mr. Stephens's major premise not less absolutely than his minor. We find the varieties in character, condition and capacity among white men also to be very great; and we find not only that all white men are not superior to all black men, but that some tribes of white men are as low as the lowest, and very many inferior to the highest of the negro tribes. To refer to only one of the recent testimonies—Dr. Kane has shown us that the northern tribes of Esquimaux, (reduction to whose mode of existence was on the health and destroyed the lives of even such hardy and seasoned adventurers as himself and his brave companions,) must speedily die out and become extinct—because their dogs, on whom their very existence depends, are diminishing from year to year. Not one of the African tribes, not even those which have not deteriorated by the society of Mr. Stephens's agents on the Gold Coast, is lower in physical or mental powers, present condition or future prospects, than those Esquimaux; who, by Dr. Kane's own unpeached account, living not only without metals, and ignorant of letters, but amid the greatest discomforts and privations, were too stupid to imagine the existence of a better country than their own, and had no little energy to seek it of their own accord, or migrate when the news had been brought them; who, although gored and starved, as torture helped or hindered them, slept in a promiscuous mass, all the inmates of the hut, grope or fever, lying clustered together, entirely naked, in the warmest place, like worms in a basket—killed their children when they became too numerous or too troublesome—and had no better prospect than to die themselves whenever their dogs should die. Yet this, in Mr. Stephens's classification, are 'white men,' superior, in virtue of that fact, to any actual or possible negro.

As all general rules have their exceptions, we find an enormous exception to the weak, torpid, lazy and inefficient character ascribed by Mr. Stephens to the negro blood. A single drop of it suffices to neutralize, and even immediately to annihilate, a bucket full, or any conceivable quantity, of the purest Virginian blood. For instance:—Since it is well known that planters do not suffer the reproductive powers of their slaves to lie idle, but bestow even more personal attention upon the increase of this than of any other variety of their cattle, it is very possible that there may be now in existence the fifth generation in regular (or rather irregular, but certainly natural), descent from the daughter of Thomas Jefferson, formerly President of the United States. Now if we make the supposition, not at all improbable, that a daughter was born in each stage of this descent, and the further supposition, a highly probable one, that each of these successive daughters had issue by her master, or his son, or the class-mate or other young Northern farmer to whom this son was showing 'hospitality,' we shall have, in the child last born, merely one sixteenth, or one hundred and twenty-eighth part of African blood; the former, if the ex-President's favorite were black, the latter, if she were yellow. But the singular fact is, that this minute proportion of black blood not only annihilates the sixty-three sixteenths, or the hundred and twenty-seven hundred and twenty-eighths of white blood, making its possessor fully and absolutely what Mr. Stephens calls a negro, and his overseer a nigger, but it annihilates also the ordinary rules of nativity, stamping as an African and an Ethiopian, (both of which terms Mr. Stephens uses interchangeably with 'negro;') a person who was not only born in the United States, but whose ancestors, for five generations back, have all been born at some point between Virginia and Georgia.

Still farther: Not only does this minute interfusion of black blood reverse the technical designation of the white blood so profusely mingled with it, which would otherwise have remained Caucasian-Virginian, or Anglo-Saxon-Georgian, it annihilates the intellectual superiority which is in other cases transmitted from sire to son, and leaves the unfortunate possessor 'a nigger' in his possibilities not less than in his actual state. So that the last branch of the genealogical tree we have been describing is not merely one sixteenth or one hundred and twenty-eighth part but admirably organized than the thorough-bred, Simon pure Virginian or Georgian, it is not well organized at all; it cannot take care of itself, and so must have an overseer, though, strange to say, it enables the overseer to get his food and raiment out of a sort of industry not, in other cases, esteemed productive, the flourishing of a cowhide; it cannot earn its own living, and so needs a master, though, wonderful to tell, with that master, it can earn the living of both, and leave a large balance and race-horses, Newport and Saratoga; it cannot improve by instruction; this was thoroughly proved by a humane, though Quixotic experiment of Mrs. Margaret Douglas, of Virginia, who has candidly published an account of the utter failure of her efforts, admitting that she succeeded in communicating, even the first rudiments of knowledge, to but very few, and that even these soon forgot what they had learned. The claim, indeed, of any doubtful authority, of some few exceptional cases, in which beings of this description, after outrunning hounds and hunters, dodging rifle-balls, and evading kidnappers and commissioners, have, under the influence of a different diet and regimen, outgrown their incompetency, and made speeches, written auto-biographies, delivered lectures and edited newspapers, cannot for a moment be admitted to weaken the immense mass of evidence existing under the general rule, and thus Mr. Stephens's argument stands firm and impregnable as hypothesis itself.

THE CASE OF JUDGE LORING.

The Minority Report, in favor of removing Judge Loring from the office which he disgraces,—drawn up by Mr. Albee of the Senate, and signed by himself and by Mr. Ward of the House,—is an elaborate and able paper, occupying 28 printed pages. We are so pressed for room, that we can only make the following extract from it, in answer to the objection that the law of 1856, prohibiting any person holding the office of Slave Commissioner from holding at the same time any office of honor, trust or emolument under the laws of this Commonwealth, is unconstitutional.

But it is said that Massachusetts has no right to make such a law.

Let us examine the precedents. The constitution declares certain offices incompatible. Such offices cannot be made compatible by any act of the legislature; but by no means follows that the legislature cannot add to the list of incompatible offices.

Has the legislature ever added to the number of incompatible offices?

On March 3, 1810, the legislature passed a law, removing certain offices incompatible, as follows: 'No person who holds the office of attorney-general, district-attorney, justice of the court of common pleas, clerk of the same court, or sheriff, shall hold the office of county treasurer.'

Now, if the law of 1810 was constitutional, then most certainly the law of 1856 must be constitutional also, so far at least as it affects the incompatibility of offices.

Your Committee ask particular attention to the facts in regard to this law. This law remained unquestioned upon the statute book for about twenty-five years. But this is not all. When the statutes of Massachusetts were to be revised, the Hon. Charles Jackson, the Hon. Asahel Stearns and John H. Ashmun, Esq., were appointed to make this revision, and on the death of Mr. Ashmun, the Hon. John Pickering was appointed in his stead, men holding the very first rank in the legal profession. Now had this law been unconstitutional, it is probable it would have passed unscathed through the hands of these commissioners; yet it did pass through, and is still retained in the body of the Revised Statutes.

Then there is another significant fact bearing upon the point now under consideration. In the convention of 1820, the resolution, which provides that judges of courts and United States officers shall not hold certain offices, being under consideration, the Hon. Elijah Alvord, of Greenfield, a man of the highest integrity and moral worth, and of great influence in the convention, moved, on December 25th, to amend, by adding after the provision that judges of courts of common pleas shall hold no other office, 'provided, however, that this amendment shall not operate to deprive any such judge of any office which he now lawfully holds.'

Mr. Webster scouted the idea of making a difference between those now holding office and those who might hereafter be appointed to office, and thought that if the amendment should operate immediately upon all officers included in it, it ought to operate on all. He was against the amendment.

Mr. Alvord said it was a different question, whether a person holding a certain office should be eligible to another, and whether such person shall be deprived of an office of which he is lawfully invested. He could not reconcile it with his notions of justice, that persons who had accepted offices under the constitution should be deprived of them by the creation of an incompatibility by an alteration of the constitution.

Messrs. Lawrence, of Groton; Lincoln, of Worcester, Willard, of Fitchburg, and Walker, of Templeton, spoke against the amendment. The amendment was negatived. [Massachusetts convention of 1820, page 403.]

Thus then, the policy of the State, as to the application of incompatibility of offices, was established beyond a doubt, to wit, that incompatibility may operate equally upon all,—upon the person in actual possession, as well as upon the person appointed to office subsequently to the passage of the Act rendering the offices incompatible.

This action, too, was taken in the very face of a protest put in, as an amendment, by a distinguished member of the convention, asking the convention to except those judges who already lawfully held offices, now about to be rendered incompatible. The convention, after debate and deliberate consideration, refused to make any exception in favor of the judges.

Thus the antiquated doctrine of vested rights in an office was repudiated in Massachusetts. In fact, it never got a footing in Massachusetts, inasmuch as the constitution itself, part 1, article 4, expressly says, 'the idea of a man being born a magistrate, lawyer, or judge, is absurd and unnatural.'

Again, (article 6,) all officers of government, whether legislative, executive or judicial, 'are at all times accountable to them, viz., to the people.'

On March 12, 1874, the legislature enacted a law prohibiting any sheriff from appearing as counsel or attorney in any court of this Commonwealth.

In 1855, every court established by the laws of this Commonwealth was prohibited from any jurisdiction whatever in respect to naturalization of aliens under the laws of the United States. That is, the function of naturalizing foreigners was deemed incompatible with the office of Massachusetts judge.

In 1856, the compatibility of those two functions was restored to the higher courts.

Then again, the Act of 1843, commonly called the Latimer law, forbid Massachusetts magistrates to act under the law of 1793, in respect to 'fugitives from service and labor.' Yet by this Act, jurisdiction in all cases of the extradition of fugitives from service or labor was vested 'in any magistrate of a county, city or town corporate,' and, therefore, as Judge Loring justly says, in his Protest of February 9, 1855, in any person holding a commission of Justice of the peace.

Now all these magistrates became United States officers the moment they acted under the Act of 1793. Because the Supreme Court has decided that exercising powers conferred by Congress, is holding office under the United States. [Jackson v. Row, National Intelligencer, Dec. 23, 1815.]

Then, on the ground assumed by Mr. Loring, in his Protest of March 9, 1857, could these magistrates be forbidden constitutionally to act under the law of 1793? They were forbidden so to act by the law of 1848, and that law has never been declared unconstitutional.

If the undersigned had any doubt that Massachusetts had the constitutional right to render the holding of the office of Judge of Probate, or any other State office, incompatible with the holding of an office under the United States, the decision of the Supreme Court in the Prigg case would dissipate that doubt.

It does not help the matter for Mr. Loring to say the United States Slave Commissioner is one officer, and the Judge of Probate is another officer, and that when I act as Judge of Probate, I am no longer Slave Commissioner; and when I act as Slave Commissioner, I do not do it by virtue of the commission that I hold as Judge of Probate; whereas the magistrates who acted under the law of 1793, acted in virtue of the commission they held as State magistrates.

This, at first blush, seems plausible, yet, on examination, it will be found to be a distinction without a difference.

Besides, this is not the material point. Commissioner Loring and Judge of Probate Loring are, after all, one and the same man, and it matters not with Massachusetts whether Mr. Loring makes a man a slave by virtue of his commission as United States Commissioner, or by some additional function conferred upon him by the United States in consequence of his holding a commission as Judge of Probate in Massachusetts, as was the case under the law of 1793. Therefore, so long as Mr. Loring holds the office of

Slave Commissioner under the United States, Massachusetts says to him, 'Be no officer of mine.'

State magistrates acting under the Act of Feb. 12, 1793, became, in consequence of that acting, officers and holders under the United States, according to the decision of the United States Supreme Court in the case of Jackson v. Row, above referred to. Now, then, could the State Legislatures make these two functions, to wit, the function of State magistrate and the function of United States slave-catcher, incompatible? If they could, then it follows as a necessary consequence, that they can, constitutionally, make other State offices incompatible with a similar function or office conferred by the United States.

The Supreme Court of the United States, in the Prigg case, distinctly decided this point in respect to the law of Feb. 12, 1793. The Court say: 'As to the authority so conferred upon State magistrates, while a difference of opinion has existed, and may still exist, on this point, in different States, whether State magistrates are bound to act under it, none is entertained by this Court that State magistrates may, if they choose, exercise the authority, unless prohibited by State legislation.' That is, State Legislatures could prohibit State magistrates from acting as slave-catchers under the law of 1793; or, in other words, they could make the office of Judge of Probate incompatible with the slave-catching function.

Then, does it not follow, as a just deduction from this decision, that the State Legislatures may make the office of Judge of Probate incompatible with the office of Slave Commissioner under the Bill of Sept. 19, 1850, especially as the Bill of 1850 is entitled, and is, 'An Act to amend, and supplementary to the Act of 1793?'

Views similar to those held in Massachusetts, in respect to the unconstitutionality of making offices incompatible, are entertained by other States in this Union. Take Virginia, for instance.

Under the head—Disabilities to hold Office—Virginia Code, 1849, chap. 12, p. 84, occurs the following: 'A person holding office under the United States. Sec. 2. No person shall be capable of holding any such post, to wit: State office, who holds any post of profit, trust or emolument, civil or military, legislative, executive or judicial, under the government of the United States, or who receives in any way, from the United States, any emolument whatever.'

This, the undersigned think, may be called incompatibility in full.

From the legislative precedents, and the decisions of the Supreme Court above quoted, the undersigned come to the conclusion—

1st. That sect. 13, of chap. 489, of the Act of 1855, is constitutional.

2d. That as Judge Loring has violated, and continues to violate, the provisions of said section, thus placing himself in manifest defiance of law, therefore, the said Judge Loring has given reason for the loss of public confidence, and furnished sufficient ground for removal by address.

On Tuesday forenoon, the Senate took up the case of Judge Loring, in connection with the Majority and Minority Reports on the subject. Mr. Merrick and Mr. Clarke advocated the adoption of the former. Mr. Albee advocated with ability the removal of Judge Loring, on various grounds. Mr. Bonney made a strong and sensible speech on the same side—followed by Mr. Shaw and Mr. White, in earnest and forcible language. The question being on substituting the Minority for the Majority Report, the yeas and nays were called, and the substitute was adopted by a vote of 20 yeas to 15 nays, as follows:

Yeas—Messrs. Albee, Atwood, Bliss, Bonney, Brakenridge, Church, Green, Hayward, Hitchcock, Hunt, Poor, Sabin, Shaw, Swift, Taft, Warner, Whitney and White—20.

Nays—Messrs. Batcher, Burbank, Clark, Cowdin, Eats, Field, Hunking, Messinger, Merrick, Mixer, Rogers, Turner, Usher, Wheeler, Young—15.

Absent—Messrs. Harris, Mitchell, Stone, Taylor.

The address was read, and, after an amendment striking out certain sections that set forth reasons, the address was adopted and sent to the other branch by a vote of 25 to 12, as follows:

Yeas—Messrs. Albee, Ames, Atwood, Bliss, Bonney, Brakenridge, Church, Field, Green, Haynes, Hitchcock, Hunt, Mitchell, Poor, Sabin, Sear, Shaw, Swift, Taft, Usher, Warner, Wheeler, Whitney, White, Young—25.

Nays—Messrs. Batcher, Burbank, Clark, Cowdin, Eats, Hunking, Messinger, Merrick, Mixer, Rogers, Taylor, Turner—12.

Absent—Messrs. Harris and Stone.

The following is the form in which the address was agreed to:

Address to His Excellency, Henry J. Gardner, Governor of the Commonwealth of Massachusetts.

The two branches of the legislature, in general court assembled, respectfully request that your excellency will be pleased to direct, with the advice and consent of the council, to remove Edward Greely Loring from the office of Judge of Probate for the county of Suffolk, for any one, or for all the following reasons, to wit:—

1st. Because he consented to sit as United States Commissioner, in defiance of the moral sentiment of Massachusetts, as expressed in the legislative resolutions of 1850.

2d. Because, now in defiance of the provisions contained in section 13, of chapter 489, of the acts of 1855, Edward Greely Loring continues to hold the office of Judge of Probate, under a Massachusetts commission, under the United States, which, by the acts of Congress, named in the ninth section of chapter 489, of the acts of 1855.

The Senate has done better than was anticipated, and for this it shall have due credit,—thought ought to have been unanimous for the removal of Judge Loring. We shall look for an overwhelming vote in the House of Representatives.

THE DRED SCOTT DECISION AT CHICAGO.

Several fugitive negroes were recently arrested at Chicago, for stealing poultry. Their counsel on the 18th inst., moved for their dismissal from custody, on the ground that, under the recent decision of the Supreme Court, negroes are citizens of the United States, as alleged in the indictment. The plea in abatement was filed, and was followed by a demurrer from the State's Attorney. The latter admitted that the defendants were bona fide slaves, and liable to rendition to their masters, but claimed that they were subject to the local State laws. The counsel for the defence gave the following reasons why his plea should be sustained:—

1st. That however repugnant to the ideas of the people, the opinion of the Supreme Court is the law of the land.

2d. That the demurrer admits the fact in this plea, that the defendants are chattels and property.

3d. That the defendants being chattels, not persons, are consequently incapable of committing a crime, and incapable of being incarcerated therefor. 'A chattel cannot commit a crime—an article of merchandise cannot, by and within the meaning of the law, be punished; and Africans, the descendants of slaves, bought and sold, are held to be chattels and merchandise.'

4th. That the opinion announced in the Dred Scott case decides that no distinction exists between slaves and descendants of slaves, and other property.

5th. That the Constitution of Illinois being a limit of power, not a grant, to the United States Constitution has declared the African race brought to this country as slaves, for none others are brought, to be property, and merchandise chattels, then the Constitution or law of Illinois cannot change that character, such State Constitution being a limit of power, and the State laws being dependent thereon for their validity; and that the Constitution of the United States so declares them.

6th. That the defendants being slaves, or their descendants, they cannot be held as citizens of Illinois, nor of any of the States, because by the supreme law they are chattels, not persons.

7th. That the State laws authorize the conviction of persons only, not property; and that the wisdom of any person hold such property in custody. 'If chattel commits a wrong act, he should be punished as a chattel, not as a man. The fox that steals property cannot be indicted and punished as a man, but must be punished as a fox.'

His Honor, Judge Nelson, sustained the demurrer,

stating that if Chief Justice Taney ever intended by that decision to make 'Africans, or the descendants of Africans,' so far chattels as they may appropriate other people's chattels, by larceny, without being answerable to the laws of this State or the local police regulations, then this Court does not recognize the validity of such decision. Exception was taken to the ruling of the Court, and the 'merchandise' chattels' were placed upon trial. The jury returned a verdict of not guilty.

PERSONAL LIBERTY IN MAINE.

The following important enactments in regard to the Dred Scott decision, have been adopted by the Legislature of Maine:—

An Act in addition to 'An act further to protect personal liberty.'

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Worcester County South Anti-Slavery Society—Donation, \$30 00
Worcester County South Anti-Slavery Society—for the Year Ended— 25 00
FRANCIS JACKSON, Treasurer.

PENNSYLVANIA YEARLY MEETING OF PROGRESSIVE FRIENDS.

The undersigned, Committee appointed for that purpose, hereby give notice, that the FIFTH YEARLY MEETING OF THE PROGRESSIVE FRIENDS OF PENNSYLVANIA will convene in the Longwood meeting-house, Chester County, on the FIRST DAY, the 17th of Fifth month, 1857, at 10 o'clock, A. M., and continue its sessions, probably, for three successive days.

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AYER'S SELF-ACTING FARM WELL, OR APPARATUS FOR CATTLE. To Draw Water for Themselves.

This apparatus is designed for pastures, yards, and all places where a stream of water is not accessible. By means of a platform properly adjusted in front of the watering-trough, the weight of the animal is made to draw water from the well on approaching it to drink. It is simple in construction, not likely to get out of order, and cannot fail to recommend itself to farmers as an important labor-saving machine, dispensing with all the trouble of pumping or drawing water by hand power. A sheep will raise the bucket with water in proportion to his weight, taking a little more time to accomplish it. A horse, or other heavy animal stepping upon the platform, the bucket instantly rises and discharges its contents into the trough, and, as he steps off, drops back into the well, to be filled ready for the next comer. By this means, animals can be left by themselves in the most distant pastures, without any care or attention on the part of the owner, other than to dig a good well; and can be supplied with a supply of water in it, there can be no difficulty in the way of the animals supplying themselves.

The undersigned is proprietor of the patent right to this invention for Worcester County, and is prepared to dispose of individual rights on favorable terms. Address for a grant for the sale of the State, County, or Town rights. ALVIN WARD.

Ashburnham, April 20, 1857.

The undersigned have carefully examined the Self-Acting Farm Well, as put in operation by Mr. Alvin Ward, of Ashburnham, and cheerfully give our testimony to its excellent adaptation to the purpose for which it is designed. Its operation is simple, and the apparatus easily constructed, cheap and durable. It must, we think, form a very acceptable and labor-saving addition to the conveniences of every farm-yard where running water is not easily obtained, and a valuable means of providing water in pastures where the supply is not permanent.

GREEN, E. GARFIELD, A. R. SMITH, J. H. FAIRBANKS, J. L. JOSLIN.

Fitchburg, Jan. 19, 1857. Ap. 24.

NEW MALVERN WATER-CURE, WESTBORO, MASS.

Distant from the Railroad station nearly one and a half miles, is beautifully located on elevated ground, amid the highly cultivated lands of an agricultural district. The house is large and the rooms numerous, and it has an excellent hall for gymnastics and recreation. The water, which, for purity and softness, is perhaps unequalled, is equalled, and even excelled, by conduits, and thus escapes metallic oxidation. The bath rooms and apartments are ample and commodious, and in the regulation of temperature as well as general arrangements, the establishment offers superior facilities for winter or summer treatment.

Its hygienic and 'out of door' influences are superior. The hard, dry roads, with convenient grades, the 'wild wood' groves, a romantic lake, (Great Chauncy), upon the Northern shore of which, high perched, are the symmetrical and magnificent buildings of the Reform School; the exquisite landscape scenery from Raymond Hill, with the dry and exhilarating atmosphere, all combine to rouse the exhausted energies of patients suffering from chronic disease. To make the Cure still more inviting, the proprietor, in addition to the 'old elms,' has transplanted into its grounds more than one hundred and fifty forest trees, some of large growth, &c. It is the desire and intention of those interested, to make this truly a RETREAT FOR INVALIDS, where every proper influence shall be made to do its appropriate work of restoration.

Persons desiring additional information, will please address the resident physician, DR. J. H. HERO, or the consulting physician, DR. GEORGE HOYT, of Boston, 77 Bedford street, who visits the institution semi-weekly, and attends to calls in the city and country.

April 1

POETRY.

The Liberator.

Mr. Editor—I would have sent a laurel-wreath, but the leaves grew high above my reach. All I could get from a whole heart full was this little flower—but, is it a flower, after all? M. A. STRAIN.

WENDELL PHILLIPS.

He spoke of Freedom—and we breathed the air Of lofty mountains, stood on giddy heights, Basked in full blaze of all created lights, And spurned at chains and bonds, however fair!

The following effusion was received immediately after Mr. Sumner's return to the Senate, but its publication has been unintentionally delayed till now. —Ed. Lib.

TO HON. CHARLES SUMNER,

A holy mission now is thine! a deathless name thou'rt won; In Freedom's ranks thou art enrolled, her noble, valiant son;

And from her homes amid the hills, and on the mountain side, Within the poor man's lowly cot, or in the halls of pride—

Our Summer live to plead for Right, and rouse our guilty land. Armed with the panoply of Truth, our cause can never fail.

More potent is this shield of thine than iron glaire of mail; Then gird thine armor for the strife, like knight of olden time—

A nobler prize is thine to win, than conquer Palestine; True to the wronged and suffering ones, their champion thou wilt be!

And while thy dark-browed brother wears the bondman's galling chain, Thine earnest voice in Senate halls will still his wrongs proclaim.

Nor Southern scorn, with hatred leagued, shall move thy purpose high— As lives the true man, thou wilt live—as dies the martyr's die!

The foeman's steel thy life may seek—the martyr's fate be thine— Still for Humanity thou'lt plead, and worship at her shrine.

When last thy manly form was seen within our halls of state— When last thine earnest voice was heard in grave and calm debate—

OUR PROSCRIBED COLORED CITIZENS. Though Judge Taney, at Slavery's bidding, has decided that colored Americans are not citizens, the fiat of no judge has yet been potent enough to veto their equality with white Americans in certain other respects.

There are those who, from their stand-point of experience and observation, contend that the colored people excel the whites in these religious manifestations; and in support of the position that they are thus more emotional, they quote largely from books of science and philosophy.

A few days since, a brilliant wedding attracted a refined and intelligent party, which in manners, conduct, costume, music, and attention to the rules of bridal etiquette, was not a whit behind those of the dominant class in our land.

On the evening of the same day, a parlor dramatic representation was the nucleus around which was gathered a select and highly gratified company.

Had there been any of the satellites of Judge Taney present, with their prejudices that should be conquered, they could have gleaned evidences abundant of the equality of colored with white; for among the dramatic persons and their guests were to be seen representatives of the arts and professions in rather more ordinary proportion.

There are also clubs and circles for the special cultivation of music, reading, and other branches. A letter from a member of one of their book clubs states that they have for their object 'the improvement of the mind, and therefore only solid and instructive reading will be allowed.'

It was our good fortune to be present on a recent occasion with a drawing-room company, where, among the amusements of the hour, a recital of impromptu verses evinced a good degree of familiarity with the poets and authors, and also excellent powers of mind in criticising the faults and commending the graces of past and present themes of conversation.

The colored people of Boston and vicinity have access on equal terms to the public lecture rooms and libraries, and, indeed, to several of the churches; but while the majority do not refuse to fellowship those churches of their own denomination where their equality is denied, they (strange indeed as it seems) are influenced to refrain from attending those where their brotherhood is freely admitted.

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THE DECISION OF THE SUPREME COURT. Law is beneficence acting by rule, says Burke; to which we would add, Law is justice acting by rule. Taking these definitions, and applying them to Judge Taney's decision in the Dred Scott case, how much is there to be found in that decision which will bear the name of Law?

ters, while the farms, the mills, the merchandise of the States were not represented, thus giving an unjust preponderance of power to those whose property was invested in human chattels? Forgive the expression; for, according to Judge Taney's opinion, Africans are deprived of every attribute of humanity, and are only a race of animals, to be bred, and worked, and whipped, for the white man's pleasure or profit.

After having obliterated the last vestige of rights for the colored race, Judge Taney very naturally goes on to annihilate the rights of the whites who happen to hold different views from himself on the subject of slavery, and to reduce every inch of our country to slave territory; for when slaves can be brought and kept, during the pleasure of the master, in all the free States, they can and will be raised and worked here too.

Are the freemen of Massachusetts ready for this doctrine? Have they been indifferent to the freedom of the colored race, till they are ready to see the curse of slavery extended over our fair land, and to hear the clanking of the chains of their colored brethren without a pang? If so, and they bow down in abject submission to the dicta of the ruling slaveocracy, then the next decision of the Supreme Court will be that Free State men have no rights that slaveholders are bound to respect.

What a mockery to talk of State sovereignty, and yet permit that sovereignty to be invaded by the judges of the Supreme Court, and to have slavery thrust into their most sacred sanctuary, without the power to resist it! What a spectacle does our country present to the world! Nominally having achieved self-government, and rejoicing in a prosperity and enlightenment never before realized, powerful enough to repel the combined assaults of all the nations of the earth, and claiming to recognize the principle, that 'all just government is founded on the consent of the governed,' and that man is possessed of certain inalienable rights, 'among which are life, liberty, and the pursuit of happiness,' and then setting the iron heel of despotism on the neck of an unoffending race, and claiming as an apology that that race is inferior in mental endowments to ourselves!

It is only when nations, as well as individuals, do unto others as they would that they should do to them, that they can truly prosper. The government of God is righteous and unchangeable, and so administered that judgment invariably follows crime; and we must therefore look with sad forebodings to the retributions that will surely come for our national sins.

There is much excitement here, and a great deal more thirty-five miles west of this place, in consequence of some trouble with the Indians at Spirit Lake, and also at Springfield, a short distance from Mankato, which is situated on the Minnesota river. Most of the excitement, however, has been caused by false and exaggerated reports, to the effect that some seventy white settlers had been murdered; whereas, no reliable information has been obtained here as yet, that more than four or five have been killed.

Looking under the table while the guitar was playing, I saw, with perfect distinctness, the instrument, lying on its back, untouched by any hand, but with faint flickerings of light playing over the strings. I could also see the feet of the persons nearest it, and that they were not in contact with it while Mr. Willis was out of its reach.

THE GUITAR. The guitar was moved slowly along, by some force, to be inscrutable, and lifted between my knees, the neck resting on my left thigh. At the suggestion of some of the company, I began to sing, first placing myself in such a position as to guard the instrument from possibility of contact.

During all these various phenomena, I felt repeatedly a delicate grasp upon my feet, precisely resembling that of a hand, with distinct fingers. Upon my slipping off my shoe, it was still more distinct, and was in all cases accompanied by a very peculiar electrical sensation, as when two persons complete the circuit of an electro-magnetic battery.

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conditions of the treaty with some of the Indians, believing that the consequent suffering has, to a great extent, been the cause of this outbreak. It is not denied, however, that the sum stipulated has been paid out of the treasury, but that it failed to find its way (in part, if not wholly) to the party for whom it was designed; and if the party make known their grievances, the government simply knows at it, choosing rather to fatten their democratic officials, than to do justice to the Indians.

Since writing the above, further information has been received, and I am satisfied that some twelve or fourteen whites may have been killed, several wounded, and four women taken prisoners by the Indians. The first trouble was at Spirit Lake, some eighteen or twenty days since, and the last at Springfield, some days later.

THE CASE OF DRED SCOTT IN THE NEW YORK ASSEMBLY. The Assembly took up yesterday afternoon the Dred Scott resolutions, and the accompanying 'act to secure freedom to all persons within the State.' The debate was of a highly interesting character, and conducted with feeling and ability by Messrs. Jones, Kirtland Woods, for the democrats, and Wooster, Foote, Hogebom, Harpending, Cox and Littlejohn, in favor of the bill.

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ness of these phenomena, which I have just described, then there is no such thing as evidence, and all the fabric of natural science may be a mass of imposture. And, when I find, on examination, that facts similar to these have been observed by hundreds of intelligent persons, in various places, for several years back, I am disposed humbly to recognize the maxim attributed to Angelo, 'Life is a math man, who, outside of pure mathematics, pronounces the word imposture.'

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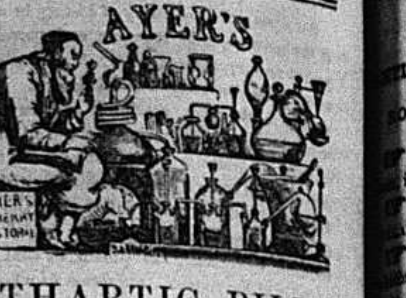
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CATHARTIC PILLS

OPERATE to purify the blood and stimulate the internal healthy action. They remove the obstructions of the stomach, bowels, liver, and other organs of the body, wherever they exist, such derangement as causes disease.

FOR A PAINFUL STOMACH, or Morbid Irritation of the Bowels, which produces general depression of the spirits and bad health, take from four to six pills at first, and smaller doses afterwards, until a healthy state is restored to the system.

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