UNCONSTITUTIONALITY OF THE MISSOURI COMPROMISE.

Decision of the Supreme Court in the Dred Scott Case.

Chief-Justice Taney, in delivering the opinion of the court, said that this case, after argument at the last term, was directed to be reargued at the present term, owing to the difference of opinion existing among members of the court, and in order to give the subject more mature deliberation.

There were two leading questions: first, had the Circuit Court of the United States for the District of Missouri jurisdiction in the case; and if it had jurisdiction, was its decision erroneous or not?

The defendant denied, by plea in abatement, the jurisdiction of the Circuit Court of the United States on the ground that the plaintiff "is a negro of African descent, his ancestors were of pure African blood, and were brought into this country and sold as slaves; and therefore the plaintiff "is not a citizen of the State of Missouri." To this plea the plaintiff demurred, and the court sustained the demurrer. Thereupon the defendant pleaded over, and justified the trespass on the ground that the plaintiff and his family were his negro slaves; and a statement of facts, agreed to by both parties, was read in evidence.

The Chief-Justice, having stated the facts in the case, proceeded (in a tone of voice almost inaudible) to say, in substance, that the question first to be decided was, whether the plaintiff was entitled to sue in a court of the United States. This was a peculiar question, and for the first time brought before the court under such circumstances; but it had been brought here and it was the duty of the court to meet and decide it. The question was simply this—can a negro, whose ancestors were imported and sold as slaves, become a member of the political community formed and brought into existence by the constitution of the United States, and as such, become entitled to all the rights and immunities of a citizen, one of which rights is suing in the courts of the United States in cases therein specified. In discussing this question we must not confound the rights of a citizen which a State may confer within its own limits, with a citizen of the United States.—No one can be a citizen of the United States under the provisions of the constitution; but it does not follow that a man, being a citizen of one State must be recognized as such by every State in the Union. He may be a citizen in one State and not recognized as such in another. Previous to the adoption of the constitution, every State might confer the character of a citizen to endow a man with all the rights pertaining to it. This was confined to the boundaries of a State, and gave him no rights beyond its limits. Nor have the several States surrendered this power by the adoption of the constitution. Every State may confer the right upon an alien, or any other class or description of persons they would, to all intents and purposes, be a citizen of the State, but not a citizen in the sense used in the constitution of the United States. He would not thereby become a citizen of the United States, and, therefore, could not sue in any court in the United States, nor could he enjoy the immunities of a citizen in the other States. His rights would be confined strictly to his own State. The constitution gives Congress the power to establish "a uniform rule of naturalization;" consequently, no State, by naturalizing an alien, could confer upon him the rights and immunities of all the States under the general government. It is very clear, therefore, that no State can, by any act, introduce a new member into the political union created by the constitution. The question then arises, whether the provisions of the constitution of the United States in relation to personal rights to which a citizen of a State is entitled, embraced negroes of the African race, at that time in the country, or afterwards imported, or made free from any State; and whether it is in the power of any State to make such a one a citizen of the State, and endow him with full citizenship in any State without their consent? Does the constitution of the United States act upon him, and clothe him with all the rights of a citizen? The court think the affirmative cannot be maintained; and, if not, the plaintiff could not be a citizen of Missouri within the meaning of the constitution, nor a citizen of the United States, and consequently not entitled to sue in its courts.

It is true that every person, and every class and description of persons at the time of the adoption of the constitution, regarded as citizens of the several States, became citizens of this new political body, and none other. It was for them and their posterity and for no body else; and all the rights and immunities were intended to embrace only those of State communities, or those who became members according to the principles on which the constitution was adopted. It was a Union of those who were members of the political communities, whose powers, for certain specified purposes, extended over the whole territories of the United States, and gave each citizen rights outside of his State, which he did not before possess, and placed all rights of persons and property on an equality.

It becomes necessary, therefore, to determine who were citizens of the several States when the constitution was adopted. In order to do this we must recur to the colonies when they separated from Great Britain, formed new communities and took their place among the family of nations. They who were recognized as citizens of the States declared their independence of Great Britain, and defended it by force of arms. Another class of persons, who had been imported as slaves, or their descendants, were not recognized or included to be included in that memorable instrument—the Declaration of Independence. It is difficult at this day to realize the state of public opinion respecting that unfortunate race, which the civilized and enlightened portion of the world, at the time of the declaration of independence and the adoption of the constitution: but history shows they have for more than a century been regarded as beings of an inferior order, and unfit associates for the white race, either socially or politically; and had no rights which white men were bound to respect; and the black man might be reduced to slavery, bought and sold and treated as an ordinary article of merchandise. This opinion, at this time, was fixed and universal with the civilized portion of the world.

It was regarded as an axiom in morals, and no one thought of disputing it or treating it as an open question. And in no nation was this opinion more firmly or more generally held than in those which the subjects of this government had recently separated from in the pursuit of liberty, civil liberty, and religious freedom. For the English colonies introduced the African race into their possessions, and made them their property, and held them as such under the laws and usages of the country, which united to form the government under the confederation of independent States, and after the adoption of the constitution.

The doctrine of which we have spoken was then universally received and held as a fundamental principle. It was the foundation on which the Declaration of Independence and the political institutions of the country became to rest. It was the basis on which the whole superstructure was to be raised. It was the cornerstone of the edifice, and the Declaration of Independence proclaimed to the world the principles on which the fathers of the Revolution intended to base the institutions they were about to establish for themselves and their posterity.

It was in the light of these principles that the Declaration of Independence was received and understood by the people of the United States. They were the principles on which the people had been educated and had lived for more than a century before the time when the Declaration of Independence was made, and which had been the guide of their ancestors in the settlement of the various colonies, and which had been the guide of their fathers in the long and bloody war they had just passed through to obtain for their posterity the blessings of liberty and independence. It was the language of the day, and was universally adopted and understood by the people when the Declaration of Independence and the Articles of Confederation were adopted, and when the present constitution of the United States was ordained and established by the people of the United States.

It was in the light of these principles that the question of the rights of the African race, at the time the constitution was adopted, must be considered and decided. The language of the Declaration of Independence and the Articles of Confederation, and the language of the constitution itself, show that the African race, even those who were free, could not be citizens of the United States under the constitution, and were not intended to be included under the word "citizens" in the constitution, and therefore could not claim any of the rights and privileges which that instrument provided for and secured to citizens of the United States. On the contrary, they were at that time considered as a subordinate and inferior class of beings, who had been subjugated by the superior race, and were then regarded as belonging to the inferior race, and were treated as such, and had no rights or privileges but such as those who held the supreme power in the government might think proper to confer upon them.

It cannot be supposed that the States conferred citizenship upon them: for all those States at that time established police regulations for the security of themselves and families, as well as of property. In some minor cases there were different modes of trial, and it could not be supposed that those States would have formed or consented to a government which abolished this right and took from them the safeguards essential to their own protection. They have not the right to bear arms, and appear at public meetings to discuss political questions, or urge measures of reform which they might deem advisable. They cannot vote at elections, nor serve as jurors, nor appear as witnesses where whites are concerned. These rights are secured in every State to white men.—It is impossible to believe that the men of the slaveholding States, who took so large a share in the formation of the constitution, could be so regardless of themselves and the safety of those who trusted and confided in them.

Every law of naturalization confines citizenship to white persons. This is a marked separation from the blacks. Under the confederation every State had a right to decide for itself, and the term "free inhabitant," the formality of form, certainly excluded the African race. Laws were framed for the latter especially. Under the constitution the word "citizen" is substituted for "free inhabitant." After further elaboration on the point, the Chief-Justice said, from the best consideration, we have come to the conclusion that the African race who came to this country, whether free or slave, were not intended to be included in the constitution for the enjoyment of any personal rights or benefits; and the two provisions which point to them treat them as property, and make it the duty of the government to protect them as such. Hence, the court is of opinion, from the facts stated in the plea in abatement, that Dred Scott is not a citizen of Missouri, and is not, therefore, entitled to sue in the United States courts.

The following facts appear on the record: "In the year 1834 the plaintiff was a negro slave belonging to Dr. Emerson, who was a surgeon in the army of the United States. In that year (1834) said Dr. Emerson took the plaintiff from the State of Missouri to the military post at Rock Island, in the State of Illinois, and held him there as a slave until the month of April, 1836. At the time last mentioned, said Dr. Emerson removed the plaintiff from said military post at Rock Island to the military post at Fort Snelling, situated on the west bank of the Mississippi river, in the territory known as Upper Louisiana, acquired by the United States of France, and situated north of the latitude of 36 deg. 30 min. north, and north of the State of Missouri. Said Dr. Emerson held the plaintiff in slavery at Fort Snelling until the year 1838.

"In the year 1835, Harriet, (who is named in the second count of the plaintiff's declaration,) was the slave of Major Taliaferro, who belonged to the army of the United States.—In that year, (1835,) said Major Taliaferro took said Harriet to Fort Snelling, a military post situated as herein before stated, and kept her there as a slave until the year 1836, and then sold and delivered her as a slave at Fort Snelling unto said Dr. Emerson, hereinbefore named; and said Dr. Emerson held said Harriet in slavery at Fort Snelling until 1838.

"In the year 1836 the plaintiff and said Harriet, at said Fort Snelling, with the consent of said Dr. Emerson, who then claimed to be their master and owner, intermarried and lived together as husband and wife. Eliza and Lizzie, named in the third count of the plaintiff's declaration, are the fruit of that marriage. Eliza is about fourteen years old, and was born on board the steamer Gipsey, north of the north line of the State of Missouri, and on the Mississippi river. Lizzie is about seven years old and was born in the State of Missouri, at the military post called Fort Snelling.

"In the year 1838 said Dr. Emerson removed the said plaintiff and said Harriet and their said two children from said Fort Snelling to the State of Missouri, where they have ever since resided.

"Before the commencement of this suit said Dr. Emerson sold and conveyed the plaintiff, said Harriet, Eliza and Lizzie to the defendant, in the city of St. Louis, in the State of Missouri, and the defendant claimed to hold each of them as slaves.

"At the times mentioned in the plaintiff's declaration, the defendant, claiming to be owner as aforesaid, laid his hands upon said plaintiff, said Harriet, Eliza and Lizzie, and imprisoned them; doing, in this respect, however, no more than what he might lawfully do if they were of right his slaves at such times."

The Chief-Justice proceeded to examine the statement, assuming that this part of the controversy presented two questions:

Firstly. Was he (Scott) and all his family free in Missouri? and,

Secondly. If not, were they free by reason of their removal to Rock Island, Illinois.

The act of Congress on which the plaintiff relies contains the clause that slavery and involuntary servitude, except for crime, shall be forever prohibited in that part of the territory acquired by treaty from Louisiana, and not included within the limits of the State of Louisiana. The difficulty which meets us at the threshold is, whether Congress is authorized to pass such a law under the powers granted to it by the constitution? The plaintiff dwells much on the clause which gives Congress power "to make needful rules and regulations respecting the territory or other property of the United States!" But this provision has no bearing on the present controversy. The power there given is confined to the territory which then belonged to the United States, and can have no influence on territory which was acquired from foreign governments. The Justice then referred to the cessions of land by Virginia and other States, saying the only object was to put an end to existing controversies, and to enable Congress to dispose of the lands for the common benefit. Undoubtedly the power of sovereignty and eminent domain was ceded in the act. This was proper to make it essential. There was then no government in existence with enumerated powers.—What was called the States were thirteen independent colonies which entered into confederation for mutual protection. It was little more than a congress of ambassadors, in which all had a common concern. It was this congress which accepted the cession from Virginia. They had no right to do so under the articles of the conferation, but they had a right as independent powers to accept the land for the common benefit; and it is equally clear, having no superior to control them, they had a right to exercise sole dominion, subject only to the restrictions which Virginia imposed. The ordinance of 1787 was adopted, by which the territory should be governed, and among other provisions was one that slavery or involuntary servitude should be prohibited except for crime.

This was the state of things when the constitution was formed. The territory ceded by Virginia belonged to the several confederate States as common property. The States were about to dissolve the confederation, and surrender a portion of their power for the formation of a new government, and the language used limited and specified the objects to be accomplished. It was claimed that some provision was now necessary to give the new government the power to carry into effect every object for which the territory was ceded. It was necessary that the land should be sold to pay the war debt, and that power should be given to protect the citizens who might emigrate there, with their rights of property; arms, military stores, (as well as ships of war,) were the common property of the States existing in their independent character, and they had a right to take their property to the territory without the authority of the States." It applied only to property held in common at the time, and not with reference to any property which the sovereignty might subsequently acquire. It applied to the territory then in existence and known as the territory of the United States—then in the mind of the framers of the constitution. It refers to the sale or raising of money. This is different from the power to legislate over the territories.—With the words "to make all needful rules and regulations respecting the territory," are coupled the words "and other property of the United States." And the concluding words render this construction irresistible; "and nothing in this constitution shall be so construed as to prejudice any claim of the United States or of any particular State."

It is obvious that the Congress, under the new government, regarded the above clause as necessary to carry into effect the principles and provisions of the ordinance of 1787, which they regarded as an act of the States in the exercise of their political power at the time; and these representatives of the same States under the new government did not think proper to depart from any essential principle, and did not attempt to undo anything that was done.

As to territory acquired without the limits of the United States, it remains territory until admitted into the Union. No power is given in the constitution to acquire territory to be held and governed in that character; and, consequently, there cannot be found in the constitution any definition of power which Congress may lawfully exercise before it becomes a State. The power to govern a territory until it is in a condition to become a State on an equal footing with the other States must necessarily rest on sound discretion, and it becomes the duty of the government to administer the laws of the United States for the protection of personal rights and property therein.

Whatever territory is acquired for the common benefit of the people of the United States, it is but a trustee. At the time the territory was obtained from France it contained no population to be admitted as a State, and it therefore became necessary to hold possession of it until settled and inhabited by a civil community, capable of self-government and for admission into the Union. But, as we before said, it was acquired by the joint government as the representative and trustee of the people of the United States, acting under their agents, and government holds it for the common benefit until it should become associated as a member of the Union. Until that time arrived, it was undoubtedly necessary that some government be established to protect the inhabitants in their persons and property. The power to acquire carries with it the power to preserve. The form of government necessarily rests on the discretion of Congress. It is their duty to establish the best suited for the United States, and that must depend on the number of its inhabitants, and the character and situation of the territory. What government is the best must depend on the condition of the territory at the time, to be continued until it shall become a State.—But there can be a mere discretionary power over persons and property. The constitution provides that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble, and to petition the government for a redress of grievances, &c. Thus the rights of property are united with the personal rights, and this extends to the territories as well as the States. Congress cannot authorize the territories to do what it cannot do itself; it cannot confer on the territories power to violate the provisions of the constitution.

It seems, however, that there is supposed to be a difference between slaves and other property. The people in the formation of the constitution delegated to the general government certain enumerated powers and forbade the exercise of others. It has no power over persons and property of citizens except those enumerated in the constitution. If the constitution recognizes the right of the master and slave, and makes no difference between slaves and other property, no tribunal acting under the authority of the United States can draw such a distinction and deny the provisions and guarantees secured against the encroachments of the government. As we have already said, the right of property in a slave is expressly conferred in the constitution and guaranteed to every State. This is language too plain to be misunderstood; and no words can be found in the constitution giving Congress greater power over slaves than over any other description of property.

It is, therefore, the opinion of this court that the act of Congress which prohibits citizens from holding property of this character north of a certain line is not warranted by the constitution, and is therefore void; and neither Dred Scott nor any one of his family, is or were made free by their residence in Illinois. The plaintiff is not a citizen of Missouri, but was still a slave, and therefore had no right to sue in a court of the United States.

The court having examined the case as it stands under the constitution, proceeded to other points, saying, as Scott was a slave when he was brought back to Missouri from Illinois, he was under the law of the former and not the latter. It has been settled by the highest tribunals that an individual does not acquire his freedom under such circumstances. As it appears to the court that the plaintiff is not a citizen of Missouri, nor a citizen of the United States who could sue in the United States courts, this could give no judgment, and hence the suit must be dismissed for want of jurisdiction.

Associate Justice Nelson stated the grounds on which he had arrived at the conclusion that the argument of the court below must be confirmed. Having stated the case, substantially, as above, he proceeded to examine it on its merits. The question was, whether the removal of the plaintiff, with his master, to Illinois, with a view to a temporary residence, and after his return to Missouri, was such a residence in a free State as worked emancipation. He maintained that it did not. Such questions belonged to the States to decide for themselves. As to whether Missouri will recognize or give effect to the laws of Illinois on the subject of slavery, is for Missouri herself to determine, nor is there any constitutional power rightfully to control her. Every State or nation possesses exclusive sovereignty and jurisdiction within her own territory, and her laws affect and bind all property within her limits. No State or nation can affect or bind persons or property outside of their territory. The question is fully established that it belongs to the sovereign State of Missouri to determine the question of slavery within her own jurisdiction, subject only to such limitations as may be found in the constitution. This is the result of the independent and sovereign character of the State. It is equally applicable to the other States belonging to the confederacy. It must be admitted that Congress possesses no power to create or abolish slavery in a State; and if Congress possesses power under the constitution to abolish slavery in the territories, it must necessarily possess the power to establish it. This he denied, and then proceeded to show that the question was one depending solely on the law of Missouri, concluding with the remark that the judgment of the court below should be affirmed.

Associate Justice Curtis also stated the history of the case, and said that if the Court has no power to decide the question further than to dismiss it, it had no right to discuss its merits; but he held that the Court has jurisdiction to decide the merits of the case, which he proceeded to examine. It was too late now to question the power to govern the Territories as incident States and fit them for admission. The only question was how far the power of Congress is limited as to the Northwest Territory. Virginia had the right to abolish slavery there, and did so by an agreement in 1787 with the other States; but she did not prevent new States being admitted with or without slavery. Subsequently North Carolina and Georgia ceded their lands for the common benefit, and Congress had no more power to legislate slavery out of those cessions than it had to legislate slavery into the territory north of the Ohio. There was no power to legislate on slavery in either case. The inhabitants stood protected after as they did before the cessions were made. In Louisiana slavery was not only lawful, but was most valuable. At the date of the treaty the inhabitants were left free to enjoy their property, freedom and liberty, and were to be protected therein until they came into the Union as a State. The Missouri line of 36 30 was an act of legislation. Congress cannot do indirectly what it cannot perform directly. If a Southern man cannot go to the territories with his slaves, it follows that a Northern farmer or mechanic cannot bring with him his implements of trade; if Congress could prohibit any species of lawful property, through at Louisiana when it was acquired, it could exclude all descriptions of property. The right to legislate in the territories depends on the contested fact as to the intention of the third article of the treaty by which Louisiana was acquired; it is not defined by the constitution, and cannot be repealed by Congress, and the act of 1820 known as the Missouri Compromise, violates the last clause of the constitution, on which the Union depends, and which secures to all citizens common rights. He therefore held that the act was void, and consequently that the judgment in the case that Dred Scott, is a slave, and was so when this suit was brought.

Frightful Railroad Accidents.

A Train Plunged into a River.—Sixty or Eighty Persons Killed.

TORONTO, March 12.—The train which left this city this afternoon for Hamilton ran off the bridge over the Des Jardins Canal, above Hamilton, precipitating the engine, baggage car and two passenger cars into the water. Between 60 and 80 passengers out of 100 are supposed to have been killed on the spot.

The passengers who escaped death are all more or less mangled, and Doctors are leaving Toronto and Hamilton to render services to the wounded.

The bridge is partially broken down. The cars fell one on top of the other for a distance of forty feet.

The parliament adjourned immediately on learning the tidings. Nothing that has heretofore occurred in this vicinity has created such profound grief.

Serious Accident on the Pennsylvania Railroad.

HARRISBURG, March 12.—An accident of a very serious character occurred upon the Pennsylvania Railroad, westward of this place. In one of the tunnels, an emigrant train was run into this morning, by a freight train. Five persons were killed and six injured.

☞ On the 7th inst. it was snowing right smartly at New Orleans. It was the first of the kind at Mobile.

☞ The U. S. Senate on Thursday, rejected the Dalles collection bill, in an amended form. The vote stood [illegible]

☞ Milton Sanford McIlvaine, of Ohio, has been appointed Governor of Massachusetts, and F. P. Anderson, late Governor of Wisconsin Territory.

☞ The President has confirmed the appointment of [illegible] as Minister to Denmark, Richard Fitzgerald Pearce of Maryland, Secretary of Legation at Berlin, and [illegible] of the District of Columbia, Secretary of Legation at Copenhagen.

☞ The Harrisburg Church property case, which has been in the Courts ever since the Church was burned down by the Rioters, has been decided in favor of the Presbyterian trustees.

THE COMPILER.

"LIBERTY, THE UNION, AND THE CONSTITUTION."

GETTYSBURG, PENN'A.:

Monday Morning, March 16, 1857.

Democratic State Nominations.

FOR GOVERNOR,

WILLIAM F. PACKER, of Lycoming.

JUDGE OF SUPREME COURT.

ELLIS LEWIS, of Philadelphia.

CANAL COMMISSIONER,

NIMROD STRICKLAND, of Chester.

☞ Mr. BREWER, of the State Senate, and Mr. REILY, of the Board of Revenue Commissioners, have again placed us under obligations for Harrisburg favors.

☞ We are indebted to the President of the Faculty of the Medical Department of Pennsylvania College, Dr. GILBERT, for a copy of the Valedictory Address to the Graduates of that institution, delivered at the public commencement, in Philadelphia, March 6th, 1857, by ALFRED STILLE, M. D. The address is in excellent taste, and no doubt had its proper effect upon those to whom it was specially directed. The institution, we are glad to observe, is in a flourishing condition.

The Remains of Dr. Kane.

The remains of the gallant explorer, Dr. ELISHA KENT KANE, were received at Baltimore on Tuesday, and escorted from Camden Station to the Maryland Institute, by the military and citizens generally, with every demonstration of respect. The procession was a most imposing one. After remaining in the great hall of the Institute over night, under a guard of honor, and visited by thousands, the remains were taken to Philadelphia in the morning, and there also received with every fitting demonstration. Independence Hall was thrown open for their reception, and on Friday the interment took place, the military and civic associations of every character turning out on the occasion. It was worthy of Philadelphia, the home of the intrepid, the heroic explorer. Business was suspended, the bells were tolled, flags lowered at half mast, and the public generally participated in the solemn ceremonies of the day.

Hon. J. S. Black.

The appointment, by President BUCHANAN, of JEREMIAH S. BLACK, as Attorney General, has been received with the greatest enthusiasm by the Democratic party, and by all parties. If there is any difference in this expression, it is to be found in those circles where regret is felt that in giving Judge BLACK to the National Administration, we lose a great jurist, a profound statesman, and an enlightened Democrat. But so far as the administration of the affairs of the office of Attorney General of the United States is concerned, Judge Black will bring to it great ability, unlimited resources, and that abiding faith in the Constitution, which have made even inferior names immortal. We give him to Mr. Buchanan, and to the country, with the assurance that what we lose the nation gains, and what we yield from our own State is a tribute to the national renown, to be returned in good season.

State Treasurer.

Both Houses of the Legislature met in Convention on Wednesday last, and re-elected H. S. MGRAW, Esq., State Treasurer. The vote stood:

Magraw, Democrat,	68
Allen, Know Nothing,	57

Mr. Muse voted for Dock. Wagonseller, Lee, and Lancer voted for Magraw.—This was done to mollify the injured public, and not out of any love for the Democratic party. Besides, they had no particular incumbrances to vote otherwise.

Fusion Again!

☞ The Know Nothing Council of this district met recently at Altoona, on the Central Railroad, at the foot of the Allegheny mountain, and among other things *approved* of the call of the Know Nothing and Black Republican members of the Legislature, for a Convention of the two *lines* at Harrisburg, on the 25th instant, to nominate a *fusion* State ticket. We may expect, then, to see these factions embrace again, as they did last fall.

Let all honest men keep out of such bad political company—for "it is dangerous to ride on *their* platform!"

☞ In the United States Senate, on Wednesday, a majority of the Committee reported in favor of giving SIMON CAMERON a seat in that body—taking the ground that the charge of corruption should have been investigated at Harrisburg. Mr. Pugh made a minority report. But'n were laid over, and on Thursday Simon desired to have the case disposed of, but the Senate proceeded to other business. If Senators knew this corrupt politician as he is known at home, they would feel less disposed to tolerate him in that body.

P. S.—The Senate on Friday adopted the majority report, which gives Cameron a seat without further proceedings.

☞ We are pained to hear of the death of Cumrans Gibbs, Esq., of Chambersburg, which took place suddenly last week. He was a man of large heart, and a most ardent and efficient Democrat.

☞ In the State Senate, on Wednesday, Mr. BREWER presented a remonstrance from citizens of Adams county, against the incorporation of the Farmers' and Mechanics' Savings Institution of Adams county.

The Dred Scott Case.

Highly Important Decision.—The Supreme Court of the United States, on Friday of week before last, decided the celebrated Dred Scott case, involving grave national questions.—The decision (given in another part of this paper,) was read by Chief Justice TANEY, of Md., and concurred in by Judges Campbell, of Ala., Catron, of Tenn., Wayne, of Ga., Daniel, of Va., Nelson, of N. Y., and Grier, of Pa. Judges McLean, of Ohio, and Curtis, of Mass., dissented, and subsequently read opinions of their own.

The Black Republicans have been thrown into great tribulation by this decision. It is, to use the language of a cotemporary, "an extinguisher of all their hopes. It sweeps away every plank of their platform, and crushes into nothingness the whole theory upon which their party is founded. The decision of the Supreme Court is nearly unanimous—seven out of nine Judges concurring in its opinion. Great stress has been laid upon the dissent of Judge McLean, and seven of the Judges, we are told, are totally misled by preconceived notions or private interest, while his decision is uninfluenced by such considerations. We have great respect for Judge McLean, personally, and for his high legal attainments and honesty; but there is no other man upon that Bench whose judgment upon such a question would be more likely to be a partial and biassed one. Judge McLean has for years past been more frequently mentioned in connection with high official positions, than all the other Judges together. He has been for years a sort of oracle of the Anti-slavery sentiment of the country. No later ago than last June, he was a candidate for the Black Republican nomination for the Presidency. He has long been more or less connected with politics, probably to a much greater extent than any other man in a similar position. As a politician, we believe he has not unfrequently given extra-judicial opinions upon the very questions decided in the Dred Scott case. He had, therefore, the strongest possible influences to warp his judgment. There are no precedents so strong to a Judge, as his own decisions, and it could scarcely be expected that he would reverse as a Judge the opinions he has expressed as a politician. As a Black Republican aspirant for the Presidency, he could not destroy the platform upon which, within a year, he had sanguine expectations of climbing into power. The other dissenting opinion was delivered by Curtis, of Massachusetts. He, too, is, no doubt, an eminent lawyer, but who believes that the atmosphere of that State, poisoned as it is with the rankest fanaticism, is peculiarly adapted, above all others, to form correct opinions upon such a subject? It rarely happens that the decision of a Court, composed of a large number of members, is entirely unanimous upon any important question. It is unusual for a Court to decide in the ratio of four to one, as has been done in this case.

But whether unanimous or not, the decision is none the less binding. The *Tribune* may rave, and fanaticism make earth hideous with its howlings, but all in vain. There are certain points which are settled ones, and beyond the reach of the fanaties of the nation. The Constitution is the fundamental law of the land, and the Supreme Court having decided that the legislation Black Republicanism clamors for is unconstitutional, their dogmas are totally dead. They cannot be incorporated into the legislation of the country,—or, if they are, cannot thereby become laws. It is of course to be expected that considerable bluster will be exhibited over this decision, to enable the opposition leaders to cover up their confusion, and to shield them from the contempt of the people whom they have deceived. But this will amount to nothing. The Constitution must and will be protected by the American people, and woe to the puny arms that dare fight against it."

The New Cent.—Spanish Coins.

The new coinage bill, providing for the issue of a new cent, and re-coinage of the old Spanish silver, received the signature of the President of the United States, and is now a law. As before noticed, the new cent coin is composed of part nickel and part copper, and is about half the size of the old coin now in use, although somewhat thicker.—The design of it is very neat, and it will, doubtless, very soon take the place of the "coppers" now in use. We understand that arrangements are being made at the Mint with a view to facilitate its issue as much as possible, and we shall, doubtless, in a very few weeks have a fair supply of them to be used for the small transactions of the day. According to the Senate amendment, which was made to the bill, the old Spanish coin will be taken at the Mint for two years to come, at their nominal value, in exchange for the new copper coin, and we understand that there has already been taken in at that establishment, since the pending of this bill, about sixty thousand dollars, principally in quarters. The passage of this law is a most important step in the right direction, and is the most sensible thing done for the mass of the people by Congress, for several years past.—*Exchange.*

☞ The Governor of Connecticut has set apart the 19th day of April as "fast day."

☞ The bill to sell the Franklin railroad has passed the Pennsylvania Legislature.

☞ The Louisville Democrat says, a duel between two ladies is on the tapis in that city. A formal challenge is known to have been passed and accepted, though the weapons and distance have not been named. As will be readily imagined, a "gentleman" is at the bottom of the quarrel. After all, we don't know but the ladies have the right to make fools of themselves as the Lords of creation.

☞ JAMES LYONS, Esq., an old line whig of Richmond, Va., will, it is thought, be appointed U. S. Minister to Spain.

☞ In the first twenty-two days after beginning to purchase the old Spanish coin the Philadelphia mint took in twenty-two thousand dollars, principally in small sums.