

THE  
KIDNAPPED CLERGYMAN

EXPERIENCE

THE  
BEST TEACHER.

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"Taking first the insulated proposition, that all men are born free and equal, I pronounce it to be a great practical truth, a self-evident one."—*Mr. Cooke's Speech in the Virginia Convention.*

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## PREFACE.

MEN seldom show much sympathy for a class of persons to which they do not belong. It is true we are commanded to love our neighbors as ourselves; but we seldom feel the force of this precept, when applied to persons belonging to a different coast. An injury offered to them, affects us but slightly, because we do not consider ourselves in any danger of suffering the same; but, if we can be made to realize, that, by possibility, a like injury may be offered to ourselves, we make their case our own, and are equally excited with feelings of commiseration for the injured party, and indignation at the conduct of the wrong doer. These reflections furnish the reader with a key to the author's object. \* \* \*

It is thought, by some, that the inhabitants of the free states ought to say nothing about slavery at the South. 1. Because it does not concern the Northern people. 2. Because slavery is tolerated by Christianity. 3. Because it is the most mild system of slavery ever established. The first reason does not deserve a moment's consideration, being equally absurd, whether we consider ourselves, as men, as Christians, or as citizens of the United States. With regard to the second, the question is not, whether a system of slavery may not be devised of so mild a nature, as to be consistent with Christianity, but whether Southern slavery is so. The third reason is not founded in truth. How were slaves treated among the ancient Jews? 1. If a slave escaped to the Jews from his master, they were commanded by God, not to deliver him up. *So much for the*

*surrender of fugitives.* 2. If a master beat out the eye or the tooth of a slave, he was obliged to let him go free. 3. If a master humbled a female slave, he was obliged either to marry her, or else to let her go free. 4. Hebrew slaves were emancipated at the seventh year.

To form a just notion of slavery, as it existed among the Heathen as well as among the Christian converts, in the time of the apostles, consider the apostle's precepts, addressed to masters and servants, respectively.

Saint Paul exhorts servants "to obey their masters, and to count them worthy of all honor, *that the name of God may not be blasphemed.*" He does not say, *because slavery is lawful and right*, but to prevent blasphemy; blasphemy among whom? the heathen, or the Christian converts? Not, surely, the Christian converts; they would not blaspheme. It must, then, be, that the name of God may not be blasphemed among the heathen; because this would prevent the spread of the Gospel. Servants, who have believing masters, are not to despise them; because these are brethren in Christ. It should be observed, here, that the heathen had slaves or servants among them, and when they were converted, they still had a right, under the heathen laws, to hold them as such; if, after conversion, the master insisted upon his right, under the heathen law, to hold his servants in bondage, the servant was not to despise him for it, because they were brethren (to Christ.) But in Christ, there was neither bond nor free, since the servant was the Lord's freeman, and the master was the Lord's servant. And servants, it is presumable, for the like reasons, were exhorted to obey even toward masters; and, it may be argued, that it was for similar reasons, that Saint Paul sent back Onesimus to Phileas.

On the other hand, masters are exhorted to give their servants what is just and equal; not, what is necessary to sustain life, or barely sufficient to keep the servants in working order; for, this is a matter of interest or necessity on the part of the master, and needed no exhortation. It may be remarked, here, that the apostles do not forbid the masters to use thrust-swords, whips and



chains, the stripping of their slaves and beating them, the selling of the husband from the wife, or the children from their mother. Is it to be supposed, from their silence, that these things were allowed by the apostles, under the Gospel dispensation, in the domestic relations of master and servant? Is it not rather to be supposed that they were unheard of among Christian converts? Persons practising such things, would rather seem to want the civilization and humanity, which would be necessary to derive any benefit from preaching Christianity. But what does the apostle say? He exhorts the masters to forbear,—what? perhaps burning the slaves alive? No such thing; he exhorts them to forbear *strafending*. How much more, then, were the Christian masters to forbear the actual infliction of outrages, which they were not allowed even to threaten.

But Saint Paul sent back Onesimus to Philemon. Did he send him back by virtue of his authority as a magistrate? He had no such secular authority. It seems that he induced Onesimus to return to Philemon, by means of his authority or influence, as a religious teacher, or as an inspired apostle, but not by means of any human authority. And how does he exhort Philemon to receive him?—as a brother beloved.

Would Saint Paul have sent back Onesimus in chains, to a Philemon, who had offered a reward for him, dead or alive, and who was hunting for him with blood-hounds and rifles? Would he have sent back a Virginia to an Appian, or a Frigilla to a Glodder or a Catalan? Who can believe it?

It seems evident,—no inference can be drawn from the mild system of domestic relations, contemplated by the apostles, in favor of slavery, as established at the South.

On the contrary, may it not be fairly inferred, that Christian nations ought to abolish slavery, in order that the name of God may not be blasphemed among heathen nations, and thus remove one of the stumbling-blocks to the spread of Christianity? Slavery being established among the heathen, at the time of the introduction of Christianity, it would have exposed the doctrine to the charge of interfering with the regulations of society, to declare the

relation of masters and servants, wholly abolished. This would have been an obstacle to the promulgation of Christianity. But, in a Christian country, to suffer a state of servitude to exist, which involves in its continuance, the perpetration of acts of cruelty and oppression, wholly at variance with the mild and benignant doctrines of its divine founder, cannot fail to cause Christianity to be scoffed at among the heathen. How would a Missionary from the South attempt to convert a Turk? Would he preach the heavenly doctrine of charity, humanity, and universal benevolence? The Turk would point out to him a company of *Christian slaves* chained together, and driven with a whip through the streets of Washington. Persons who had been guilty of no crime, but who had had the hard fate to be born in a Christian country. The Turk would tell the Missionary—It is a maxim of your religion, that a tree is known by its fruit; are these the fruits of Christianity? Does Christianity tolerate such things as these, and do you expect to convert me to your doctrine, by speaking of charity and benevolence, as peculiar to your religion? In our country, when we go to war, we spare the lives of the captives we take, and make them our slaves. They are of a different religion from ours. But if one of these slaves is converted to our religion, he becomes free immediately, without any ransom, and is treated as a friend. Why do you talk to me of the superior benevolence of your religion? Is it to be talked about only, and not practised? The ministers of your religion justify the holding of *Christians and friends*, in a state of bondage, which we inflict upon none, but *infidels and enemies*. If you treat, in this way, persons of your own religion, and the most quiet, submissive and peaceable class among you, whose unrequited labors furnish both your means of subsistence and the sources of your wealth, what must I expect, who neither regard you as a friend, nor fear you as an enemy,—who, if your religion allows such things, perceives no sufficient reason to forsake my own; but, if your religion does not permit them, abhor you for your cruelty and injustice, and despise you as a hypocrite and impostor. The reader will recollect that this language is supposed to be uttered, not by a Christian, but by a Turk, and by a Turk

who, perhaps, would think no more of taking off the head of an infidel, than certain other persons do, of lynching an abolitionist, shooting a runaway slave, or scalping a Seminole Indian.

Let us see how slavery, as established at the South, compares with the slavery established by the French, in the West Indies, in 1685. The following regulations selected from the Black Code, as it was called, will show the difference between them.

1. Slaves are to be instructed in the Catholic religion, and it is made the duty of the Governor, to see it done.

2. No overseer of a different religion can be put over the slaves.

3. Slaves are not to be set at work on Sundays, or any of their very numerous holidays, from midnight to midnight, twenty-four hours, under a certain penalty.

4. Masters having illegitimate children by their slaves, or permitting others, forfeit their slaves.

5. Masters are forbidden, to constrain their slaves to marry against their will.

6. Masters are obliged to furnish each adult slave with two pounds of salt beef, or three pounds of fish, a week, besides a certain portion of vegetables.

7. Each slave is to be furnished with two suits of clothes a year, or four ells of cloth, at the discretion of the master.

8. Any slave, not fed and clothed according to law, may complain to the King's attorney, whose duty it is made to receive the complaint, and prosecute it, without expense to the slave.

9. A master must not torture or mutilate his slaves, under penalty of confiscation. If he kills his slave, he is to be prosecuted criminally.

10. When slaves are sold, the husband and wife, and children under the age of puberty, must not be separated.

11. Slaves are not to be disturbed in their religious worship, under the pain of exemplary punishment.

Comment is superfluous.

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SCENE.—*A Clergyman's Library, handsomely furnished. A warm afternoon in Summer. Enter a Clergyman, apparently fatigued and heated.*

*Clergyman.* [*Taking off his hat and seating himself in an arm-chair.*] *Soh!* [*puffs and blows*] My business is over for to-day. My people seemed uncommonly well pleased, as *I* think. [*Puffs and blows.*] Pretty warm afternoon's work. It was a good sermon, though.—Atterbury himself never delivered a better.—Let me see what good thing have I done to-day.—Hum.—Sent the poor woman, down Ann Street, with the sick child, five dollars. It was not much, but all I can afford.—I wish I had a greater salary. I would do more in the way of charity. My salary, however, is pretty good. In fact, I have no reason to complain. My wife is in

good health, and my three little darlings, playful as kittens, and-as good as they can be. My grown up daughter Clara, a perfect beauty; and the most amiable and accomplished young lady I know of.— I think she will soon be well settled. I think Mr. Bluff's son has taken a fancy to her — a young man of immense expectations. My two eldest sons, Jack and Bill, just entering College.— [*Puffs and blows.*] Nothing to trouble me. I have no anxiety at all, but to keep up the good feelings of the parish toward me.—Very good parish — very good parish. [*Puffs and blows.*] A wedding last week. — Fifteen dollars. — My wife had a new silk gown yesterday; the day before, ten dollars were subscribed to make me a life-member of some fiddle-saddle society.— Never mind; it shows that I am popular. In fact, I do preach beautiful discourses; beautiful discourses; — [*puffs and blows.*] I have no cause to complain, on the contrary, every reason to be thankful. As I keep myself entirely within Christian bounds, the burthen of Christianity sits light upon me indeed. I discharge all my duties to my parish, as well — as well as I can. — But I find it will not do to take the bull by the horns. — Some of my parish, I am ashamed of; but it is of no use to preach to them, or at them, respecting their failings. They will say I am personal, and it will only make a difficulty. No — it will not do — it will not do. Milk for

babes—milk for babes—*[puffs and blows.]* I believe I will get neighbor Rough to exchange with me, and give him a hint what vice to lash, and he will do it, and it will not be supposed to be intended for any one in particular. Yes—yes—that will do—*[puffs and blows.]* Confounded warm! rather uncanonical! to say so—it is a fact, but I cannot help it.—*[pauses and is lost in reverie.]*—Upon my word, that was a beautiful passage in my discourse.—Fine topics, benevolence, decency of behavior, quiet and orderly conduct, submission to superiors; and the duty to carefully avoid every thing that will disturb the tranquillity and happiness of society; beautiful passage—beautiful passage.—Think I must print that discourse. *[Puffs and blows.]* Yes, it will do a great deal of good. It will put a complete stop to fanaticism and nonsense. Rather sharp upon the abolitionists: almost uncanonical—Must not be too severe, though. Burk's letter to a noble lord, is in fact not to be named with it, nor Junius himself, if I had not suppressed some things, for fear of being satirical. No—no—no—that wont do—that wont do—The abolitionists deserve it, though, and more too. *[Puffs and blows.—pauses in a reverie.]* Negroes, a degraded, incorrigible race, it is to be feared, different from white people, altogether inferior. Stories of cruelty exaggerated, made up; I dislike Slavery in the abstract, but it

does not appear to be forbidden in the New Testament, and seems to be consistent with Christianity. No hardship to the blacks to be kept at work.— [*puffs and blows.*] Why should the planters give up their property, Mr. Abolitionist?—tell me that—tell me that. The Constitution recognizes slavery, and I have nothing to do with the institutions of the people at the South:—Must not go too far, though. My parishioners go too far: dont like to offend them, after all; but I mean to do my duty as far— as far as I think it will do any good— hum— [*reversic again.*— *Puffs and blows.*] Confound it, how oppressed I am with Mrs. Marjoram's pound-cake; I am sure she must have put lard in it. The next time I come home, I will come through another street. Mrs. Marjoram always waylays me, and compels me to go home with her, and then she stuffs me and my wife with her cake, till I can hardly breathe. [*Puffs and blows.*— *Reversic.*] Beautiful passages, those in my discourse against the abolitionists. "Scintillating corruscations of fertilizing fancy." Let me see, where did I get that expression.—The North American Review, was it?—Let me see—let me see—no, no, no. The North American indeed!—A solemn, magisterial piece of pomp enough—well printed, to be sure, very fair-seeming and grave; but shallow, quite shallow, and prodigiously dull; I would not read a page in it this hot afternoon, to be made

Chaplain of Congress. I would have dropped it long ago, but the work is called the first American periodical, and I am obliged to have it, or compromise my literary taste. Fudge, fudge, all fudge; money thrown away. — Let me see, where was I? — “scintillating corruscations of fertilizing fancy.” Beautiful, beautiful; however, this I think is superior still, “extacizing glimpses of terrons, aye, super-terrene beatitude.” I must be careful how I pronounce the last words, however, or the people in the gallery will be apt to mistake it for “soup tureen,” and the least thought of crockery would spoil the most elevated and resplendent expressions in the world.—[*Puffs and Blows.*] Bless me, how heavy I am! I believe I had better compose myself and take a nap; but I am almost afraid I should have a touch of the night-mare. Too often plagued with that horrid affection. The Dr. says it arises from indigestion, and that I must be abstemious in my food. He says some of the Clergy are apt to eat a little too much, for perfect health. If my wife was at home, I would have a cup of strong hyson tea, which would relieve me, but it always makes a difficulty if I order tea before she comes, and when she is once gossiping with Mrs. Lobster, that used to live in Marblehead, she never knows how the time flies. I wish I had not read those horrid slave stories. Negroes must feel, some of them at least.



They are certainly true; my friend was in Richmond, when the slave killed his wife at the auction, after he found she was sold away from him to a southern dealer, and then he cut his own hand off with a hatchet. Jealous, I suppose. And the other, that lately took place in the District of Columbia. The woman must have been out of her senses, to have tried to kill her children. — Ooo she killed; and she put out the eye of another, trying to kill it; and she broke the arm of another. Shocking — shocking. I am sure I shall dream of some such thing to-night. Yes, I dislike slavery in the abstract, but there is nothing against it in the Bible. — [*Reverie.*] — I wonder how kidnapping is done? The abolitionists are very much to blame, to endeavor to protect runaways; they must be put down. I think my discourse will do it. I wish Tillotson could have seen that discourse, it is so methodical and profound, like himself. It is a little against my conscience to be so severe upon the abolitionists, to be sure, but it will please my parish very much; I shall be complimented by the Clergy at the South, and perhaps by some of the more influential planters. I intend to print it and send some copies on. [*Puffs and blows.*] Bless me, how my wife stays — Well, I can stand it no longer. [*Composes himself to sleep.*]

*Enter a grave person in an old-fashioned dress, with a mitre on his head, and bows with respect.*

*Stranger.* Sir, I am rejoiced to see you.

*Clergyman.* Pray sir, who are you?

*Stranger.* I am Archbishop Tillotson, at your service.

*Clergyman.* Is it possible? I had thought Archbishop Tillotson had been dead many years; but pray, sir, what procures me the honor of this delightful visit?

*Tillotson.* Sir, the pleasure I have received from your most beautiful and interesting discourse against the Abolitionists, has induced me to wait on you.

*Clergyman.* Sir, it would be a most foolish affectation, on my part, to pretend, that I was not aware, that my discourse possessed considerable merit, as an American discourse; but I must confess, I never before had so high an opinion of it. Words cannot express my delight, when I hear you state that it receives your decided approbation.

*Tillotson.* Say, my unqualified applause, my dear Sir. The influence which such judicious writings have upon the public mind, furnishes a source of congratulation to all philanthropists, both in the Old world and the New.

*Clergyman.* Perhaps there was some particular

passage, Sir, that pleased you very much; would you have the goodness to point it out, in order that I may have the benefit of your critical taste and judgment?

*Tillotson.* My dear Sir, the whole was fine, admirable, beautiful, superlative. But there were two passages of such exquisite delicacy,——

*Clergyman.* Allow me to anticipate you, my dear Sir. I am sure I know which you mean. "The scintillating corruscations of fertilizing fancy," and "the extacising glimpses of terrene, aye, super-terrene beatitude."

*Tillotson.* You are right, my dear Sir, there is no man of taste, but must at once perceive and relish the beauty of such composition. Allow me to present you, my dear Sir, with 1000 pounds sterling, sent by the learned Clergy of England, as a small token of respect for the "scintillating corruscations of your fertilizing fancy." [*Presents the money.*]

*Clergyman.* Sir, I receive this testimonial rather as an offering of friendship, than as a testimonial of my talents, which have been successfully employed in the discovery of new ethical truth. [*Puts the note in his pocket-book.*]

*Tillotson.* I must now withdraw. But allow me to ask, my dear Sir, if you are in perfect health. Pray take care of a life so valuable to the Christian world. The anxiety I feel for your sake, and the

oppression, under which you seem to labor, makes me ask you, if your stomach, weakened by the prodigious efforts of your mind, has not become incapable of a suitable digestion of its proper aliments? Let me recommend, my dear Sir, great moderation in this respect. Though repletion may not be a sin, it is far from being a virtue; abstinence in a Clergyman, is much more graceful. Sir, I take my leave. [*Withdraws.*]

*Enter another stranger.*

*Stranger.* [*Bowing.*] Sir, your most obedient. I believe I have not the honor of being known to you. I am Mr. Lackington, of London, bookseller: having heard of your famous sermon against the abolitionists, I have crossed the Atlantic as speedily as possible, in order to anticipate the enterprising American booksellers, and request you to give me the pre-emption of the copy-right. I give you a carte blanche as to terms.

*Clergyman.* How many copies, do you think, will be wanted, Mr. Lackington?

*Stranger.* I think one hundred thousand copies for America; and three hundred thousand for Great Britain, will do to begin with.

*Clergyman.* Well, Sir, I wish to be reasonable with you. Probably we shall deal again. I will take twenty thousand dollars for the copy-right.

*Stranger.* I am very well satisfied, if you are; and will give you a draft for the amount on the Commonwealth Bank, in Boston.

*Clergyman.* I should prefer a different Bank, if you please.

*Stranger.* Sir, I will give you a bill of Exchange on London; that, I am sure, will satisfy you. [*Handing him the bill.*] But, my dear Sir, if I may take the liberty, you seem to be unwell; you seem oppressed, and short-breathed; perhaps, however, you have not been exact in your diet, a little too much pudding, perhaps. Farewell, Sir, business calls. [*Retires.*]

*Enter another stranger.*

*Stranger.* Not being personally acquainted with anyone here, I am under the necessity of announcing myself;—Dr. Abernethy, of London. I come by order of her majesty, Queen Victoria, to inquire after your health. Allow me to feel your pulse. [*Feels his pulse.*]—Life of such a man invaluable to all nations. Celebrated and wonderful discourse.—Hum: Not feverish, a case of dyspepsy, merely temporary indigestion; dumplings, perhaps.

*Clergyman.* No, Dr. Abernethy, an excess of pound-cake.

*Dr. Abernethy.* No cause of serious alarm: [*feels in his pocket*]—beg pardon,—left prescription ba-

hind. No matter — a better at hand. — Your discourse every way salutary and highly medicinal; you must have a little physic. Read a page at the beginning of your discourse: produces nausea, two pages, excellent emetic, — three, a purge; a sentence at the end, an anodyne. Excuse haste. — Another patient. [*Retires.*]

*Enter five strangers. [two of them bearing an enormous silver spoon.]*

*First Stranger.* Sir, I have the honor to be chairman of a Committee of the House of Representatives of the State of Ohio, appointed to wait on you, and present you with their thanks for your most excellent, learned, deep, sublime, interesting, and important discourse against the abolitionists, who have so long been the pest of a country, a nation, a people, and a race of men, the wisest, the most warlike, the most ingenious, and the most growing in the world. Sir, I know your benevolent and philanthropic heart will be ready to expand with delight, when you hear, that abolitionism is henceforth dead, totally dead, expired, departed, henceforth and forever. The Legislature, on the application of certain Commissioners of Kentucky, principally however through the influence of your discourse, have seen fit to pass a law, which is an extinguisher on the plans of that

lawless race. And, respected Sir, as an offering and testimonial of their gratitude, they beg your acceptance of this spoon, which I assure you, is of solid silver, and well adapted not only for your own use, in the common way, but may well serve as a type or emblem of the effectual mode which you adopt to fill the greedy mental gapings of your parish, with the intellectual dainties of your imagination.

*Clergyman.* Sir, I accept, with much gratitude, the handsome and almost undeserved offering of friendship, so delicately and gracefully presented by the Chairman of the Honorable Committee of the House of Representatives of the independent, magnanimous and respectable state of Ohio. Their perspicacity to perceive merit, is only equalled by the desire they always show, to reward it. I shall most carefully treasure it up with my most valuable deposits, to stimulate my children to follow their father's steps, by the exhibition of the reward of wisdom and virtue. Having performed your very grateful mission to me, I beg you will not permit any fastidious regard for etiquette, to detain you longer from your beloved State, which must be longing for the return of such distinguished talents, to grace its councils and bless its people. [*Bows and waves his hand, and the five gentlemen bow and retire.*]

*Enter a kidnapper, armed with pistols, and three ruffians armed with cudgels, whips, gags, and handcuffs.*

*Kidnapper.* Seize him. [*They assault the Clergyman, knock him down, and handcuff him.*]

*Clergyman.* Help! Murder! Help!

*Kidnapper.* Gag the noisy rascal. Choke him. [*They seize him by the throat.*] Mr. Gouge, strip him and give him twenty lashes, well laid on.

[*Gouge whips him.*]

*Clergyman.* Oh! Oh! Oh!

*Kidnapper.* Knock him down with the butt end, if he is not still. [*Gouge whips him.*]

*Clergyman.* [*Groans.*]

*Gouge.* [*Whispers to him.*] Say, Dont master, dont; O God Almighty, master, dont: Say it, or else I will cut you to pieces.

*Clergyman.* Dont, master, dont; O God Almighty, master, dont!

*Kidnapper.* You need not whip him any more now; he submits. I dont wish to be cruel. He knows now he is my slave. Take the woman and the three children down to the boat to Mr. Gornion. Dont separate the mother from the children. That would be cruel, I have sold them all together.

*Clergyman.* Good Heaven; what do you mean? Am I to be kidnapped? Is my poor wife and my



children to be carried off thus? Help! murder! neighbors, help! Murder! Murder! Murder!

*Kidnapper.* Gouge, knock him down. [*To the Clergyman.*] You scoundrel, if you are not quiet, I will shoot you. Gouge give him a dozen more lashes well laid on. [*Gouge whips him.*] You must break him in, as you do a colt.

*Clergyman.* [*Groans.*]

*Gouge.* [*Whispers.*] Say what I told you, or I will cut you to pieces.

*Clergyman.* Dont, master, dont; O God Almighty, master, dont!

*Kidnapper.* My lads, have you carried the woman and children down to the boat?

*Attendants.* Yes, Sir! The woman struggled, and fought, and screamed; and we knocked her down, and one of the children fell into the water.

*Clergyman.* Oh! Oh! Oh! Murder! Help! Murder! Murder!

*Kidnapper.* Give it to him with the butt end. [*Gouge knocks him down.*] Give him a dozen more. [*Gouge whips him.*]

*Clergyman.* [*Groans.*]

*Gouge.* Say what I told you, or I will cut you to pieces.

*Clergyman.* Dont, master, dont; Oh! mercy, master, mercy.

*Kidnapper.* Dont whip him any more Gouge.

He submits. I am afraid I shall have to salt him; the weather is so hot. What is your name?

*Clergyman.* [*Sullen, will not answer.*]

*Kidnapper.* Answer, or I will cut you to pieces. [*Kicks him.*]

*Clergyman.* [*Sulkily.*] David: curse you.

*Kidnapper.* Give it to him, Gouge. [*Gouge whips him.*]

*Clergyman.* [*Groans.*]

*Gouge.* I will cut you to pieces now, sure enough. [*Whips him.*]

*Clergyman.* Oh, mercy, master; mercy; show some pity. I did not mean what I said: mercy, master, mercy.

*Kidnapper.* Let him alone, Gouge. He submits. David; I have sold you to a respectable planter, who will soon be here after you. Take care what you say, for, if he refuses to take you, look out. Gouge, what was done with David's two sons?

*Gouge.* They were sent off to the Cotton Plantation. Bill fought desperately, and was very much cut up; but the other submitted.

*Clergyman.* Oh, my poor boys! my poor boys! Oh! Oh!

*Kidnapper.* David, will you behave yourself?

*Clergyman.* Yes, master, I will.

*Kidnapper.* Gouge, where is Clara?

*Gouge.* Down in the kitchen with the mulatto

*Clergyman.* [Groans.]

*Kidnapper.* Send her up stairs to me.

*Clergyman.* Oh, Sir! Oh, Sir! spare my poor innocent child. [Falls on his knees.] O, as you hope for mercy, yourself; spare my poor child! Oh! Oh!

*Kidnapper.* What does the fool mean? I have sold her to go to St. Louis; to a Missouri gentleman, Mr. Lawkins Mawgridge; he said she was a fine girl; and he would give me two thousand dollars for her. She will be very kindly treated.

*Clergyman.* Oh! Oh! Oh! I shall go distracted! Spare my poor innocent child; spare her! save her! save her!

*Kidnapper.* David, will you behave? I dont want to whip you again.

*Clergyman.* Help! murder! help! Oh, mercy, master, spare her! save her!

*Kidnapper.* [Calls out.] Gouge! Peter Gouge! Peter! O Peter! O Peter! you damned son of a bitch, Peter! Bring the whip.

*Clergyman.* Kill me, if you please, but spare my poor child! my poor child!

*Kidnapper.* Will you behave yourself, David?

*Clergyman.* I cant help it, master. Oh, my poor child! my poor child!

*Kidnapper.* Well, David, I will see what can be done, if you behave yourself. If you dont, mind me, off she goes to Alabama.

*Clergyman.* [*Weeps and wrings his hands.*] Oh! oh my poor wife, and my dear little children; my two brave boys sent away, and then my dear daughter, so beautiful and innocent, to be carried off by vile ruffians! Oh! Oh! Oh!

*Kidnapper.* Peter: O Peter! O Peter! bring me the whip. Will you be still now, ~~we~~ must I whip you myself? I shall strip you and tie you up to the ladder. Be quiet, I say. I dont want to whip you. But I see I must.

*Clergyman.* Kill me, if you please; but I cannot help it. Are you a man, and can you treat people so?

*Kidnapper.* Villain! You are my slave. Would you rebel against your master? Do you dare to disobey my orders?

*Clergyman.* I am not your slave, if you kill me for saying so. What right have you to treat me so?

*Kidnapper.* You impudent scoundrel! when Peter brings the whip, I will let you see what right I have. The law gives me the right, to correct my slave, till he submits to my authority. I have answered your question, you rebel. Will you submit? My humanity is all that saves you now.

*Enter Gouge with the whip.*

*Kidnapper.* Mr. Gouge, you must contrive to be a little quicker, when I call you, or you dont remain

in my employ long. You need not whip him now : I see he submits. If he is sulky again, I will make him feel. Stop, here comes Mr. Hurdle, for David.

*Enter Planter, with his overseer.*

*Planter.* Well, Mr. Gormon, I have come for my new servant. What is his name ?

*Kidnapper.* David. — Here is a receipt for the money. I leave the runaway with you. He is a fine strong fellow, and has no other fault except running away ; if it was not for that, I would not take double the money for him. I am in great haste, and must be off. [*Goes away with Gouge, and the other attendants.*]

*Planter.* David, what work can you do ?

*Clergyman.* I am not used to any kind of work. I am a scholar.

*Planter.* A scholar indeed ! what kind of a scholar ? Are you a Doctor ?

*Clergyman.* No, master. I am a preacher.

*Planter.* O ho ! A nigger preacher, eh ? what did you preach last ? Tell me that, if you are a preacher.

*Clergyman.* I preached against the abolitionists.

*Planter.* What did you say, David ?

*Clergyman.* I said there was nothing in the Scriptures against holding slaves.

*Planter.* Did you? David, you are a good boy; I will use you well. Have you that discourse with you, David?

*Clergyman.* I have it in my pocket, master. Here it is. [*Shows him the discourse.*]

*Planter.* I could not have believed that you could read and write. You shall preach that to my slaves to-night. That will do very well, indeed. Overseer, send Dinah up to me. [*Overseer goes out.*]

*Enter Dinah.*

*Dinah.* [*After going towards the Clergyman and looking at him very inquisitively.*] O, master, dis is white man. Dis no colored man, at all.

*Planter.* What do you mean, Dinah? I say he is a colored man.

*Dinah.* No, master: no colored man. He very dark, but he white man. I know um directly. He got no freckles on his nose. Look at him, master. White man, full of himself, proud, cross, great eater. He crammed now so full of hoo-cake, he cant breathe. [*Planter goes out.*]

*Dinah.* White man, where you come from?

*Clergyman.* I was kidnapped and brought here and I dont know where I am myself. I am distracted. What shall I do? Oh my poor wife, my poor children. [*Weeps and wrings his hands.*]

*Dinah.* Dout cry and take on so, white man. Master very good man. He be very good to you, if you behave yourself. When you speak to him, always say, "Master." And when he calls you, always say, "what Master please to have?" He will give you a pack of corn a week to make homminy. He very kind to his slaves. When my brother Tom was sick; he called de Dóctor to him, and when he found Tom did not get better, he told Tom, if he only would get well, he should not work so hard again. Tom was never whipped, and he worked very hard, cause he fraid he might be whipped. But poor Tom, he died, and master said he very sorry, very sorry indeed, for Tom. Tom was his best servant: he said when Tom died it was a thousand dollars right out of his pocket. O dear! O dear! Master very kind man. I had three little children. Master lost money at a horse race, and then he sold my husband, and they chained him, and carried him to 'Bama State. But he run away to get back here, and they chase him with dogs and rifles, and they shoot him and took him and carried him off; and wedder he dead or wedder he live now, I dont know. I nebber see him again. And then master wanted more money, and he sold my three little children, and I screamed and fit with the men, that took em away, till they knocked me down; and I was out of my head a fortnight, crying for my children; till de

Doctor tell massa I should die, if he did not get back my youngest child. And massa, he say, it was too bad, and he sent after my youngest child, and got it back. Massa very tender heart. My dear little child was a colored child; my two others, black, they were my husband's children; my little child, overseer's child. Overseer very cruel, wicked bad man. He beat me, he kick me, he choke me, he abuse me very bad.

*Clergyman.* Oh! oh! what will become of my poor child, oh! oh! Why did you not complain to your master?

*Dinah.* No use. Overseer say, it master's child; master say, it overseer's child.

*Clergyman.* Why did you not complain to a magistrate?

*Dinah.* No use, white man. Law made for white man, do what he please. Black man's word never taken against a white man. Master comical man when he pleased. He told the overseer, he would shoot him, if he ever ill treated me.

*Clergyman.* Dinah, will he let me speak to him?

*Dinah.* O yea. White man, if any occasion, mind dat.

*Clergyman.* Dinah, will you ask him to let me say a few words to him?

*Dinah.* Deliver your own message, if you please. You no better dan me, as I know of. You servant, well as me.



*Clergyman.* I know it, Dinah. Another time, I will ask for you, Dinah.

*Dinah.* Now you speak like gemman, I ask him. [*Opens the door and speaks.*] Massa, David wish to speak wid you, but he fraid to offend you.

*Planter.* [*Comes in.*] Well, David, what do you want?

*Clergyman.* Master, if I might be permitted without offence, I should like to speak to you.

*Planter.* If it is nothing unreasonable or saucy, I am very willing to hear it; what do you want?

*Clergyman.* Sir, whether you know it or not, I am a white man, and have been kidnapped.

*Planter.* Whether you was kidnapped or not, I do not know, but I bought you fairly of a slave dealer and gave nine hundred dollars for you, which I am afraid is more than you are worth. — I have the bill of sale in my pocket, given me by Jonas Ruffo. He told me you could read and write, and had often tried to pass for a white man. You saw him give me the receipt, but you said nothing.

*Clergyman.* Jonas Ruffo, if that is his name, is a kidnapping villain. I am as much entitled to my liberty as any man, but I was afraid to speak, and wanted to get out of his hands.

*Planter.* It may be so; but you see you are entirely in my power, or to use your own phrase in your discourse, "Providence, for some inscrutable

purposes, which it does not become us to pry into," has delivered you into my hands. And, as you have proved in your discourse, which you preached, that the institution of slavery is not inconsistent with Christianity, I shall have no scruple to keep you in my service. If you were kidnapped, I know nothing of it; I bought you fairly and paid nine hundred dollars for you. Still, as I profess to be a just man, if you can show any sufficient reasons why you should be emancipated, that will not apply to all my servants, I will emancipate you, though it has cost so much; and I will not be very hard with you, for I will leave Dinah to speak for herself. Ask me no questions, but stick to your text, and be respectful, and abide by the result.

*Dinah.* Massa, if you go for let white man go, let Dinah go too.

*Planter.* Hold your tongue, Dinah. Let David speak, and then you may answer.

*Clergyman.* I am a free man: I was kidnapped. I was born free.

*Dinah.* All men born free. I was kidnapped, as soon as I was born. Master buy me. Master buy David. David say slavery not wrong; den not wrong to make David slave. If slavery den kidnapping lawful. If massa let David go, den massa let Dinah go; my children, dat massa sold, more than pay for Dinah.

*Clergyman.* I am a gentleman; a minister of the Gospel. My wife is a lady like yours; my little tender children, would you have them brought up as poor, ignorant, degraded beings? Think of your own children, if you have any. My two sons just entering college, would you have them taken away and sent to work in the cotton-fields, exposed to the broiling sun, and fed on a peck of corn a week, and liable to be whipped on the naked back, whenever they were unable to complete their stint. My beautiful daughter:—oh sir!—oh sir!—[*weeps and wrings his hands;*] we are not of such a degraded race. The negroes are a degraded race, but I am not: O spare us, sir, spare us.

*Dinah.* Massa, great changes in dis world. De great king in de Bible, was sent to eat grass in old time. De great French king in our time, sent into the wilderness, where he died all alone. Dey offended God. White man preach in de pulpit, slavery right; now, he feel de change too; he made a slave himself. He say de negro degraded race. White man a little degraded himself, now. Let him and his woman and children be slaves a few years, dey will be more degraded dan de negroes, and if his beautiful darter he is so proud on, is made a breeding wench, as dey made me be, her children will be of all de colors of de rainbow. Massa's grandfather, as massa knows, was a Virginia convict; my grandfather was an

African King. Master great man now; my grandfather kidnapped, and I a poor negro slave; white minister preach, slavery right, and now he and all his folks are made slaves. White man very proud; when he free; very mean when he slave; very cruel when he master; when he slave, no trust him at all. Negro, self first, friend next. White man, all self. Massa, I serve you long; I bear all; when you whip me, I bear it: what you bid, dat I do. If I have enough to eat, I glad; if I have not, I go hungry. Massa, if you let white man go, let me go. Great change in de world massa. ———

*Planter.* Stop, Dinah; dont run on forever; and be more respectful. Speak, David.

*Clergyman.* My indignation chokes me. Is it not enough, that I am obliged to humble myself, and entreat for my release, for the sake of my poor wife and children, when I am as much entitled to freedom as yourself; but I must be obliged to speak alternately with this ——? for shame, sir, for shame.

*Planter.* If your indignation chokes you, I am glad of it, as it will save me the trouble. You impudent scoundrel, if you speak to me in that way again, I will have you tied up and whipped. Remember that is not the way to get any thing of me; now speak, if you have any thing reasonable to say, or I shall say at once, I will not grant your request.

*Clergyman.* Pardon me, master, I forgot myself.—

yet, I must say, though I am a Clergyman, and a man of peace, by nature and education, if we were in the wilderness, alone.

*Planter.* You scoundrel; do you mean to challenge your master?

*Clergyman.* Pardon me, Sir, it is the weakness of human nature. You have me in your power, and I must submit; but, if it were not for my poor wife and children's sake, I feel as if I could be cut to pieces, sooner than say one word more; but as it is, Sir, hear me patiently. Do you suppose you can keep me here a slave?

*Planter.* I told you to ask me no questions, and to behave respectfully; you have disobeyed me: but I will overlook it this once. If you are very turbulent, I will not trouble myself with you, but will sell you to a more humane master than myself, at the horse market, to-morrow, and then you may settle the question with him. Do you mind me, now?

*Dinah.* Please, Massa, let me speak. You no understand de white man like me. White man's justice no use de scales and weiglits, he use the steelyards; one white man weigh down one hundred black men. White man say, slavery right; but he mean, for de black. He say dat, cause he white himself. If he black man, den he say slavery bad for black man, good for white man. But de poor negro, he say slavery bad for all; for de white, for

de black, for de colored. White man tell black man to submit and obey master; but when de white man be slave, he no submit himself, tho' he be preacher. David say, wrong to fight master, yet he want to fight master himself. White man despise de negro, because he black, and not shaped so well as de white man. Black preacher say, nebbber mind, wedder you be black or wedder you be white; nebbber be ashamed of dat, God made you as he please; and he say if you are a slave, obey massa, and never run away, submit to God's will, because he say we all die soon; and den if we behave well, we be raised again, de black as well as white. Den, if de black be good, he be changed, and become beautiful, just as de crawling cate illar be changed to beautiful butterfly; so de poor, whipped, branded and despised negro becomẽ changed to beautiful smiling creature. Den cruel, wicked, handsome white man, be changed too. Den his white face be changed to suit his cruel, wicked heart. Den de Judge come, and brand de cruel white man on de face, wid de thumb-screw, de whip, and de ladder; den de mark of Cain be on him forever; and den dese wicked white men keep company together, and no need of any oder hell, or any oder devil.

*Planter.* Dont be impudent, Dinah; if you are, look out.

*Dinah.* No, massa, no. Dinah not be impudent,

Den massa, if Dinah get to heaven, is you kind to Dinah, den Dinah kind to you, massa. But do white preacher, who say it right to keep slaves — O massa — massa! what do you think come of him? Will not de priests of Baal and Moloch and Jumbo rise in judgment against him? What harm did de priests of Baal and Moloch and Jumbo do? De priests of Baal honor Baal instead of God! de priests of Moloch honor Moloch instead of God; and de new negro honor Jumbo, and tink he honor de true God; but de white Christian minister, when he say, slavery right, den he dishonor God; den what will become of de white minister, who do so when he know better? De white minister, he put on de fine clothes, and he go into pulpit, and he have de white handkerchief in his hand, and de shining ring on his little finger, and he read something dat he has written in a book, and he spreads out his hand, and he turn his face to de right and to de left, and he speak pretty words, and he tink he preach de Gospel, and he call himself ambassador of Christ. But Christ preached to de poor man; de white man preach, for please de rich man. Very pleasant to preach sermon, when he get quarter dollar a piece, for dem all; but poor black have work hard all day for nothing. De white minister take de quarter dollar in his pocket, and he say, right to keep slaves who get nothing for what dey do, but a minister is

well paid for what he does. White minister very tender of his own daughter; he cares nothing for de black man's daughter. He very tender of his own sons, he cares nothing for black man's cons. He hate to have his son work, so he make de poor negro work for him. Den he calls de negro lazy rascal, cause he cant work all de time. He do nothing himself, but he call negro lazy; O massa, massa. Where all de tobacco, and de wheat, and de rice, and de cotton come from? De poor, lazy, 'graded' negro raise um all. White man no work; but he call de negro lazy, and he whip de poor negro; de poor black man, de poor black woman, and de boys, and de gals, cause dey cant work *all* de time. Den massa give some of his corn to de horse, and some to de cow, and some to de hogs, and some to de poor negro. Den massa take all de money his poor negroes get for him by de cotton, de rice, de wheat, and de tobacco, and he go to de cock fight, and he lose money dare; and he go to de horse race, and he lose his money dare; and he play cards all day and all night, a week at a time, and he lose his money dare, till all de money his poor negroes get him, all gone, and den he 'bliged to sell one of de poor negroes to raise money. Den he sell de husband away from de black woman, and he sell de children away from dare moder, and he berry cross wid his poor slaves, and he whip em, and sometimes he get drunk, and



den he berry bad indeed. But my master berry good for white man. When he sell my husband away from me, master said he berry sorry to part wid him, but he must have de money. And when he sell my three young children from me, and I was 'stracted, he sent and get back my youngest child, but de poor child took sick and died, but I never forget master so good, and den massa berry good to broder Tom, when he died, and I never forget dat neder. White people and black people bery different, massa. Do good to de white people all de days of your life, and de white man tank you bery much; den you 'fend de white man in a berry little matter, den he angry, and he forget all de good you have done him all your life, and he hate you for dat little ting. But de black man, speze you 'buse him every day, starve him, kick him, whip him, den afterwards speak one kind word to de peer black man, and you laugh and do little ting for him, or for his fader or for his mooder, or his child, den he forget all de 'buse you gave him. You take de handsome white man, you send him College, where he learn to spell, to read, and to write, and cypher, and every ting, and he read de good Book, and you give him money, and you try every way to make him good, but you cant make him good. White man always fight and quarrel, and he stab wid de knife, and he fight de duel, and he kill his friend, and he berry cruel; always

cruel and proud ; and he tink he berry brave, but de white man not very brave ; he always have de pistol or de knife in his pocket ; he 'fraid, when he has no knife, no pistol. White man not berry brave ; white man 'shamed to lie, but he deceive always, and he cheat ; white man no like to steal, but he rob ; he no like to rob white man, dat 'gainst de law ; but he cheat de Indian, he rob de Indian ; he 'fraid of de Indian : white man not berry brave ; he practise wid de pistol, and he practise wid de rifle, den he go into de bush, and he shoot de Indian, den berry proud ; white man 'fraid of de Indian : why white man always practice wid de pistol ; why wid de rifle? cause he 'fraid. Gib de white man every ting, you cant make him good ; always greedy, never satisfied. White man tink he preach de gospel ; he no preach de gospel. He tell a poor negro, "obey your massa." He never tell massa, not go to de horse race, or de cock fight, or play cards. He tell poor negro, not to steal. He never tell massa, give your servants 'nuff to eat. He tell de negro, not to run away ; he never tell masters not to be cruel and make poor negro run away. Yet de Gospel say, massa, dont treaten your slave : why dont de white minister say, white man, dont beat your slave, dont curse him, dont abuse em ; white minister 'fraid to say dat. But de poor negro, he not allowed to read, he kept to work all de time ; he hab but little to eat, — not allowed to go from the plantation, — not allowed to

have a gun, de white man so 'fraid; how can poor negro learn any ting? And de white man say, de poor negro 'graded. Tis de cruel law 'grade de poor negro. Yet de planter 'fraid of de poor negro for all dat. Massa no 'casion to fear de negro; de yellow man, — massa, de yellow man, — your own son, massa, he part white man, look out for him, massa. He cunning like de white man, he strong like de negro, he brave like de negro; look out for de yellow man. He know, he white man's son, he proud too. When de yellow man whispers in de black man's ear, den master be 'fraid, den you have 'casion.

*Planter.* Hold your tongue, Dinah. How dare you say such a thing?

*Dinah.* Please, master, let Dinah say one word, and den I done.

*Planter.* Say on, Dinah, but dont be impudent.

*Dinah.* Massa, when your moder sick, I 'tended her night and day till she died; when mistress sick, I 'tended her night and day till she died; now massa, what has dis white man done, dat you make him free, and keep poor Dinah slave?

*Planter.* Well, Dinah, upon the whole, I have concluded to give you your freedom; and now you may leave me when you please.

*Dinah.* I tank you very much, massa. Now I free woman, I hope I shall not be 'bused by de over-

see any more. But, massa, Dinah never leave you. Where I go? My husband if he alive, is a slave; and wedder slave or no, he never see Dinah more. If I go to him, he say "Go away, you had yellow child; go away." No massa, I stay wid you and work for you just de same as before I made free. O massa, white people tink dey very wise, but dey very foolish. Why dey do wrong for noting? Why not make good laws, and set all de negroes free? Give dem buff to eat; make dem strong, den dey work harder for you den dey do now. Let every black man have his wife to himself: no more sell de children from de moder. Den de black people live without fear, dey work hard again for you. Only gib dem a little share, very little share of what de black man raise for you, only a little share of de wheat and de corn, dey raise for you, and a little share of de tobacco to smoke de pipe, and let dem have it for dare own, to do what dey please wid, den dey have heart to work, and no need to pay overseer to whip de poor negro. Den what de negro raise over dare own share, be more dan all you get now, and all be honest and fair; no cheat, no wrong. Den no starve negro, no whip negro, no 'buse poor negro woman; den no more colored child any more. Den no need of de pistol or de knife in de pocket, for de use of de negro; den no need of dogs to hunt de runaway, or rifles to shoot dem. O massa, massa,

only treat de blacks well, dey make your bravest soldiers. Dey not brag and curse and swear like de white man, nor hide behind de cotton bags, nor creep away in de bush, nor take de scalp; but dey stand out bold in de open field, and no run away. O massa, why you take so much trouble to do wrong, when, only do right, it cost you no trouble at all? You 'fraid of de negro. Now cause he slave: make de negro free, he fight all your enemies for you, and drive dem away.

Massa, you 'member de battle of Bladensburg, when de white men brag so? Massa, you 'remember de dunghill cock you bought for five dollars, dat you taut was a game-cock, how he crowed and clapped his wings, and looked so bold, till he saw de hen-hawk come, and den he run and hid in a hole; yet de dunghill cock taut he was very brave, till he saw de hen-hawk. So de white soldiers brag, till bimby dey see de English come, and den dey all flung down dere guns and run away. And den all de bravest officers tried to get before de white soldiers to stop dem: den Major Bluster, and Col. Bombast, and Capt. Buttermilk tried which could run fastest to stop de soldiers, but Capt. Buttermilk won de race, but he could not stop de soldiers. Massa, white soldiers like de dunghill cock, dey crow very loud. Massa, black man not crow very loud; he no like to fight, he love peace. But, for all dat, he

fight when he 'bliged to. Massa, you 'member Col. Bully? [*Planter in a reverie, pays no attention.*] Col. Bully use to come play all fours wid master and he bridge de cards, and he turn up Jack so often dat massa lose one hundred dollars. Den massa called Colonel Bully "damn cheat—damn rascal." Den Colonel Bully sent Mr. Thomas Fool wid de challenge to fight de duel, and master 'greed to fight him wid rifles, and Mr. Thomas Fool was Colonel Bully's second, and Mr. Likewise, de great member of Congress, was massa's second; and master practised wid de rifle for a week, till de day 'pinted come. Den dey all went out in de field together, Master and Colonel Bully, and Mr. Thomas Fool and Mr. Likewise. Den broder Tom told me master look very pale, wid de taut of killing his old friend, Colonel Bully; and his hand trembled very much when he took de rifle, and Colonel Bully's hand trembled very much too; I spose he hate to kill massa, his old friend. And when de seconds, Mr. Thomas Fool, and Mr. Likewise, told em to take dare ground, Col. Bully told master he did not wish to take his life, and if he would pologize, he would make up. Den master very glad, cause he did not wish to kill his old friend Colonel Bully, and den master say dat when he called Colonel Bully "damn cheat, damn rascal," perhaps he was wrong, perhaps he was right; and broder Tom told me it was de handsomest 'pol-

ogy he ever heard in his life. And Colonel Bully said master was a brave man and a man of honor, and he was satisfied; and den dey shook hands. But Mr. Thomas Fool said he smelt a rat, and he always hated de smell of a rat, and he would not stop a moment longer. And Mr. Likewise said he'd be damn'd, if it was not a skunk, that he smelt, and he'd be off. So dey both of dem went away. Den Master and Colonel Bully had a bowl of hot toddy togeder, and afterward dey marched round de yard, arm in arm, and all de servants made a procession after dem, and master told Jack de fiddler to play "see de conquering hero come;" but Jack, he make mistake and play de rogue's march; but de Colonel and master so agitated, dey never find em out till next day; den massa was going to whip Jack, but Jack begged master not to whip him, 'cause he very old; and he said he was so tosticated with joy, cause master come back alive, when he was so desperate hold, dat he never mind what he did. Den master give Jack half pint of rum. Den broder Tom say Mr. Thomas Fool was like a drum, he made a great noise, but he got noting in him for all dat. And broder Tom say Mr. Likewise was de bravest, de most venturesome, de most daring, de most 'dacious man he eber saw in all his life, *to be second in a duel*. He was de noblest specimen he ever seed of de shovelry of de soud.

*Planter.* Hold your tongue, Dinah. Are you going to run on forever. I have not heard a word, that you have said, this half hour. What have you been saying, Dinah?

*Dinah.* Noting at all, massa; I only say, when I see a bold young man, wid a knife or a dirk under his jacket, I alway tink of de dung-hill cock; he no match for de game cock, unless he have de galls on; he know dat berry well.

*Planter.* Hold your tongue, Dinah. Now, what have you to say, David?

*Clergyman.* When you have done with this black woman, I will speak.

*Planter.* You speak in a saucy manner, as if you were better than she is; but I tell you I will not hear half so much from you.

*Clergyman.* Will you be so good as to tell me, if you know, what are to become of my wife and little children, where my two sons are gone, and what is to become of my daughter; as to myself I will speak afterwards.

*Planter.* Your wife and children are sent to Kentucky; your two boys are gone to Alabama, your daughter is gone with the Louisiana young man, to Natchez.

*Clergyman.* [Wrings his hands a moment and weeps.] Sir, you must know, whatever you pretend, that I am really a free white citizen of the United States.



*Planter.* Whatever you may pretend, I have slaves whiter than you, much. If I take the word of every light-complexioned slave that I buy, that he is a free man, I should be very simple indeed. I gave nine hundred dollars for you, and have the bill of sale in my drawer; your wife and three children were sold for one thousand dollars: your two sons were sold for five hundred a piece: your daughter was sold for two thousand dollars, but she would have brought a great deal more, if she had been set up at auction in Washington, where there are so many rich southern planters. You preach pretty well, but I have a colored boy, who can read and write as well as you, and the former black preacher preached much better sense than you, but he spoke out too plain, and your doctrine is much more agreeable to my interest as well as my conscience, and I think I shall keep you at that business. But, I will hear what you have to say. But, either you have ate too much hot cake, or you do not like your text, for you seem incapable of saying any thing for yourself.

*Clergyman.* Sir, I am now satisfied, that I have nothing to expect, either from your justice or humanity. I shall therefore appeal to the justice and law of my country for protection. I have given you sufficient notice and warning, that I am a white man, and that I am a free man, and all my family are free. I shall condescend to no further intreaties or repre-

contentions, but shall take such measures as I see fit to obtain and secure my liberty. That I shall recover heavy, perhaps ruinous damages, from some tribunal of justice, if I can but obtain a hearing, I will not suffer myself to doubt; in the mean time, I caution you, for your own sake, not to proceed too far.

*Planter.* [Calling.] Peter, bring the whip. [Peter comes in with a whip.] Now tie this impudent scoundrel up, and give him thirty-nine lashes. [Peter ties him up and whips him.]

*Planter.* Now run over to the tavern, to the slave-dealer from Georgia, and tell him he can have David for eight hundred dollars, as he offered.

*Clergyman.* Infernal villain! but you will meet your reward for this.

**SCENE.** *Clergyman in a deep wood. A sound of rifles firing at a distance, and dogs barking. He climbs up into a high tree with very thick foliage, and conceals himself. Enter an overseer with ten assistants, armed with muskets and rifles, and a large number of dogs. After smelling round some time, the dogs stop at the large tree, and begin to bark.*

*Overseer.* The villain must be here. Look up and see if you can discover him. [*The assistants step backwards and forwards, looking up, at different distances from the tree.*]

*Assistant.* Yes, there he is; I see him plainly. *Overseer.* Now, you villain, or I will shoot. Let me fire again, I will bring him down. [*Fires.*]

*Clergyman.* Don't fire again; I will come down. [*He descends. The ball has cut off half of one ear. They beat him with their whips, and knock him down; then tie and carry him off.*]

*Scene.* A magistrate's office. Enter Planter with four attendants, with Clergyman bound and gagged.

*Planter.* Good morning, Mr. Justice, we want a little of your assistance, if you please.

*Justice.* What is the case?

*Planter.* I have brought here a fugitive slave, and wish to obtain of you a certificate, to authorise me to remove him.

*Justice.* I decline having any thing to do with it. I look upon slavery as wicked and abominable.

*Planter.* I doubt not, Mr. Justice, that you are conscientious in your opinion. But it is not your opinion I want at present. I call on you to discharge

the duty of your office, under the penalty imposed by the act of Congress on this subject.

*Justice.* Sir, I know I have authority under the act of Congress of the United States, if I see fit to exercise it; but I decline the duty; and it is not within the power of Congress to degrade me, by requiring me to execute the office of haugman, and this I look upon more degrading. I will not submit to be a slave-catcher.

*Planter.* But, Mr. Justice, will you not allow me a hearing? I come to you for your assistance, which the laws as well as the Constitution of the United States, give me a right to claim, in order to secure my property, which, with all due deference to you, you cannot refuse me, without great injustice.

*Justice.* If the man is your property, I am very ready to assist you in retaking him. But how came he your property?

*Planter.* He is my slave; I bought him.

*Justice.* How did he become a slave? Was he kidnapped and brought into this country, contrary to law?

*Planter.* No: he was born in this country; and is a slave.

*Justice.* If he was born in this country, how can he be a slave?

*Planter.* I suppose he was born in Virginia; but that I am not certain of; and is a slave, I believe.

from his birth; but I do not pretend to know any thing about that; I bought him of a planter, who was in possession of him and claimed him as his slave, and I carried him into Kentucky, and here is a certificate, backed by my oath, that the man, by the law of Kentucky, owes me labor and service.

*Justice.* But what makes this man a slave?

*Planter.* The laws of Virginia.

*Justice.* Then, supposing him to have been born in Virginia, if it had not been for the laws of Virginia, the man would have been born free?

*Planter.* Certainly; if there had been no law in Virginia, that negroes should be slaves, this man would have been free.

*Justice.* Well, friend, you have cut the throat of your own case; it is not in the power of any Government to make slaves of people born within its territory. It would be in the highest degree unjust to do so. Now describe the Constitution of all the States in the Union, and you will not find one, that authorizes the Legislature to commit an act of injustice. It is declared in the Bill of Rights of this Commonwealth; it is also declared in the Declaration of Independence of these United States, as a fundamental axiom, in ethics and in politics, that all men are born free and equal. This man, therefore, cannot be your slave by virtue of any law of the State or Territory, where he was born, because

no law that is unjust, can have any righteous sanction: to say he is your property, is ridiculous nonsense. To claim him as your slave, is absurd and monstrous. To pretend that he owes you labor and service, is equally false and preposterous; because, you can have no right to his labor, without some contract on his part. It is much more manly, as well as true, to say that you hold him as your slave, by force, and that you mean to *free* him. But, when you come to me and ask me to assist you in such resolution, I shall allow no forms or ceremonies to prevent me from telling you, that I regard such an application as a request to assist you in larceny, robbery, or other fraud or violence. You will not be surprised, therefore, if I desire you to retire as soon as possible, as I am expecting gentlemen here upon business. [*They go out, and carry the Clergyman to another magistrate.*]

SCENE. *Second Magistrate's Office.* *Magistrate and Lawyer.* *Enter Planter and his attendants, with the Clergyman.*

*Planter.* Mr. Magistrate, we wish for your assistance, to grant us a certificate, under the act of Congress, to authorize us to remove this fugitive slave

Justice. Gentlemen, I will attend to your business immediately.

Plaster. Is there any respectable attorney in the neighborhood, will act for me?

Justice. Here is Mr. Comfort, a respectable lawyer.

Plaster. [Takes him aside.] What will your fee be in this case?

Lawyer. Fifty dollars.

Plaster. Then, I believe, I must dispense with your attendance. I have been told lawyers sometimes act gratis in these cases, for the sake of notoriety. It is no consequence, I will manage this business myself. [Lawyer withdraws.]

Justice. I observe with some pain, that this man is bound and gagged. This cannot be permitted a moment, while he is in the custody of the Court. [They unbind him and take out the gags.]

Clergyman. Mr. Justice, I am a Clergyman, and a white man, and have been most basely and wickedly kidnapped, and I am glad to find myself in a place, where I shall find some justice and humanity; for, I do not believe that a human being was ever more basely outraged.

Justice. You will have a hearing in your turn; there is no need of any noise or uneasiness. I think we had better proceed regularly and methodically. In cases where the liberty of the citizen is concern-

ed, the most minute particulars should be attended to.

*Planter.* I am happy to hear you say that; since now I am assured, I shall be able to obtain my property, without difficulty.

*Justice.* [To the *Planter.*] You will proceed with your case,

*Planter.* This fugitive is my slave: I bought him of Mr. ———, of Virginia, and removed him into Kentucky. Here is the bill of sale. You will find it regularly drawn, and signed and sealed, and acknowledged before a magistrate. I gave nine hundred dollars for him. Mr. ——— told me fairly, he was a troublesome fellow; that he could read and write, and had had a good education; that he was a negro preacher, and that he acted in that capacity to his negroes. That, being very light-complexioned, he had run away once, and pretended he was free, and passed himself off as a white man, and once had the impudence to pretend that he was a Mr. Dorsey, a preacher at the North. But this fable was fabricated in the face of the fact, that Mr. ——— had just sold his wife and children to go to the South; his wife and the two sons, and his grown up daughter, who was represented as being very handsome, was sold to a young Louisiana planter for the sum of two thousand dollars. Yet, in the face of all these circumstances, this fellow has had the impudence to pass himself for a white preacher. I have here an



affidavit, sworn to before a Justice in Kentucky, that, by the laws of Kentucky, this man owes me labor and service. If you will please to look at them, you will find them regular. With regard to the identity of the person, there can be no doubt. He is described as five feet nine and a half inches tall; having three of his front teeth knocked out, his back very much whaled with the lash, and one ear half cut off; these punishments were inflicted for his incorrigible obstinacy and perverseness; his teeth were knocked out for resisting when he was recaptured. Please to examine the papers, and you will find them regular and properly authenticated.

*Justice.* Every thing appears to be regular, indeed.

*Planter.* I have witnesses here, to swear they have heard him preach to the blacks, and to testify that he is the person described in the affidavit.

*Justice.* You say you bought this man in Virginia, and carried him into Kentucky; do you claim him under the laws of Virginia, or under the laws of Kentucky?

*Planter.*—Under the laws of Kentucky. I cannot claim him by the laws of Virginia, because he is a fugitive from Kentucky. Such is the law, as I presume.

*Justice.* Then I think it will be unnecessary to examine your witnesses.

*Clergyman.* Sir, am I to be allowed to speak before you decide?

*Justice.* I think it will be unnecessary, and do no good at all.

*Clergyman.* But I insist upon being heard, Sir.

*Justice.* I have already told you, it would be superfluous.

*Clergyman.* But, Sir, it is my right,— what! condemn a man unheard, in New-England? Sir, it is monstrous!——

*Justice.* I had you are laboring under a very great mistake.

*Clergyman.* Sir, I am under no mistake at all. I was born in a free country, and I know my right; and I will be heard.

*Justice.* Stop. I command silence. If I considered it necessary, I would call on you to speak; but as you can do yourself no good——

*Clergyman.* Sir, I am the best judge of that, and I will speak. Has justice in Massachusetts only one ear, that she cannot listen to the defence of the accused?

*Justice.* Once more I command silence: speak again at your peril, till I give you leave; I tell you, you shall not be condemned without a hearing. Mr. Planter, I have heard your allegation, and examined your proof: the latter appears very regular in every respect; and there does not appear any doubt, that the person in custody is the fugitive described in your affidavit. But, as the act of Congress does not

require me to give you a certificate, unless I am satisfied that, under the law of the State, from which the fugitive escaped, you are entitled to his services, I cannot give you a certificate, because I am not satisfied.

*Clinton.* Be good enough, Sir, to give me the reasons for what appears to me, so very extraordinary a result.

*Chapman.* I will do this very willingly. Sir, I consider slavery as a manifest and most gross violation of natural rights; I consider it also, notwithstanding what some ill-instructed clergyman have said to the contrary, wholly irreconcilable with the benign precepts and spirit of Christianity. Any laws, which may be enacted for the establishment of such a system of iniquity, I consider wholly void; as much in violation of natural rights, as equally to the doctrine laid down in Blackstone's Commentaries, as well as in other works of authority. That that I am so much as to suppose any court within a slaveholding State, will ever venture to declare a law void, on any such ground; my observations and experience have taught me; that whenever the Government of any country has wisdom enough to prohibit such laws, they will take care that suitable means shall be appointed to execute them. But the moment they call on another Independent Government for assistance, to enforce such laws, the tribunals of justice in that Government, perceiving at once

that such laws are made in violation of natural right, will immediately refuse to give any aid in enforcing them. Because such aid cannot be given, without incurring the same criminality, as that incurred by the State enacting such laws.

To illustrate. I esteem the slave-law of Kentucky as made in open and shameless violation of natural right; and though I cannot expect the citizens of that State will declare such laws void, on that account; yet I think the tribunals of this State being entirely independent of Kentucky, ought to ascertain that ground, and refuse to lend the slightest assistance in enforcing them. To assist in enforcing such laws, if iniquitous, can only be done by incurring equal criminality. I, as a Justice of the Peace of Massachusetts, do not consider myself concerned in laying a load of guilt on the State of Massachusetts, which does me the honor to make me so; by one of its judicial exponents, by assisting in the execution of an iniquitous law, passed by the State of Kentucky; especially as such law is not only inconsistent with the feelings and opinions of all the people of this Commonwealth; but because slavery, the establishment of which is the object of the iniquitous law of Kentucky, is abolished in Massachusetts, not by positive law, but by the operation of the Bill of Rights itself. Since, therefore, the State of Massachusetts has declared slavery unjust, how can a Justice in

...to assist in enforcing the slave  
 law of Kentucky? What shall you do

By the law of Kentucky,  
 the slave is your property, and you have a right  
 to sell him. The law of Kentucky is void, as made  
 in derogation of natural right, and though the Judges  
 of Kentucky dare not do so, I say such a law  
 is void, even in Kentucky; I therefore say, that by  
 the law of Kentucky, he does not owe you service  
 and labor. Such laws in Massachusetts have been  
 decided void here, by the operation of the Bill of  
 Rights; I therefore, as a Judge in Massachusetts, say  
 such laws are void every where, whatever other Judges  
 may say here or elsewhere; I will never violate my  
 conscience by enforcing them. What! shall a Judge  
 of Massachusetts decide a slave-law made in Massa-  
 chusetts to be void, because made in derogation of  
 natural right, and yet recognize the same law to be  
 enforcing, when made in Kentucky? What! may  
 he not say, with the same breath? The law is void  
 in Massachusetts, because in derogation of natural  
 rights; the same law is void in Kentucky, because  
 made in derogation of natural right. This man  
 therefore, my brother, is your property, and you have a  
 right to sell him. A condition being the same as none.  
 The Judges in Kentucky may decide what they

place; but, as the slave is in jail in Massachusetts, I, as a Justice in Massachusetts, hold it void every where, for the same reason, and will not lend any assistance in enforcing it.

*Planter.* What has the Bill of Rights of Massachusetts to do with the law of Kentucky? tell me that, if you please, Mr. Justice.

*Justice.* The Bill of Rights in Massachusetts is a legislative declaration or recognition of the natural rights of mankind. All men, whether in Massachusetts or Kentucky, have these rights from nature, and no Legislature, either of Kentucky or Massachusetts, or of any other country, has any lawful power to deprive men of them. If you call on a Massachusetts Justice, to assist you in enforcing an iniquitous law of Kentucky, made in derogation of those natural rights, which are recognized by the Bill of Rights in Massachusetts, what can you expect, but that he will refuse to assist you? You may fancy you are doing no wrong, because slavery is an institution of your State; but the Massachusetts Justice, if he assists you, knows he is doing wrong; because slavery is prohibited in Massachusetts, being abolished there, because it violates natural right. In assisting you, therefore, he violates his conscience, as well as the fundamental

*Sir,* I have another reason. Virginia and Kentucky are independent States, and the laws of all Gov-

enactments have no force beyond the territories, within which they are enacted. A slave, born in a slave-country, is a freeman every where else. In the slave country, he is a slave *de facto* (in fact,) but not *de jure*, (legally,) as soon as he is out of the territories of the slave State, therefore, he is free, both in fact and in right. If, therefore, Kentucky makes such a man a slave on his coming into that State, it is an act of kidnapping, just as if it made a man born in Massachusetts a slave; and it is not the more or less important whether it is done with or without an express law in Kentucky, to sanction it. But, shall the Commonwealth of Massachusetts, which regards slavery with abhorrence, and man-stealing as hardly less than murder, in enormity, assist in enforcing a law which has for its object to legitimate, what effectually comes to the same thing, the capturing of a man of his natural liberty? I, for one, shall not do it; others may act as they please; but, for these reasons, I tell you plainly, I am not satisfied, that the man owes you labor or service, by the laws of Kentucky, and therefore I will not grant you a certificate.

I have another reason. By the laws of the slave States, the testimony of a colored person, is admissible in no case, where a white person is interested; but, as black testimony is admissible, where slaves are concerned, the testimony of this man, in this case, is not rejected because unworthy of belief, but because;

In some cases, it may be convenient to stifle the truth, by the rejection of the testimony of the only persons, who, from their situation, can have the means of knowing it. The consequence, I have no doubt, is, that the most infamous cruelty and oppressions may sometimes be practised upon them, with perfect impunity. It is for this reason, that if you were to exhibit to me a decree of the highest court of Kentucky, that this man owed you labor, I would not consider it conclusive; for, as I know that the testimony of black persons is excluded, I never should esteem a trial, in which important testimony may have been suppressed, conclusive. A black person, who sues for his freedom in a slave State may be able to prove by his mother and brothers, free blacks, that he is free, but if their testimony is excluded, and he is adjudged a slave, can such a judgment, in the minds of any rational person, be conclusive that he really owes service. I for one will give it no such efficacy. It is true that the act of Congress requires that due faith should be given to the proceedings of other States; and I will admit that the records, in such cases, prove that such a judgment was given; but, as the act of Congress, in relation to fugitive slaves, requires the magistrate to grant a certificate, only when he is satisfied, I would grant no certificate in such case, because I should not be satisfied, notwithstanding a decree of the highest court in the State of Kentucky, owing to



the suppressing of black testimony. No man can have a fair trial, if his witnesses are rejected without good cause.

I regard the law of Congress, which makes the oath of the interested claimant competent evidence against a fugitive, as equally unjust. The oath of a party, interested to the value of a cent, is not competent evidence, in any other case. But it seems, if a man is willing to go before a magistrate, in a slave State, and make oath that a person owes him labor, and has fled to another State, that a certificate of that oath, signed to a magistrate in the State, to which the fugitive has fled, shall be sufficient evidence, to authorize the magistrate to deliver up the fugitive, and consign him to slavery for life, and his posterity after him. Now, I say, though Congress has made such a certificate competent testimony, yet Congress had not, and has not the power to make it credible, and I will no more consign a man to slavery, on such evidence, which is taken ex parte, behind the other party's back, without cross examination, than I would commit a man to prison for a robbery, on such testimony. I tell you plainly, I should regard a testimony, consisting of a voluntary affidavit, made before a magistrate, as not of the least value, nor important. As I would not take your word or your oath, were you to appear in court, I should not take such a case, because you are interested, though sworn to by

presence, and with an opportunity for him to cross-examine you; neither will I give the least weight to a certificate of such an oath, taken before a magistrate in a *free* State. It would be in the highest degree indecent and shameless to do so. Such is my opinion.

*Final.* Mr. Justice, I believe, when you are qualified as a Justice, you are sworn to support the Constitution of the United States. A clause in the Constitution requires that fugitive slaves, owing service, should be given up. Allow me to inquire, how you reconcile your present proceedings with your oath.

*Justice.* Very readily. I have already told you, that I am not satisfied that this man owes you labor or service by the laws of Kentucky, under which you claim him. One of the principal intentions and objects of the Constitution was, "to establish justice," as appears in the preamble to it; this is the general intent; any particular intent, that may afterwards appear in the Constitution, which is found to be inconsistent, must give way to the general intent. This is the rule of construction in all legal instruments. In swearing to support the Constitution, I am sworn to support the establishment of justice; this cannot be done by assisting the establishment of an unjust and unjustified. Any act, therefore, that is found to be inconsistent with justice, though, at first sight, it may

seem to come within the meaning of the Constitution, I shall discountenance, because I am not willing to believe, that the framers of the Constitution really intended to commit an act of injustice; and, if you convince me that they really did intend a particular act, which I think unjust, but which they did not esteem so; still, I shall be of the opinion, that they never would have countenanced the act, if they had been aware of the full enormity of it, and that by discountenancing the act, now found to be at variance with all the fundamental principles of right and wrong, I shall best comply with their real intention. For, justice can never be established by acts of unrighteousness and iniquity; and, if an oath be taken to observe certain particulars, one of which is couched in obscure terms, the true meaning of which is to be discovered by construction only, and which particular is then found to be inconsistent with an express declaration of the general intent of the oath, as well as at variance with an express moral precept of the Supreme Being, I shall venture to reject that particular, so far as it is found to be inconsistent with that moral precept and the general intent. I conclude, therefore, that I will not grant any certificate. The prisoner is discharged from the custody of the Court.

*Planter.* How then can I ever take my runaway?

*Justice.* I cannot be your counsel. But I can do nothing to hinder you from taking the fugitive, if he

really owes you service, by any just and equitable law.

*Planter.* But, Sir, I do not mean to make you a judge of the validity of Kentucky laws.

*Justice.* Why then have I the honor of an application from you, for a certificate? My course of reasoning is very plain. I am not to grant you a certificate, for the purpose of removing a fugitive, unless I am satisfied that he owes you labor and service. I believe the law of Kentucky, under which you claim his service, to be totally void; because it violates man's natural rights. If the law, under which you claim to hold his services, is void, how can I conscientiously grant a certificate that he owes you labor and service?

*Planter.* Mr. Justice, by swearing to support the Constitution, you agreed to deliver over to us any fugitives from Kentucky, who owe labor to us by the laws of Kentucky, however absurd, monstrous, injurious and unjust the laws of Kentucky may be; for you are not to be the judge of that.

*Justice.* There lies your mistake, Sir. Yet I must confess, I respect you for your frankness, as much as I despise those persons, who, in violation of their own principles of justice, affect to believe, that what is wrong in Massachusetts can be right in Kentucky; and, though citizens of Massachusetts will assist in enforcing the institutions of slavery in Kentucky, which they regret, as being void in Massachusetts.

I say, sir, you are in a great mistake, if you suppose the citizens of the free States, by adopting the Constitution, and swearing to support it, are under an obligation to deliver up fugitives from the slave States, on any other ground than that the fugitives *really and justly owe service* to the claimants of them. On your supposition, if the State of Kentucky were to enact a law, that any citizen of the United States, who should teach a negro to read, should be a slave for life to the owner of the negro, the other States would be so far bound by the Constitution, as to be under an obligation to assist in enforcing such law. Suppose, then, a citizen of Massachusetts, happening to be in Kentucky, should be convicted of teaching a slave to read, and should escape to Massachusetts, do you suppose, if the Kentucky master come into Massachusetts, and claimed the Massachusetts citizen as his slave, that any magistrate in Massachusetts would deliver him up? No, sir; such a law is unreasonable and void, and would never be enforced by any Court in Massachusetts. The case of the slave, held in bondage in violation of natural right, is much stronger. The slave has violated no law whatever; and there is no pretence that can justify the judiciary of Kentucky in ~~claiming~~ *claiming* him to slavery as a penalty.

*Plenier.*—But, Sir, do not you recollect what Mr. Clay, the greatest man in the United States, remarks, in his celebrated speech in the Senate of the United States?—He says that “many of these citizens of the

District of Columbia; who signed the petition to the Senate and House of Representatives, against the abolition of slavery in that District, are not slaveholders, and are conscientiously opposed to slavery, but sign the petition, because they justly respect the rights of those who own that description of property." Why cannot you, Sir, do the same?

*Justice.* Whatever I think it a crime for me to do, I think it equally a crime for another to do. There is this difference, however, if I sin knowingly, I violate my conscience; if he sins ignorantly, his sin is less, because he knows no better. But, if I assist him to do, what I think it a sin for me to do, myself, is my sin too? I think not. What Mr. Clay says, therefore, is unconsistently and unfounded. For, no man, conscientiously opposed to slavery, can for a moment believe that slaveholders have a right to hold slaves. If so, they cannot respect the pretended rights of the claimants of such property; for the plain reason, that slaveholders, as such, have no rights to respect. *No right of property is created by fraud, violence or injustice.*

*Planter.* But, Mr. Justice, do you not know, that that very extraordinary man says, that that is property, which the law declares to be property; and three or four hundred years of legislation have sanctioned and sanctified the holding of negro slaves as property.

Justice. This is very satisfactory doctrine for a slaveholder, no doubt. But it seems to me the argument proves too much. The oppression of the Israelites in Egypt lasted almost twice as long; yet the oppressions of the Israelites was neither sanctioned nor excused by that long lapse of years. To what?

When Satan comes hereafter to reign a thousand years on earth, will the length of his reign afford a sanction for the abuse under it? Sir, this is all nonsense, and unworthy not only of Mr. Clay, but of any upright man of common sense. The longer and more the continues, the more reason it takes for the immediate removal of it. I wish I had you to mind.

Plenty. But, Sir, what does your own great man, Mr. Otto, the sun of the northern planetary system, say on the subject? "The evil of slavery is not a new discovery; its impudence was a subject quite as familiar to the people of the North, when they sought the alliance of those of the South, as it is, at this hour, or at least it was so, when they framed the Constitution." *Writings of Washington, Vol. 17, p. 100.*

Justice. When he is the sun of the system, the planets cannot be larger than marbles. You may read through the whole of his long, but quite containing letter, from beginning to end, without detecting any thing better than superficial views of this subject, accompanied with some vague attempts at prophecy, and some rather stale observations, in relation to

“reckless enthusiasts.” It appears, however, in very good contrast with Mr. Clay’s speech, the latter being as flippant and light, as the speech is dull and heavy. If you have quoted the passage correctly from the letter, there seems to be an intention, that, notwithstanding the fracture of the Constitution from the North were well aware of the impotence of the institution of slavery at the South, yet they were so desirous of an alliance with the South, that they were willing to sacrifice their own constitutions, by a guaranty of the continuance of slavery to them. It is an opinion, commonly expressed and supported chiefly, from the ill-informed editors of newspapers, that the Constitution guaranties slavery to the South. But such an opinion is wholly groundless. The clause in the Constitution, in relation to the surrender of fugitives owing service, merely provides, that they shall be delivered up to the claimant, on demand by him. But, as it does not make it the duty of any person, in particular, in the free States, to deliver up the fugitives, this article would have remained almost a dead letter, if an act of Congress had not been enacted, with the intent of giving it efficacy.

This act points out the different Courts and Officers, whose duty it shall be to surrender such fugitives. If this act had not been passed, how could a claimant ever get his fugitive back? Suppose he went into a free State after him, no public officer



would feel that he had any right, much less that he was under any obligation, to lend his assistance, either judicially or ministerially. Suppose the claimant undertook to arrest the fugitive, himself, without any warrant; this might be very dangerous. What would he do, if the fugitive resisted? If he killed the fugitive, it might be held to be murder; if the fugitive killed him, a jury, perhaps, might acquit the fugitive, as acting in self-defense. This clause in the Constitution does, as far from being a guaranty, amount to nothing more than an agreement, that the free States shall not liberate a fugitive, from the duty (if any) which he owes to the claimant in the slave State, and shall not obstruct him in retaking the fugitive. The condition, that he shall be surrendered on demand, without the aid of the act of the United States, is essentially because the clause does not apply in the duty of any particular persons to deliver him up. There is, therefore, nothing like a guaranty of slavery in the Constitution. By the act of Congress on this subject, certain State officers among others, are authorized to deliver over such fugitives to the claimants. But, suppose those State officers decline to act under this authority, as it seems to me they lawfully may, notwithstanding the penalty of the law, the claimants can resort to the tribunal of the United States only. The clause in the Constitution will then be found, in effect, to amount

to nothing more than an agreement on the part of the free States, not to obstruct a slaveholder in arresting a fugitive, who owes him services by the law of his State, supposing the law itself not to be void, for manifest violation of natural right. This is nothing like a guaranty of the lawfulness of slavery, nor like an agreement to act as slave catchers. It is true, many editors of newspapers, having no very distinct moral perceptions on this subject, appear to suppose that the Constitution of the United States was an agreement, made between certain certain people at the North, to sacrifice all their principles of justice, in order to induce the people at the South to condescend to enter into an association with them. And for this purpose, though the northern men esteem slaveholding a system of abominable injustice and cruelty, they were willing to "sanctify and sanction" it by their approval, and to assist the planters at the South in maintaining it, and even to go so far as to bind themselves by an oath they would do so; thus making the framers of the Constitution at the North, hypocrites and rogues; because, after being the means of deluging New-England in blood, in defence of themselves from alleged oppression, they thus swear to support the people of the South in a system of oppression ten times more heavy than what they had delivered themselves from. Notwithstanding they pretend, in the preamble of

their Constitution, that one of their principal objects in adopting it was to establish justice. These modern-slick editors have no resort but to pretend, that if a man swears to maintain cruelty and injustice, he commits a great sin, if he does not keep his oath; as if an oath to commit a wrong, would make it right. But the true principle undoubtedly is, that as the intention of the Constitution was to establish justice, no construction shall be given to any obscure or doubtful parts of it, that will make it the foundation of injustice. And, if any clause in the Constitution is so plainly in favor of an act of injustice and cruelty, that there is no need of any construction about it, the intention being perfectly clear, then the subordinate intention must give way to the principal one. Suppose the institution of slavery, (a phrase, by the way, which I do not see was contrived to pink a system of wickedness,) to be plainly alluded to in the Constitution; yet, if so, it is incompatible with the establishment of justice. Now, I am sworn to maintain the Constitution. Shall I then violate my oath, by establishing justice, and refusing to lend my assistance in enforcing a system of cruelty and oppression; or, shall I not rather violate my oath, by persisting to enforce a system of cruelty and oppression, and thus overthrow justice, instead of establishing it? I do not see how I can help it. I suppose, the people at the North, say to the South,

ern planters, "Form an union with us for mutual protection," and the planters say, "Assist us in making the blacks slaves, and we will;" and the northern people say, "No, it is against our consciences; we have abolished slavery among us;" and the southern planters say, "No slavery, no Union. You need not keep slaves yourselves, and you may cooperate with your honor, conscience and regard for appearances, by professing to be opposed to slavery in the abstract; but you must make southern slavery an exception, and we will make it for your interest, by joining the Union, and letting you deal with us. But we must be allowed to come and claim our run-aways and take them away from your States." Thus suppose the northern people say, "To expect us to assist in catching persons who have escaped from cruelty and oppression, and sending them back to their oppressors, is to suppose that we will turn kidnappers for others quarrel, when nothing under heaven would induce us to become so, on our own account. No, all we will do, is this: the word slave or slavery shall not be mentioned in the Constitution. But, if any person, who, by the law of your States, owes you labor and service, escapes to us, you may come and take him, without any obstruction from us; but if you take out of our free men, it will be at your peril. But, if you wish us to assist you in taking any fugitive from service, from your State,

then you must leave it to our ecclesiastics, and if the fugitive, in our opinion, owes you labor and retri-  
bution, then will we deliver him over; but, if we think  
he does not, then we shall refuse to interfere in the  
business. So far will we go, but no farther. For,  
as the object of the proposed Union, among other  
things, is to establish justice, we will certainly take  
an active part in making out a cloak for the grossest  
injustice and oppression. I therefore discharge the  
priest from my custody, and you may see him.

*Planter.* Well, then, Mr. Justice, I will take my  
slave before another Justice, if that is all.

*Clergyman.* Mr. Justice, if I am discharged, will  
this man lawfully take me again? If not, I have  
nothing to say on that point. The  
penalty of interfering to hinder  
one from carrying his slave, is so great, that I can  
not resist to interfere farther.

*The Minister.* The penalty of interfering to hinder  
one from carrying his slave, is so great, that I can  
not resist to interfere farther.

*Planter.* Where are you going, Patrick? Are  
you going to leave me? I will not pay you any more.

*Patrick.* After what his honor has said, I will have  
nothing to do with this business. I thought this man  
had committed some crime, and, as I was to be paid  
for it, though it was clear upon the grain, it was not

upon my conscience to help to take him. But, since he is taken up for running away from oppression, I would as soon take to my father's ashes, as trouble the man.

*Plaster.* Stand by me, Patrick, like a man of honour, and I will double your pay. [*Offers him money.*]

*Patrick.* Na, Na. The more you ask me, the more I want to do it. Keep your money to yourself, and the evil one do you good with it. I have just escaped from oppression, myself, and by the powers, I am not going to dishonour myself, by turning kidnapper, at all, at all.

*Plaster.* Jonathan, you will stand by me, like a true-blooded yankee I did you know a blue I at year  
*Jonathan.* Yes, you. I know what I am about; I shall stand by the Constitution. Our dear Goodwin says there is nothing against making niggers slaves, in the Scriptures; and I will do as I agree.

*State.* But this is a nasty kind of a job, and you must give me as much as you offered the Irishman, or else I can't do it. It is worth, at least, as much as cleaning stumps.

*Plaster.* Well, Jonathan, I will give you the same I offered Patrick. What do you say, Leecher, you are a great strong fellow, you won't leave me?

*Leecher.* Why, I guess there is no great harm in

it; though I hate slavery in the abstract; for Governor Hill, and Mr. Atherton, and all the great folks, in our State, and our deacons in Canaan, seem to think it is right to give up the niggers; and so if you will let me have your eight-year-old for my colt, and give me twenty dollars to boot, I will do it—but it is too little.

*Planter.* My horse is worth two hundred dollars, and your colt is not worth taking away; so if you choose to quit, you may quit as fast as you please. But I will give you as much as the others.

*Isaiah.* [Whispers.] It is against my conscience to take so little; but as I hate niggers, call it five dollars, and I'll do it. I can take him off alone, as easy as I could a sucking baby.

*Planter.* Well, be it so. Now, what's your name, yellow head, what do you say?

*Vernon.* I thought the man was taken up for passing counterfeit money. But now I have found out, that he is only running away from slavery, I will have nothing more to do with it. My father fought for his own freedom, and his son shall never dishonor his memory, by lending a hand to enslave others. If you don't know my name, Mr. Planter, you can ask it civilly, or you may call me Ethan Allen, or Job Shattuck, if you please; for I will no more put up with insult, than one of them would. And, therefore, if you ever call me "yellow head"

again, I will give you something you dont like; there are no two ways about that: and I wont call for a dozen others to help me, as you brave fellows do at the South. [*Goos. off.*]

*Planter.* Come Jonathan and Issachar, take him along. [*They carry off the Clergyman.*]

*Scene.* *Third Justice's Office. Justice and Constable present; the Planter comes in, with Jonathan and Issachar attending, bringing in the Clergyman, bound.*

*Planter.* Mr. Justice, I have arrested a fugitive slave, and wish to obtain from you a certificate to authorize me to remove him. If you are at leisure to attend to this business, I will proceed immediately; but, in the first place, I have a complaint to make against this constable, for refusing to assist me in the arrest.

*Constable.* Sir, there was no warrant offered me to serve; neither was there any bond of indemnity offered me; and I did not choose to incur the risk of arresting a man as a slave, who might be a free man; and to be plain with you, I did not choose to be made a dog off, to hunt your slaves. The next time you come into this State on such business, I



recommend to you to bring on your own blood-hounds with you.

*Justice.* Mr. Planter, the Constable is under no legal obligation to do such business, unless he sees fit. You should have sought the services of some person less scrupulous. Proceed, if you please, with your case.

*Planter.* I purchased this slave in Virginia, and carried him into Kentucky. Here is the bill of sale. The fugitive is a colored man, but of so light a complexion, that he has frequently passed himself for a white man. His education has been good; he can read and write, and preaches in a style rather superior to the ordinary class of black preachers. He has sometimes officiated in this capacity to the negroes in Virginia; but being separated from his woman and children, he has become very sulky and unmanageable, and has given me a great deal of trouble; I have consequently been obliged to treat him with more severity than is agreeable to humanity in the abstract, but which a proper regard for slave discipline rendered indispensable.—

*Justice.* No apology, Sir, is necessary on that account: the learned Chancellor Kent remarks, in substance, in his Commentaries, that though your laws seem to be very severe, their harshness is practically tempered by the mild and benignant spirit of Christianity. I do not recollect his precise phrase. Proceed, Sir, if you please.

*Planter.* I have here an affidavit, sworn to before a Justice in Kentucky, that by the laws of Kentucky he owes me labor and service, and I am ready to support it by my oath here in your presence, to the same effect, if you think it necessary. Have the goodness to examine these documents, 'Squire slave-catcher, if you please, and I believe you will find them regular and satisfactory.

*Justice.* [After looking over the papers.] They seem to be all regular. Stay; Constable, what is the meaning of this noise and uproar round the office?

*Constable.* A number of decent quiet people were desirous of coming in; but there is a mob round the house, that called them abolitionists, and drove them away.

*Justice.* It is of no consequence. David, I believe that is your name, do you wish that Mr. Squire should be sworn? Otherwise I shall consider the certificate of the affidavit sufficient.

*Clergyman.* No, Sir:—

*Justice.* What have you to say for yourself, David? Are you the man named in these papers?

*Clergyman.* I cannot deny that, Sir; but,

*Justice.* Did you ever preach to the negroes in Virginia?

*Clergyman.* I did, Sir, under the influence of fear and by compulsion.

*Justice.* No doubt it was by compulsion; slaves

are seldom governed by any other motive. How was your ear hurt, and how did you lose your front teeth?

*Clergyman.* When I escaped, a rifle was fired at me, and took off part of it; and my teeth were barbarously beaten out with the butt end of a horse-whip. I have been most infamously ill-treated, for attempting to escape the atrocious cruelty of this man; my poor wife and my little children, my beautiful daughter and my two sons, young striplings almost grown up, have all been carried away from me, and I know not what outrages and indignities my wife and daughter have been compelled to endure.

*Justice.* Poor nigger. I am very sorry for you, indeed! Why would you be so foolish as to run away from a state of bondage, which is admitted by all the gentlemen, both at the North and at the South, who have any direct or indirect interest in it, and consequently are best informed on the subject, to be the most humane state of slavery on the face of the earth, either in ancient or modern times? Your situation is far better, David, than that of many laboring people at the North. Don't you know that all men are servants to each other? Go home with your kind and indulgent master, David; and be a good and faithful servant. Take warning now, and don't run away any more. I send you back, as St. Paul sent back Onesimus to Philemon.

*Clergyman.* I wonder if Philemon would ever

Onesimus with blood-hounds, or shot at him with rifles; or tied and gagged him, or gave him a brotherly whipping, of "thirty-nine lashes on the naked back, well laid on."

*Justice.* Stop, sir; take care what you say; don't be guilty of a contempt of court, at your peril.

*Clergyman.* Sir, may I not speak in my own defence? I thought I was in a court of justice.

*Justice.* Certainly, you have a right to a hearing. Speak; but speak to the purpose, and don't run on; but I mean, you should have free liberty to say whatever you think material. Though what you can have to say, I cannot imagine. After your acknowledgments to me, of your preaching to the blacks, and being whipped by Mr. Smith, and running away from him, I presume you do not mean to deny that you are his slave?

*Clergyman.* Indeed I do. Sir, I am a free white man, and have been kidnapped with all my family, and sold into servitude at the South; and I had hoped, that I should have been able to obtain protection, on my escape into this Commonwealth.

*Justice.* There is no protection against the law and the Constitution of the United States. Mr. Smith has arrested you as his slave, as every master has a right to do.

*Clergyman.* But, Sir, I am not his

*Justice.* Silence! sir, do not interrupt the Court.

I say your master has arrested you, and brought you before me, as he had a perfect right to do. He has sworn that, by the laws of Kentucky, you owe him labor and service, and his oath is made competent and sufficient evidence, by the act of Congress, for me to grant him a certificate, that you owe him service and labor, if I believe his oath. As yet I have seen nothing to make me doubt, that, by the laws of Kentucky, you are his slave. But you are at liberty to show that you are not his slave, by the laws of Kentucky; if you do, I will grant no certificate against you. Confine yourself to that, David, and show me that you are not his slave by the laws of Kentucky.

*Clergyman.* I pray, sir, that you will administer an oath to me. I am ready to swear that I am not his slave, and do not owe him labor and service, by any just and righteous laws. I know nothing of the law of Kentucky. I will not presumptuously swear, that *by the laws of Kentucky*, I am not his slave.

*Justice.* That is not allowed, David. The act of Congress admits the claimant's oath, to be competent evidence, but, does not consider the oath of the person claimed in that light. What master could ever recover his slave, if the fugitive's oath were competent to rebut his claim?

*Clergyman.* And what free man can be safe for a moment, if every scoundrel's oath is competent ~~to rebut his claim~~ against him, while his own is rejected?

I beg your honor's pardon for expressing myself so abruptly; but I could not help it. Sir, I am a free white man; I was born free; I cannot therefore be the slave of this man. If you will not allow my oath, let me have a subpoena, to compel the attendance of some persons who will be my witnesses.

*Justice.* There is no provision in the act of Congress, for a subpoena for your witnesses; neither have I any authority to compel them to attend, or to allow their fees; for this process is not under the law of the State, but under the laws of the United States. You say, you are a free white man, and that you were born free, and therefore cannot be the slave of Mr. Smith. There lies your mistake, David. You may be free; but I have seen slaves much whiter than you. You say, you were born free, and therefore cannot be a slave at all. This also is a very great mistake. We have it from much higher authority than yours, that "all men are born free and equal." Yet we know, that millions are treated as slaves from their birth, in this happy country, the last resort of oppressed humanity. The Bill of Rights of the Commonwealth of Massachusetts, declares, "all men are born free;" yet we know the Judges of that State deliver up fugitives, because they are *born slaves*. The Declaration of Independence, made in the face of Heaven, and in the presence of all the world, by the American people, sol-

only declares the same doctrine, in order to justify the American Revolution, which otherwise were excusable; yet, notwithstanding that solemn declaration, millions are held by them in slavery, and they profess to feel themselves justified in so doing; and many of their clergy consider it consistent with Christianity to do so. No, David, though you were born free, by the Bill of Rights and the Declaration of Independence, you are not to suppose, that you are really the more free for all that; you are merely free, in *the abstract*, which is perfectly consistent with the most abject slavery, in reality. It is sufficient, that Mr. Smith, a respectable planter, and a man of undoubted veracity, from Kentucky, swears that, by the laws of Kentucky, you owe him labor; that you were born free by the Bill of Rights, or by the Declaration of Independence, is nothing to the purpose.

*Clergyman.* Sir, by the fifth amendment to the Constitution of the United States, it is declared "that no person shall be deprived of liberty without due process of law." Now, sir, I being born free, as by the Bill of Rights of Massachusetts, and the Declaration of Independence, "all men were born free," how can you, as a Judge of Massachusetts, adjudge me to be a slave, without the production of some record, wherein I am adjudged to be a slave, agreeably to ~~some~~ process of law, intended by the words "due

process of law," in that article? Are not you sworn, as a judge, to observe the laws and act uprightly, and to do justice? Do not judges take an oath in substance like that?

*Justice.* And what is this, David, but "due process of law."

*Clergyman.* But, I ask you, sir, what ground you have to decide, that I am this man's slave?

*Justice.* His oath, made competent evidence by the laws of the United States.

*Clergyman.* But, if this man's oath is sufficient evidence for you to adjudge me to be his slave, of what use is the fifth amendment, "which says no person shall be deprived of liberty, without due process of law?"

*Justice.* The question of right or wrong, I have nothing to do with. I am sworn to support the Constitution of the United States. The process, by virtue of which you are brought before me, is regular, according to the laws of the United States, and is therefore due process.

*Clergyman.* Sir, have patience with me; I am contending for my rights and my liberty. If you grant a certificate to this man, that, under the laws of Kentucky, I owe him labor, you undoubtedly will do it, on the ground, that I have previously been his slave. Now, if you admit his oath or affidavit, to be sufficient evidence, that I have been his slave, and



still continue so, and therefore owe him labor, then it may very well happen, as it certainly will in my case, that I may be deprived of my liberty without due process. For, if you decide wrongfully under this process, that I am his slave, then I am deprived of my liberty without due process.

*Justice.* I do not intend to decide wrongfully, but rightfully. You make use of very good language for a nigger; but you seem wonderfully dull and unintelligible.

*Clergyman.* I say, sir, with all submission, what evidence is there that I have been this man's slave?

*Justice.* I have this planter's oath.

*Clergyman.* But, if you take his oath, as conclusive, then I shall have my liberty taken away without due process.

*Justice.* But, this present process is the due process.

*Clergyman.* But this process could not have taken away my liberty, before it issued. What made me a slave to this man?

*Justice.* The law of Kentucky.

*Clergyman.* But the fifth amendment to the Constitution declares, that no man shall be deprived of his liberty without due process of law. Where is the process of law, that made me a slave to this man? Is the iniquitous law of Kentucky, *due process*? Am I to be kidnapped by a court of Justice, under pretence

of keeping the oath to support the Constitution of the United States, when the fifth amendment of that very Constitution declares, that no person shall be deprived of his liberty without due process of law;" and will you, a justice having cognizance of this case, and having taken this oath to support this Constitution, thus assist in depriving me of my liberty without process of law? If there exists any record of any process in the State of Kentucky, by which I am deprived of my liberty, let the claimant produce it.

*Justice.* Have you done, David?

*Clergyman.* Sir, I am ignorant of law proceedings, and if I have been guilty of any irregularity, I beg you will excuse it.

*Justice.* Very well. After having heard and attentively weighed all the allegations of the parties in this case, I have come to a decision, which I believe to be just and conscientious. As there is nothing against slavery in the Scriptures, as has been abundantly proved by enlightened Christian ministers, and as has been admitted by this nigger preacher himself, and as the Constitution provides for the surrender of fugitive slaves, which Constitution I have sworn to support; and as it has been shown to my satisfaction that by the laws of Kentucky, the present respondent owes labor to the claimant, and does not even venture to swear the contrary himself, and has fled from the State of Kentucky to this Commonwealth, it is

therefore considered, that this Court grant a certificate to the claimant, to that effect, in order that the fugitive may be removed to the State from which he fled. I would remark incidentally here, that my judgment is grounded partly on the circumstance, that my opinion is by no means conclusive, that this man is the claimant's slave; but this nigger may try the question of his freedom in the State of Kentucky before the Courts there.

*Clergyman.* Mr. Justice, will you send a freeman of the Commonwealth of Massachusetts out of this Commonwealth, to have the question of his freedom tried in Kentucky?

*Justice.* (hands the certificate to the planter) Sir, the fugitive is now in your custody, and you may remove him from the Commonwealth when you please.

*Clergyman.* Permit me to ask you a single question, sir—Are these proceedings according to American law and justice?

*Justice.* According to the best of my opinion.

*Clergyman.* Sir, did you ever hear of Chief Justice Jeffries, in England?

*Justice.* Certainly; every body has heard of him; he was the greatest disgrace of the English law.

*Clergyman.* Then, Sir, I would recommend, that they import one of the race into this country; that such laws as ours may be suitably administered.

*Justice.* It is a pleasant thing, to see a man cheerful in affliction. I hardly think that necessary, at present, David. I do not believe there will be any difficulty in finding one to serve your turn. (*Jonathan and Issachar take off the Clergyman.*)

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SCENE. *State of \_\_\_\_\_.* Judge of the Superior Court at his chamber. The Sheriff enters bringing in the Clergyman, and hands some papers to the Judge; the Planter, with Jonathan and Issachar attending.

*Judge.* [*To the Sheriff*] Where is the respondent in this case, Mr. Sheriff?

*Sheriff.* He is here, Sir.

*Planter.* [*Advancing and bowing with great respect to the Judge.*] In obedience to the HABEAS CORPUS, sir, directed to me, and served by the Sheriff, I have surrendered this person, David Dorsey, who is my slave, into his custody, and have made my return indorsed on the writ, setting forth the facts in the case. Will your honor have the goodness to examine these papers, particularly the certificate of the magistrate, by virtue of which I was on the point of removing him from this State, when this process was served on me?

*Judge.* [After perusing the papers.] It appears by these papers, Mr. Smith, that you claim this person, David Dorsey, as your slave, and that your taking him into custody, for the purpose of removing him from this State, is the ground of the present application by some of his friends, for the purpose of obtaining his discharge. Have you any thing to say, Mr. Smith?

*Planter.* The certificate of Robert Slavecatcher, Esq., one of the Justices of the Peace, in the State of ———, that this fugitive owes me service by the laws of Kentucky, being grounded on the last clause in Section 2, Article 4, of the Constitution of the United States, and being made in pursuance of the Act of Congress, enacted to enforce it; will, I submit to your honor, be found a sufficient authority for all I have undertaken to do in this case. The tribunal issuing the certificate, being made competent to act on this subject by the Act of Congress, the certificate has all the authority that the laws and Constitution of the United States can give it. It seems to me, therefore, that I have done no wrong in arresting my slave, David, the certificate being conclusive, that the fugitive has fled from Kentucky, where he owed me service. If, as he pretends, he is a free man, the question of his freedom can be tried there, in the State from which he has fled, with perfect equity, and impartiality, and with much more convenience to the parties than can be done here.

*Judge.* Mr. Smith, every thing appears to be regular in the return; and the certificate, which is scrupulously formal, seems to be a sufficient warrant to you to take the person in custody into your possession, for the purpose of removing him. As the magistrate is well known to me as a Justice of the Peace, and, as such, is one of the officers empowered by the act of Congress referred to, to grant certificates in such cases, I am at a loss to know the grounds on which this Habeas Corpus issued. David, have you any counsel?

*Clergyman.* No, Sir.

*Judge.* Do you wish to say any thing? I shall form no opinion till you have had an opportunity of being heard; though, perhaps, I ought to apprise you, that this certificate, that you owe labor to the claimant, Mr. Smith, is by no means conclusive that you are his slave, but merely gives him authority to carry you into Kentucky, where you can sue for your freedom, if you see fit, under the laws of that State; and where the question can be settled with more propriety than it can be done here. For, as Mr. Smith claims you as his slave, under the laws of Kentucky, and as you have run away from that State, the claim can be better tried there than here. But, I will hear what you have to say.

*Clergyman.* Sir, I am a white man; and I confess, though I knew myself to have a dark, swarthy com-

plexion, I never, for a moment, mistrusted that I should be mistaken for a colored man. Sir, I am a regularly settled minister in the town of \_\_\_\_\_, in the Commonwealth of Massachusetts; but, I and all my family have been kidnaped and sold into slavery. I can easily prove what I say. Being born of white parents in the State of Massachusetts, how can I do this man service? How can I be his slave? Claiming to be a citizen of a free State, will you send me away to a slave state, to have the question settled there, whether I am a slave or not? I was kidnaped at first, by direct force, and carried into the State of \_\_\_\_\_, and there sold, and was then carried into the State of Kentucky, as a slave. I escaped to a free State, and regained my freedom: am I to be kidnaped again, under the forms of law, and under the law and Constitution of the United States; and will the magistrates of a free State violate their own consciences, and degrade the dignity of their State, by lending their assistance to such cruelty and oppression? Shall I not be permitted, in a free State, to prove that I am a free man? If I prove this, must I be sent away from its protection? If I have the complexion of a colored man, my brothers, residing in the same town, have the same complexion, and their testimony will not be admitted in a slave State; and it will be presumed from my complexion, I am a slave, and this man's posses-

tion of my person will be considered sufficient to decide that he has a right to my services, and I and all my children will thus be made slaves forever.

*Judge.* What you say, David, may be true, or it may not be true. If true, on which I express no opinion, you ought to have urged it to Lt. Slave-catcher, the magistrate. Perhaps you did so; if you did not, it is your own negligence. It is now too late. I have no power to set aside his certificate. All the previous proceedings appear to be regular. His authority is given him by the act of Congress, and I have no jurisdiction, as one of the Judges of this Court, to try this case over again; and if I were to hear your witnesses, and be convinced, that every word you say, is true, I do not see how I can discharge you from Mr. Smith's custody, any more than in any other case of an arrest by a legal warrant, issuing from competent authority. Mr. Sheriff, let the prisoner be remanded—

*Abolitionist Lawyer.* Sir, will you allow me to offer a few suggestions on behalf of the unhappy man in custody? I am not his counsel, it is true, but I wish to make them as a friend of the Court, and in favor of the liberty of the citizens in general.

*Judge.* Certainly, sir; go on. I will with great pleasure attend to any remarks which you wish to make. I will merely request you, as your opinions are known to be a little peculiar on this subject, not



to be unnecessarily prolix, nor to say any thing, that may tend to exasperate the public mind, in relation to the peculiar institutions of our southern brethren.

*Abb. Linn.* I will attend to your honor's direction. I would remark, then, sir, in the first place, that this man seems to be so stupified, by the violence that has been offered to him, that he is apparently unable to say any thing for himself. I merely urge this, that your honor may have the more indulgence while I say a few words on his behalf; for, though the man has had a fair opportunity of being heard, yet he has been unable to avail himself of it, and in fact has had no hearing at all. He has indeed furnished three most copious themes for declamation; but,——

*Judge.* Mr. Thompson, the time of the Court is precious. Pray be as concise as possible, and come to the point. This circuitous mode of speaking, and this beating of the bush, is tiresome to every one but the speaker.

*Abb. Linn.* I beg your honor's pardon. I will proceed immediately to the point. This David Dorsey is brought before the Court on a *liberum Corpus*. The person, from whose custody he is taken, Mr. Smith, claims him as his slave, and produces a certificate from a competent authority in the Commonwealth of Massachusetts, to that effect, to justify the arrest of David. On the other hand, David says, he

is a free white man, and that he has been kidnaped. Your honor intimates an opinion, that you have no authority in this case, except to examine whether the proceedings have been regular, or not, and, if found to be regular, that you cannot enter into an original examination, whether David owes service or not, but must deliver him to the claimant; because, if I understand your honor correctly, these proceedings are by no means conclusive, that this prisoner owes labor to the claimant, but merely authorizes his removal to the State from which he fled, where he may have the question of his freedom tried, in a suit before the tribunals of justice in Kentucky; — [pausing.]

*Judge.* Well, sir, and what then?

*Adv. Law.* I say, Sir, it seems to me, it hardly comports with the dignity of a free and independent State, that any man, whether citizen or alien, white or black, claiming the protection of this State, as a free man should be consigned, on a preliminary examination, to the custody of the very man, whose interest it is to oppress and injure him; for, if this claimant is not his lawful master, the man is kidnaped, and outrage is thus piled upon outrage, and enormity upon enormity. I say, in such case, the man is most cruelly and inhumanly ill-treated. —

*Judge.* Repress your feelings, Mr. Thompson, as far as you can; I beg you will not indulge your heat.

ed imagination so far, nor vent its effervescence in a tirade unbecoming this Court.

*Atc. Law.* I beg your honor's excuse. It is a sincere indignation that I express; — there is no fee in the case: — but I will endeavor not to offend again. I say, sir, under your honor's correction, that, if this prisoner is not a slave, (and in a free State, every presumption should be made in favor of freedom, until the contrary is proved, that is, established by incontrovertible evidence,) I say, if this David Dorsey is not a slave, and yet is placed in the custody of this claimant, Smith, the greatest injury will be done him. Is not this free Commonwealth as competent to decide the question, whether a man is bond or free, as any of the slaveholding States? Will this respectable State resign its sovereignty, by giving up the consideration of the question, of the liberty of persons found within it, and claiming its protection, to the tribunal of a slave State, interested in the perpetuation of slavery, and who have the shameless effrontery to suppress the testimony of colored persons, as incompetent; testimony which is never rejected on that account within this State. [*Passing.*] I will trespass as little as possible on your honor's indulgence,

*Judge.* I apprehend what you would say, Sir. In the first place, David may be a white man, for aught that appears. But there is no necessity for giving

color in this case. Justice regards the merits, and not the complexion or gloss, that may be given to it. If David is a white man, yet, if by the laws of Kentucky, he owes this claimant Smith labor and service, he must be given over to his custody. Neither the Constitution, nor the act of Congress, made pursuant to it, makes any distinction between blacks and whites, on this subject. The Act of Congress directs the proceedings, on an application for authority to remove the fugitive, and makes certain officers of each of the States, competent; and even if those officers were as ignorant, unprincipled and corrupt, as we suppose them to be worthy, enlightened and conscientious, their certificate is conclusive as to the right of removal, and no State Judiciary has any appellate or controlling jurisdiction over such officers, any farther than to examine whether the proceedings have been regular, and whether the certificate authorizes the removal. You say, that David Dorsey, being within this State, and claiming to be a free man; the question, whether he is free or not, may as well be tried in this State as in Kentucky, and that he ought not to be sent to Kentucky, on a preliminary examination: do I understand you correctly?

*Ab. Law.* Perfectly so, sir.

*Judge.* David has fled from Kentucky: it may have been, that he was kidnapped, and carried there forcibly and unjustly, in the first instance. But

neither the Constitution, nor the laws of the United States, make any exception or provision for such a case. For, even if it be so, if he runs away from Kentucky, and escapes to this Commonwealth, if he is retaken here by the claimant, (Kinsapper, if you please to give it so) and taken before any Justice of the Peace, who, after hearing the allegations of the party, being convinced by the oath of the claimant that the fugitive is his slave, gives him a certificate to authorize his removal to Kentucky, I know of no legal or constitutional remedy, that the kidnapped person has, except by a writ for his freedom in the State of Kentucky, or in the Circuit Court of the United States for that district. From an examination of the law of the United States, it is obvious that the single object of it is to facilitate the retaking of runaway slaves, and this being the case, it would be no matter if such arrests, or attempts to kidnap should sometimes take place. I say, again, David has fled from Kentucky: it is under the laws of Kentucky that he is claimed, as owing service. In Kentucky, therefore, the question should be settled, whether he is a slave or not. The question, in the abstract, might as well be settled here, as there, and there, as at well as here; but the free States have agreed to surrender fugitives owing service, on demand. A runaway, in this respect, is placed on the same footing as a thief, burglar or murderer. He is sent

back to the State where the crime is alleged to have been committed, to be tried according to the laws of that State. Let me recommend to you to read the decision of the Court of Pennsylvania, in the case of *Wright, &c. versus Deacon, & Serg. and R. G.* If my recollection serves me, it is there settled, that the certificate of the magistrate is so far conclusive, as to justify the removal of the fugitive to the State from which he fled, and he may try the question of his freedom there, if he sees fit; and, for a State Court to arrest the warrant of the magistrate, and prevent the removal of the fugitive, would be a violation of the Constitution of the United States. It would seem a natural inference, therefore, that I can have no authority to enter into an inquiry, whether this man is a slave or not, even if he had a thousand witnesses, to testify that he is a free citizen of this Commonwealth. The certificate, that he owes service, I repeat, comes from a jurisdiction conferred by the Act of Congress, and it would be unconstitutional to oppose the effect of it. There would be no end to it. David must be remanded into the sergeant's custody. The case of Randolph, was one of much greater apparent bargain than this. Randolph resided in New Bedford, in Massachusetts, four or five years; and bought him a house there, in which he lived; yet, one Griffith, claiming him as a slave, arrested him without any warrant, and being indicted

for the assault and battery for so doing, was discharged by the Supreme Court in Massachusetts, after solemn argument. 2-Pick. 11. Randolph was not considered entitled to a trial by jury, and was accordingly taken back to Virginia. See 14 Wendell, 536.

*Ab. Law.* But, sir, where a *criminal* is delivered over, he is placed in the custody of the officers of the State, where a bill has been found against him, and there is some assurance that the man will be tried by a competent tribunal, and have an opportunity of showing his innocence. Here no bill is found against David. The oath of the person interested is made competent; and David is not permitted to wage his law, by swearing he is not his slave. The magistrate, on the strength of the claimant's oath, grants him a certificate, which places the unhappy man, not in the custody of the officers of the State from which he escaped, but in the custody of the claimant; so that the man in fact is made a slave, without any trial whatever. What assurance is there that Mr. Smith will ever remove David to Kentucky? Suppose Mr. Smith to be a citizen of the Republic of Texas, as has been intimated to me, has he any right to use this process?—With your honor's leave, I will ask Mr. Smith the question. Mr. Smith, are you a citizen of the United States?

*Planter.* Sir, I was born in Kentucky.

*Ab. Law.* Are you not a citizen of Texas?

*Plaintiff.* I believe the question is irrelevant; I do not consider myself bound to answer it.

*Abol. Law.* [To the Judge.] If Mr. Smith is a citizen of Texas, as I believe, what is to hinder him from carrying David to Texas? What assurance is there, that David will be carried to Kentucky? Mr. Smith may sell him in Maryland, Delaware, Tennessee, Georgia, Louisiana, or any other slaveholding State; or he may sell him to some citizen of the moral and enlightened State of Missouri, and the certificate, which he carries from Mr. Slavecatcher in Massachusetts, especially when backed by a certificate or copy of your honor's decision on this *habeas corpus*, will be considered as making an indisputable title to David, whom the claimant, by virtue of it, will take care to convey beyond any hopes of redress.

*Judge.* Wherever David is carried, he will have an opportunity of trying the question of his freedom in a suit for that purpose; that is, in any slave State, where he is claimed, as a slave, by the laws of that State. If a man is kidnapped, as David says he was, the Governor will demand him, upon application for that purpose.

*Abol. Law.* Will your honor excuse one question?

*Judge.* I am ready to excuse any thing, but intentional disrespect; that I shall consider an indignity offered to the Commonwealth, in the person of one of its officers.



*Mr. Lee.*—It is impossible that I should be guilty of intentional disrespect to your honor. Would you, sir, be willing to have the question of your own personal liberty depend upon the love of liberty in the abstract, which Governor

*Judge.* Stop sir, call no names; it is very indecent to do so, in this court. I will answer the substance of your question. It is undoubtedly very hard upon a man, claiming to be a free man within this Commonwealth, to be surrendered to the custody of an unjust person, pretending to be his master, without an opportunity of proving his freedom before the tribunals of his own State, and depending upon the discretion, whim or caprice of a single individual, even though Governor of the State, for all hopes of recovering his liberty. For, though he may have a perfect right to his freedom, if the Governor of his State will not demand him, he can have no hope of recovering his liberty, but from the justice of some external jurisdiction. The citizen, then, does not derive the protection from his State Government, to which he is entitled. In the Commonwealth of Massachusetts, for instance, a black citizen, a voter at elections, who should go South on business, would find himself almost unprotected from the operation of laws in some of the slave States, which have been made in direct contravention of some of the provisions of the Constitution. If this black

citizen should be sold into slavery, for a breach of some of these unconstitutional laws, it would undoubtedly be hard upon him, that his right to his freedom should depend upon the discretion of the Governor of that Commonwealth, for the time being.

*Abol. Law.* Then, sir, I do not see how any man, whether citizen or alien, black or white, whether travelling in a slave State, or remaining quietly at home in his own State, can ever feel safe. For aught I see, the ministers may be dragged from their dwellings, as David says he was, and as we know the colored man Randolph was. The selectmen may be taken from their towns; and even the Judges of this court, if they happened to be travelling in another State, might be liable to be kidnaped in this way, on the oath of an unprincipled claimant.

*Judge.* [Starts.] The Judges of this court—no, no;—the Judges of the courts seldom travel out of their own State; the regular discharge of their duties will prevent it; no, no;—on consideration, there is but little danger to apprehend on that subject. I think the objection of little weight. Your imagination is too poetical, Mr. Thompson.

*Abol. Law.* But, sir, I repeat, is it consistent with the dignity of an independent State, that a person within its territory, claiming to be free, should be surrendered, to be carried into another jurisdic-

tion, to have the question, whether he is a slave or a free man, settled there? Especially, when, from the suppression of black testimony, it is settled he cannot have a fair trial, within such a jurisdiction; and when, even his being placed in the hands of the claimant, we may be certain, if the claimant is conscious of any weakness in his title to the person in custody, he will take effectual means to prevent any trial at all, by selling him immediately into a different State. If Mr. Dorsey is obliged to sue for his freedom in Kentucky, he will urge, that the testimony of persons of the same complexion with himself will be excluded, though competent in Massachusetts, and most of the free States, and that, on account of this exclusion, he will be presumed to be a slave, although a free man, as could easily prove by the testimony of respectable witnesses, who were present at the birth of the child in Kentucky, and who were well known to the claimant there, and he is well acquainted with the law of that State. The argument is well founded, and the hardship is very apparent. And, in questions respecting the interpretation of a law, such considerations may very properly be addressed to the court, to settle the true construction; but, where the effect of the law is in question, they are proper only for the Legislature, or the Executive authority of the State, and not for the Courts. It is the wisdom and far-seeing ken of the framers of our Constitution; and

the delegates from the free States, no doubt, saw whether such things comported with the dignity of a free and independent State, or not. At any rate, for whatever reason, the compromise was made, whether, as some suppose, the delegates of the free States, thought that slavery would soon be abolished, and a temporary connivance at its enormities, was excusable from the situation of the country ; or, whether, as others imagine, they thought the free States would derive honor, emolument and safety, from a union with the southern States, and considered as a mere trifle, the wear and tear of conscience in assisting to uphold the system of slavery ; a system, which, as is well remarked by Senator Bishop, in the case of *Jack v. Martin*, (1A Wendell, 550,) "is abhorred in all nations, where the light of civilization and refinement has penetrated, as repugnant to every principle of justice and humanity, and deserving the condemnation of God and man," is not for me to say. And though it cannot be denied that, by so doing, the free States have lost much of their weight in the political scale, and are compelled either to support men, principles and measures, wholly repugnant to their feelings, if not their consciences, or suffer the degradation of becoming mere Provinces, instead of independent States, I do not see, but that the compromise must be observed, at least, until the southern States set the example of violating the Constitution

in which that compromise is contained. The law, therefore, if I make no mistake, stands as I have expressed it. The proper business of the Judiciary is to enforce the law, not to alter it. If there is any thing amiss in the Constitution, let it be amended. If there is any thing amiss in the law of the United States, apply to Congress to alter it.

*Abc. Law.* But, of what avail is it, for the free States to apply to Congress to alter the law, when Congress, through the influence of the slave States, have already declared, that they will not allow a hearing of the grievances, for which a remedy is desired?

*Judge.* No human institutions are perfect. It is the popular belief, that the nearest approximation to a perfect Government, will be found in a Democracy. There the majority governs. Unanimity is its principal aim, for the sake of peace and harmony, and because union produces strength, while discord occasions weakness. With this view, every possible motive is held out by the majority, to induce the minority to give over their opposition and adopt the measures and join the ranks, of the majority. This is the reason, perhaps, why the rights of the minority, when distinguishable from those of the majority, are little regarded; but, if they oppose the interest, views or feelings of the majority, are trampled upon, without the slightest hesitation or remorse. No man in the opposition is ever appointed to an office; he is not

considered one of the people, or, is rather an alien enemy than any thing else; except that he can become a citizen and a friend, by the sacrifice of his conscience and joining the majority. Observe the treatment of the Mormons in Missouri, some of whom, if the newspapers are to be credited, thirty I believe, were murdered in cold blood, and their daughters violated, and the rest of them driven from that enlightened and moral State. Observe the treatment of an abolitionist at the South; he is considered as an outlaw, whom any set of ruffians may whip, abuse torture and destroy with impunity.

Let an outrage of any kind be offered to a Catholic, as a *Catholic*, by a Protestant mob, and, on the trial of an indictment for the crime, by a jury of the neighborhood, see what probability there is, that one of the offenders will be convicted, even on the most undoubted evidence. These persons entertain opinions different from the rest of the citizens; their rights are distinguishable from those of others, and may be violated without violating the rights of the majority; they are therefore unprotected. Look at the disgraceful and unpunished riots in different places in New England, Tennessee, Missouri, &c. and trace them to their proper source, and they will be found to arise from the insolent disregard, shown by the local majority, to the local minority. Abstractly considered, indeed, all men are born with equal

rights; but practically, especially in Democracies, none but the majority have any rights at all; the rights of any class, distinguishable from the majority, are wholly disregarded. Look at the treatment of the members of Congress, who are in the minority. Their right of free discussion is stopped at any time, by the majority, by an insolent abuse of the right to call for the previous question. But, where the rights of the minority, not being distinguishable, cannot be violated without infringing those of the majority, if the majority protect the rights of the minority, it will be merely from a regard to their own rights. The majority, therefore, when they speak of being actuated by truth, honor, integrity, love of justice, and a regard for the equal rights of all, use those words only in the same sense as editors of newspapers and popular orators do the expression, of *hating slavery in the abstract*; for, *in the concrete*, that is, where it suits their interest or convenience to disregard them, they are not influenced by such sentiments in the slightest degree. In the Declaration of Independence, all men are declared free and equal. The Constitution of the United States purports to be made by the people of the United States. It has been decided by enlightened Judges, that slaves are not parties to it. Is this decision confined to inhabitants of the United States, justly held in bondage, or does it extend to those, who are unjustly enslaved?

If those, who are *unjustly* enslaved, are excluded from the protection of the Constitution, then kidnapping is not restrained; for, by kidnapping a man, you make him a slave, and thus deprive him of the benefit of its safeguard. If those inhabitants, only, who are *justly* held in bondage, are excluded, then every black inhabitant in the United States is protected by the Constitution. For, where is the man of common sense, in any of the United States, whether a free or a slave State, that will justify the holding of slaves, unless perhaps this ignorant and insatuated negro preacher, whose detention is the subject of the present application for a Habeas Corpus?

*Clergyman.* Sir, I confess my error, and most sincere repentance for it; and pray God to forgive it, and release me and all others from unjust and cruel servitude; since I am now convinced, that all reliance upon human justice or mercy is entirely misplaced.

*Judge.* Mr. Sheriff, remand David Dorsey to the custody of the respondent. [*They carry the Clergyman out of Court.*]

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SCENE. *A room in a Tavern; Planter, Issachar, with the Clergyman, bound.*

*Planter.* Issachar, I am going to visit Colonel Fustian, a Missouri gentleman, who, I understand, is



in town. Jonathan has left us; you can manage David alone, I suppose. Take care; dont let him escape; he is pretty cunning, and has run away a number of times.

*Issachar.* Dont concern yourself; he dont get away from me, I guess. I never see but one nigger that I could not handle. [*Planter goes out.*]

*Clergyman.* Issachar, you were born in a free State. I am a free man too, and whatever you may think, I am really a white man, but I have been kid-napped. Why will you assist this man to carry me off? You know it is very wrong.

*Issachar.* I believe it is very right. Niggers are an inferior race; made to be slaves. But, right or wrong, I have agreed to do it, and will stick to my agreement; the Judges, who have sworn to support the Constitution, think slavery wrong, but they say they must stick to their agreement. I think slavery all right, myself, as long as they make slaves of none but niggers. I assisted in pulling down the school house in Canaan, and though I say it myself, there is not a more honest, conscientious, upright man in the world, than myself; that is to say, *in the abstract*; for, circumstances alter cases, and a man with a family to support, is sometimes obliged to do as he can. My word is always as good as my bond, unless I see good reason to the contrary; so you may as well save yourself the trouble of talking to me.

*Clergyman.* Issachar, I have no money with me ; I have not even a horse to swop with you ; I wish I had. But, Issachar, I will make it as good to you as fifty dollars, if you will only take off these handcuffs, and leave the room five minutes.

*Issachar.* There is no use in trying to bribe me. Where could you get fifty dollars, I should like to know ? Ten cents in specie, I guess would be more than your bank could stand.

*Clergyman.* Are not your own sins enough for you, Issachar, but you must load yourself with the sins of the slaveholders ? You have as good right to make me your slave, as Smith has. Will you let him have all the profit, while you do the dirty work ? He considers me worth five or six hundred dollars, and you get only five dollars for your share of the iniquity. If you cannot make better bargains than that, when dealing in horses, I should not wonder, if you came to the Poor House. O Issachar, Issachar, you are a strong ass, crouching down beneath two great fardels.

*Issachar.* Darn you, if your hands want tied, I'd knock the rest of your teeth down your throat. But I an't such a coward, as to strike a man, when he is tied and can't defend himself.

*Clergyman.* You great ugly booby : you have neither sense nor conscience ; nothing but a mean, low, mercenary cunning ; you have just understand-

ing enough to know, (as you do, whatever you may pretend,) that it is wicked to keep people in slavery, but you have not sense enough to know, that what is wrong for the slaveholder to do, it is wicked for you to help him do. With the five dollars in your pocket, your wages of iniquity for assisting in enslaving me, do you expect to escape the judgments of God against oppressors; merely because you kidnap me for another's benefit, and not for your own? You think it a mean thing, for a man to live in idleness on the hard earnings of his fellow-creature, yet you think there is no harm in upholding him in it, because you have agreed to do it, and you find your interest in it. Greatest of boobies, you don't arrive to the dignity of slaveholder; you are a mere slave-catcher—a tool for his convenience—a channel for dirty water to run in:—you have not the heart to beat me yourself; but you assist Smith to tie me up, who will beat me to death, for aught you know.

*Enter Planter and Colonel Fustian.*

*Planter.* Colonel Fustian; this is the boy I told you of. He has run away once or twice, and I have had some trouble with him. As soon as we get him out of the State, I will sell him to you. Tell me what you will give me for him.

*Col. Fustian.* [To the Clergyman.] Stand up.

[He examines the Clergyman's hands and feet, shakes him by the shoulder, to see if he stands firm.] How old do you reckon him to be?

*Planter.* About fifty, at most. He is pretty stout, and I think must be strong. At any rate, I am willing to warrant him sound. I think he is able to do a good deal of work; though I do not believe he is as smart as some boys. What do you say?

*Col. Fustian.* What do you sell him for?

*Planter.* [Speaks low.] He is a troublesome fellow; says he is free, and has been kidnapped. I bought him fairly, and gave a full price for him. I want the money, and I don't wish to have any more trouble with him.

*Col. Fustian.* Why, this kind of stock is not so high, as it was, and I have bought a number lately in different States; particularly some likely wenches.—I will give you five hundred dollars for him, if you will help me on with him through the Middle States.

*Planter.* Done. I am going straight home to Kentucky, and will keep company with you as far as Wheeling. I have engagements, that will prevent my going in your company any farther.

*Col. Fustian.* Well; we set off this evening then. You will settle with this yankee, and let him be off. [They go out, carrying the Clergyman with them.]

*Scene. St. Louis, in Missouri. Enter Colonel Fustian, followed by the Clergyman, handcuffed.*

*Col. Fustian.* David, here you are now, at home, St. Louis. Stay here, and I will send one of the coaches to you in a moment. You must learn to be polite and handy, and you will have enough to eat. I don't starve our servants here. But, you must not be sulky. You shall have kind treatment, if you behave well; but, if you are saucy and disorderly, look out; for I will shoot you as quick as I would an Indian. [*Goes out.*]

*Enter Clara, dressed in dirty, shabby clothes.*

*Clergyman.* Clara! O Clara, my dear child! can it be you? Come to me, my dear child.

*Clara.* My dear, dear father. [*She runs towards him, then suddenly turns away, puts her hands before her face, and sobs and weeps.*] O my father, my father, I can never come near you any more. I am a poor degraded, worthless creature, not fit to come into your presence. I have been abused, as if I had been one of the Mormon girls.

*Clergyman.* Is it so — my poor child? [*Weeps and groans, then gnashes his teeth with rage.*] This trial is too much for me. None but the humble negro can bear this. Clara, my child, unfasten my

hands, if you can. [*She assists to unfasten his hands.*] Do you know where your poor mother is, my dear child?

*Clara.* [*Sobbing violently.*] I do not, indeed, Sir. I have never seen her since the night when we were kidnaped. I can never look my mother in the face again. - I wish I was dead.

*Clergyman.* Where are your little brothers? Do you know, Clara?

*Clara.* I don't know whether they are alive or dead. But brother Bill is dead.

*Col. Fustian's voice is heard.* Clara! Clara!

*Clara.* O my father; what shall I do? what shall I do?

*Col. Fustian's voice again.* Clara! Clara! where are you?

*Clara.* I will come in a moment. [*She sobs violently, while she releases her father's hands.*]

*Enter Colonel Fustian.*

*Col. Fustian.* Why did you not come the moment you heard me call, you worthless hussy? [*Strikes her with the cow-hide, and kicks her.*]

*Clergyman.* [*Interposing.*] What do you mean, vile ruffian? [*Clara runs out.*]

*Col. Fustian.* O, you rise against your master, do you? [*Strikes the Clergyman over the head and*

face with the cow-hide, till the Clergyman wrests it out of his hands.]

Col. Fustian. [Drawing out a pistol.] So you will have it, will you? [Fires and wounds the Clergyman, who immediately knocks him down, and tramples on him.]

Col. Fustian. Murder! murder! help! O I am killed. Oh! oh! oh!

Enter Slaves.

Slaves. O, David has killed Massa! David has killed Massa! get away as fast as you can, or we shall all be killed. [They all run out, leaving David alone.]

Clergyman. [Turning over the body.] I have killed him, sure enough, I am afraid. God forgive me.

Mob heard without. Where is the murdering villain? Shoot him! shoot him! hang him! hang him! drown him! drown him! Cut him to pieces! No, no! burn him alive! burn him alive, over a slow fire, like the English fellow!

SCENE last. Clergyman's study. Mr. Dorsey fast asleep. Enter Mrs. Dorsey and Clara.

Mrs. Dorsey. [Taking off her things.] Bless me! Clara, how late we have staid. It is almost eight

o'clock, and here is your poor father, fast asleep. I suppose, he was tired of waiting for his tea. I have been too negligent: He ought to have had it by five o'clock. [*Goes to the top of the stairs, and speaks.*] Elsavena, get tea ready immediately, and call us down. [*Returns.*] Clara, did you observe how strangely Mrs. Cranberry had herself rigged out, this afternoon? 'Tis strange; how some people love to make themselves conspicuous, even by absurdities, and at church.

*Clara.* You know, mother, she is called very handsome, and is much celebrated among the men. Dr. Jalap is said to admire her very much. Do you think it will be a match?

*Mrs. Dorsey.* No, you little fool; no. He is an old bachelor, and is too much filled with a false notion of his own beauty, to think of hers. She is a coquet, and, like all coquets, must have somebody or other to flirt with. She is pretty well known, and has nobody else, and he flirts with her, to keep up some appearance of importance. Did you mind, Clara, what a strange looking thing Mrs. Cawdle had on her head?—something between a cap and a bonnet.

*Clara.* Yes, mother; but she is so pretty, she looks well in any thing; any body else would look like a fright in it. Did you observe Mr. Popinjay? What beautiful whiskers he has? How very genteel and graceful!



*Mrs. Dorsey.* Pooh! you silly fool: he is only fit to stand behind a counter, to attract customers, and help young misses to tape and bobbin.

*Clara.* That is not his business ———

*Mrs. Dorsey.* I know that very well; but he is nothing but a handsome calf. He perfumes himself, and wears rings on his fingers. I don't know, but I am told he belongs to a foppish uniform company, has made a caucus speech; and when he is fifty years old, if he lives so long, will be a colonel in the Militia. Did you mind the middle-sized man, next to him, dressed quite plain, with a very cheerful composed look; he is worth a dozen of that large, tall handsome fellow. There is a lion in him; the big fellow has no more heart than a mouse.

*Clara.* Why mother, how can you say so?

*Clergyman.* [*Groans and starts in his sleep.*] Oh! oh! oh!

*Mrs. Dorsey.* Your father is dreaming, Clara; wake him up. Mr. Dorsey! Mr. Dorsey!

*Clara.* [*Kisses her father, then shakes him, but cannot rouse him.*] Mother, shall I bring up a pitcher of cold water, and throw over him?

*Mrs. Dorsey.* Oh no; that is not necessary; he will wake presently. It is a touch of the night-mare, or what the Doctors call catalepsy. Your father ate too much of Mrs. Thingumbob's pound cake. I kept winking to him, not to do it, but he would.

*Clara.* I suppose catalepsy is Hebrew for cat-sleep; but I thought cat-sleep was the next thing to being wide awake. But father is sound asleep, very sound indeed.

*Clergyman.* [*Groans and mutters in his sleep.*] O dear! O dear! O dear!

*Mrs. Dorsey.* [*Alarmed.*] Run and fetch the smelling-bottle immediately, Clara, and bring up the camphorated spirits. [*She takes Mr. Dorsey's hand and claps it very hard a number of times.*] Wake up, Mr. Dorsey, wake up! [*Clara runs out and returns with the bottles.*]

*Mrs. Dorsey.* [*Puts the smelling-bottle to his nose, then pours a few drops of the camphorated spirits in his mouth.*] Wake up, Mr. Dorsey; wake up.—Oh, he is coming to—I see.

*Clergyman.* [*Opens his eyes, stares wildly round a few seconds, looks at Mrs. Dorsey, and Clara by turns.*] Can I believe my eyes? Are you safe, my dear wife! my dear Clara! [*starts up suddenly, and kisses them with great joy.*]

*Clara.* Why, what is the matter, father?

*Clergyman.* [*Goes to the looking-glass and examines his ear.*] No, my ear is safe and sound. Glad enough of that, am I. [*Opens his mouth and examines his front teeth.*] No, my teeth are in their places. Glad of that too! wonderful! wonderful! Am I not all over dirt and blood, Clara?

*Clara.* No, father, not at all. [*Whispers her mother.*] Father must be out of his head, to talk so, mother.

*Clergyman.* [*Looks in his pocket-book.*] Dear me, dear me, where is the thousand pound note? Gone, I am afraid. Sorry for that;—very sorry indeed. [*Looks in his secretary.*] What; the silver spoon gone? very sorry for that, too. My dear, have you taken away a great silver spoon, that I put in here?

*Mrs. Dorsey.* What silver spoon do you mean? I have seen none, Mr. Dorsey.

*Clergyman.* I mean the great spoon, that was sent me by the Honorable Committee of the State of Ohio; long enough to sup with the evil one, and twice as valuable as the Webster Vase.

*Mrs. Dorsey.* You are dreaming still, with your eyes wide open. Wake up! wake up!

*Clergyman.* My dear, have you heard how long Archbishop Tillotson has been in town?

*Mrs. Dorsey.* For shame, Mr. Dorsey, for shame: Bishop Tillotson has been dead this hundred years.

*Clergyman.* Strange! strange! Have you seen Dr. A. . . ., from London; sent here by Queen Victoria, to enquire after my health?

*Mrs. Dorsey.* Nonsense! you are dreaming still: wake up!—Pull your father's hair, Clara.

*Clara.* Why, mother! how can you talk so? I would not pull a hair out of father's head, unless

it was a gray one, for the handsomest tortoise-shell comb in Boston.

*Clergyman.* Why, Mrs. Dorsey, it must be you that are dreaming. Have you not seen the great London bookseller, Mr. Lackington?

*Mrs. Dorsey.* My patience is entirely gone, Mr. Dorsey. [*She fetches him a rousing box in the ear.*]

*Clergyman.* Why, woman, what do you mean? I have not received such a blow since I was a boy, when I fell down chimney.

*Mrs. Dorsey.* I struck harder than I intended; but you have told me a great many times, that if I could not wake you, when you had the night-mare, not to stand upon any ceremony, but to give you a good cuff. You said your good mother always did so. You said the pain of the blow was nothing to the distress you felt in your sleep.

*Clergyman.* Well, well; this is by way of homœopathic practice. This blow that has brought back my senses, I am sure, would have taken them away, if I had been in possession of them.—Yes, yes; I see plainly enough now, now it is. I have been dreaming; and now I am awake, I find the course of the world is always the same. By waking, I have saved my ear, it is true; but I have lost the silver spoon; and if I have saved my front, I have lost the thousand pounds sterling; but my dear Clara safe, and that to me is worth a thousand cash notes.

*Clara.* [*Beginning to weep.*] Don't talk so, father, don't; you frighten me to death, and distress mother, very much.

*Clergyman.* Never mind, Clara. I am well enough now, and entirely awake. But I have had the most strange, frightful, horrible dream;—it is incredible, almost impossible;—but, whether awake or asleep, whether dreaming or burning alive, as I thought I was, Clara, in St. Louis, for protecting you, when Mrs. Dorsey awaked me, hand me that manuscript sermon, you see on the shelf yonder, tied with a blue ribbon. [*She hands him the sermon, and he tears it to atoms.*]

*Mrs. Dorsey.* Why, Mr. Dorsey, what are you doing? You will want a straight-jacket soon. That sermon, all your parishioners said, was the best you ever delivered.

*Clergyman.* Best or worst; this hand shall be consumed like Bishop Craumer's, before it shall ever write such another. Next Sunday, my dear, I deliver my solemn recantation, and, as I presume, take leave of my parish forever. My conscience, that worldly prosperity has long deadened, is now roused to life and activity, and, with the blessing of God, shall again shall a regard for the applause of men, the love of riches and honors, or the fear of poverty no longer reach, so dull my moral sense, as to induce me to speak complacently of a system of shocking

cruelty and injustice, or quiet the caustic but healthful action of penitence and remorse, by crying "*peace, peace, when there is no peace.*" But this may require some sacrifices on your part, Mrs. Dorsey, which, possibly, you may think too great for me to ask of you. Will you leave your husband, Nancy?

*Mrs. Dorsey.* Never; I am fully satisfied that you are in your right senses, now. I have long thought you were wrong in relation to the subject you refer to; but I have said nothing, because I thought you knew best; and I was partly persuaded by your arguments and the opinions of others. But I am ready to make any sacrifice, you think necessary, and to bear my lot in the path of duty, be it what it may; relying cheerfully upon that Providence, which never forsakes those who trust in it. But, Bill and Jack are just come in with the three little ones, and Elsavena calls us to tea.

THE END.