THE PEOPLE'S JOURNAL.

DEVOTED TO THE PRINCIPLES OF DEMOCRACY, AND THE DISSEMINATION OF MORALITY LITERATURE, AND NEWS.

VOL. VII. COUDERSPORT, POTTER COUNTY, PA., NOVEMBER 9, 1854. NO. 25.

THE PEOPLE'S JOURNAL.

PUBLISHED EVERY THURSDAY MORNING,

BY ADDISON AVERY.

Terms—Invariably in Advance:

One copy per annum, $1.00
Village subscribers, 1.25

TERMS OF ADVERTISING.

1 square, of 12 lines or less, 1 insertion, $0.50
" " " " 3 insertions, 1.50
" every subsequent insertion, .25
Rule and figure work, per sq., 3 insertions, 3.00
Every subsequent insertion, .50
1 column, one year, 25.00
1 column, six months, 15.00
Administrators' or Executors' Notices, 2.00
Sheriff's Sales, per inch, 1.50

Professional Cards no exceeding eight lines inserted for $5.00 per annum.

Letters on business, to secure attention, should be addressed (post paid) to the Publisher.

THE LEAGUE OF FREEDOM.

When thunder clouds are gathering forth,
Over mountain, hill, and plain,
To fulfil cries of heaven and earth
Join in hoarse array train;
Who then so vainly proud as boast
To stand before the fearful host!
So when the Free
Of every land agree
In such a brotherhood to form,
Who shall endure the mighty storm!

The Tyrants in their lair gaze have kept
For centuries the rod;
And nations groaned, and people wept
And the bended at their nod.
At last in life, and deeds such things,
Have been the sport of foolish kings;
Thy times are past!
The die is cast!
The Free have the gage their countless host
To hold the day, whate'er it cost!

The spear of Warfare too has set
In a less gloomy pride;
These thrones for the last time have met,
And with each echo her vied.
Yes a bloody struggle, sooth,
And kings have learn an important truth!
They'll never make
Another yoke,
Nor gain in legions from afar,
To join in regicidal war.

There's ever to be another field,
And for another prize;
The fusion of the sword shall yield,
In some last sacrifice
Of life, and hope, and truth, and right,
Or thrones shall sink beneath her might,
When brave Magyar,
And Frank here,
Frank, German Pole, and Saxon twain,
United sweep the battle plain!

Oh, Freedom! ever from her lair
Shall American cord bound
Upon her prey! The Russian bear
Forth from his frozen ground
And polar snows, to slaughter rush,
Mad where he finds no more to crush!
Is there no friend
His aid to lend,
Nor power on earth, nor arm of might,
To give thy bleeding cause respite!

No truce! If Freedom ever despairs,
'Tis not to suppliants given;
The mountain oak by summer air
Has never yet been riven.
The foe is proud; about his throne
Nor mercy breathes, nor truth is known;
By dark intrigue
He forms his league,
To merge the liberties of all
In one serf will, the tyrant's thrall.

Ye spirits of the sainted dead!
Our dearest hopes defend,
And to the cause for which ye bled
Your unseen presence lend
The eyes in their banishment
Are envoys from the people sent,
Whose words are more
Than classic lore,
To link the thousand conquering hands
Of freedom in their distant lands.

As heaves old ocean's rising wave,
To thunder on the shore,
So shall the columns of the brave
Swell in the battle's roar,
When all that's dear in human life
Shall struggle in the mortal strife;
And while there's scope,
Or ground to cope
For Freemen in each other's cause,
Their serried columns shall not pause.

THE HON. GERRIT SMITH ON RETURNING FUGITIVE SLAVES.

As the candor, ability, and good sense of Mr. Smith has been so frequently vouched for of late by the Administration leaders of his county, we continue to improve the favorable opportunity of laying before the people that gentleman's *unanswerable* argument against returning the panting fugitive to the manacles of the South. We presume his *new* admirers will read the following extract from his Kansas speech with avidity.—Eds. Journ.

We have, now, disposed of two of the three clauses of the Constitution, which are assumed to be pro-slavery, viz: the apportionment clause, and the migration and importation clause. The third refers to fugitive servants, but certainly not to fugitive slaves. Whether we look at the letter or history of this clause, it can have no reference to slaves. No one pretends that slaves are expressly and clearly defined in it; and, hence, according to the rule of the Supreme Court, which I have quoted, slaves are not referred to in it. Again, none deny that the terms of the clause make it applicable to apprentices, minor children, and others. All admit that, in the most natural use of language, it is capable of innocent applications.

The clause, under consideration, speaks of a "person held to service or labor in one State, under the laws thereof." Now, unless these laws are for slavery, the "service or labor" cannot be slavery,—and if they are for slavery, then they cannot hold any person to slavery, unless they are valid laws. But they are not valid laws, unless they are in harmony with the Constitution. If the Constitution is against slavery, then pro-slavery laws are but nominal laws. It will be more timely at the close of my argument than now, to say whether the Constitution is against or for slavery. In the next place, the clause speaks of a *person*. But, as we shall more fully see, there are rights claimed for *persons* by the Constitution itself, which must all be trodden under foot, before *persons* can be reduced to slavery. Another reason why the fugitives referred to in this clause are not slaves, is, that "service or labor" is "due" to their employer from these fugitives. But slaves, by every American definition of slaves, are as incapable of owing as are horses, or even horse-blocks. So, too, by every English definition of slaves. Says Justice Best, in case of *Forbes* vs. *Cohran:* "A slave is incapable of compact." And another reason why this clause cannot refer to slaves, is, that the fugitives in it are held by the laws of labor. But slaves, no more than oxen, are held by the laws of labor. The laws no more interpose to compel labor in the one case than in the other. And still another reason why this clause is not to be taken as referring to slaves, is the absurdity of supposing that our fathers consented to treat as slaves whatever persons, white or black, high or low, virtuous or vicious, any future laws of any State might declare to be slaves. Shall we of the North be bound to acquiesce in the slavery of our children, who may emigrate to the South, provided the laws of the South shall declare Northern emigrants to be slaves? Nay, more, shall we be bound to replunge those children into slavery, if they escape from it? But all this we shall be bound to do, if the pro-slavery interpretation of the clause in question is the true interpretation. Ay, and in that case, we shall be bound to justify even our own slavery, should we be caught at the South, and legislated into slavery. This intimation, that slavery may yet take a much wider range in supplying itself with victims, is, by no means, extravagant and unauthorized. The Supreme Court of the United States opened a wide door to this end, in the case of *Strader and others* against *Gorham*, some three years ago. In that case, the Court claimed "that a State has an undoubted right to determine the *status*, or domestic and social condition, of the persons domiciled within its territory." By the way, this doctrine of the Supreme Court, that there are no natural rights; and that all rights stand but in the concessions and uncertainties of human legislation, is a legitimate outgrowth of slavery. For slavery is a war upon nature, and is the devourer of the rights of nature; and claims that all rights and all interests, natural and conventional, shall accommodate themselves to its demands.

We need spend no more time on the letter of this clause. We will, now, look at its history. It is a well-nigh universal impression, that this clause is one of the compromises of the Constitution. But there is not the slightest foundation in truth for this impression. In none of the numerous plans of a Constitution, submitted to its framers, was the subject-matter of this clause mentioned. Indeed, it was not mentioned at all, until twenty days before the close of the Convention. This clause, when its insertion was first moved, contained the word "slave." But, with that word in it, it met with such strenuous opposition, as to compel the immediate withdrawal of the motion. The next day, however, it was offered again, but with the word "slave" struck out. In this amended and harmless form, it was adopted immediately, without debate, and unanimously. I add, by the way, that no one believes that a clause providing, in express terms, for the surrender of the whole American soil to the chasing down and enslaving of men, women, and children, could ever have gained the vote of the Convention; or that, if it had, the Constitution, with such a disgusting blot upon it, could ever have been adopted.

Another reason for not claiming this clause to be pro-slavery, is, that the American people did, in all probability, regard the word "service" as expressing the condition of freemen. So, as we have seen, the members of the Constitutional Convention regarded it; and, inasmuch as they came together from all parts of the country, and represented all classes and sections of the American people, is it not a fair inference that they used language in the sense approved by the American people?

We have, now, examined those parts of the Constitution which are relied on to give it a pro-slavery character; and we find that they are not entitled to give it this character. We proceed to glance at some, and at only some, of those parts of the Constitution which clearly prove its anti-slavery character; which are utterly incompatible with slavery; and which, therefore, demand its abolition.

1st. "*Congress has power to provide for the common defense and general welfare of the United States.*"

But Congress has not this power, if the obstacles of slavery may be put in the way of its exercise. A man cannot be said to have law for driving his carriage through the streets, if another man has law for blocking its wheels. The States may establish the most atrocious wrongs within their borders, and thus create an atmosphere in which the Federal Government cannot "live, and move, and have its being;" then, within those borders, the Federal Government may be reduced to a nullity. The power referred to in this clause Congress will never have faithfully exercised, so long as it leaves millions of foes in the bosom of our country. By enrolling the slaves in the militia, and yielding to their Constitutional right "to keep and bear arms"—which is, in effect, to abolish slavery—Congress would convert these foes into friends. The power in question, Patrick Henry, who was then the orator of America, held to be sufficient for abolishing slavery. In the Virginia Convention, which passed upon the Federal Constitution, Mr. Henry said: "May Congress not 'say that every black man must fight? 'Did we not see a little of this, the 'last war? We were not so hard 'pushed as to make emancipation 'general. But acts of Assembly 'passed, that every slave who would 'go to the army, should be free. An-'other thing will contribute to bring 'this event about. Slavery is detested. 'We feel its fatal effects. We de-'plore it with all the pity of humanity. 'Let all these considerations, at some 'future period, press with full force 'upon the minds of Congress. They 'will read that paper, (the Constitution,) and see if they have power of 'manumission. And have they not, 'sir? Have they not the power to 'provide for the general defense and 'welfare? May they not think, that 'they call for the abolition of slavery? 'May they not pronounce all slaves 'free!—and will they not be war-'ranted by that power? There is no 'ambiguous implication or logical de-'duction. *The paper speaks to the 'point. They have the power in clear 'and unequivocal terms; and will 'clearly and certainly exercise it.*"

* * * * * * *

6th. "*The United States shall guaranty to every State in this Union a republican form of government.*

It is a common opinion, that the General Government should not concern itself with the internal policy and arrangements of a State. But this opinion is not justified by the Constitution. The case may occur, where the neglect thus to concern itself would involve its own ruin, as well as the greatest wrong to the people of the State. How could the General Government be maintained, if in one State suffrage were universal, and in another conditioned on the possession of land, and in another on the possession of money, and in another on the possession of slaves, and in another on the possession of literary or scientific attainments, and in another on the possession of a prescribed religious creed, and if in others it were conditioned on still other possessions and attainments? How little resemblance and sympathy there would be, in that case, between the Congressional representatives of the different States! How great would be the discord in our National Councils! How speedy the ruin to our National and subordinate interests! In such circumstances, the General Government would be clearly bound to insist on an essential uniformity in the State Governments. But what would be due from the General Government then, is emphatically due from it now. Our nation is already brought into great peril by the slavocratic element in its councils; and in not a few of the States, the white, as well as the black masses, are crushed by that political element. Surely the nation is entitled to liberation from this peril; and, surely, these masses have a perfectly Constitutional, as well as a most urgent, claim on the nation for deliverance from the worst of despotisms, and for the enjoyment of a "republican form of government."

7th. "*No State shall pass any bill of attainder.*"

But what is so emphatic, and causeless, and merciless a bill of attainder, as that which attains a woman with all her posterity for no other reason than that there is African blood in her veins?

8th. "*The privilege of the writ of habeas corpus shall not be suspended, unless, when, in cases of rebellion or invasion, the public safety may require it.*"

Blackstone pronounces this writ "the most celebrated writ of England, and the chief bulwark of the Constitution." One of his editors, Mr. Christian, says, that "it is this writ which makes slavery impossible in England." Equally impossible, in theory, does it make slavery in America. And in both countries the impossibility springs from the fact that the writ is entirely incompatible with the claim of property in man. In the presence of such a claim, if valid, this writ is impotent, for if property can be plead in the prisoner, (and possession is proof ownership,) the writ is defeated.

Slavery cannot be legalized short of suspending the writ of habeas corpus, in the case of the slaves. But, inasmuch as the Constitution provides for no such suspension, there is no legal slavery in the nation.

I add, that the Federal Government should see to it, that, in every part of the nation, where there are slaves, if need be, in every county, or even town, there are Judges who will faithfully use this writ for their deliverance.

9th. "*No person shall be deprived of life, liberty, or property, without due process of law.*"

Let this provision have free course, and it puts an end to American slavery. It is claimed, however, that, inasmuch as the slave is held by law, (which, in point of fact, he is not,) and, therefore, "by due process of law," nothing can be gained for him from this provision. But, inasmuch as this provision is an organic and fundamental law, it is not subject to any other law, but is paramount to every other law. Moreover, it is a great mistake to confound the laws, so called, by which persons are held in slavery, with "due process of law."

Justice Bronson says [Hill's Reports, IV, 146] of this part of the Constitution:

"*The meaning of the section then 'seems to be, that no member of the 'State shall be disfranchised, or de-'prived of any of his rights or privil-'eges, unless the matter shall be ad-'judged against him, upon trial had, 'according to the course of the common 'law.*"

He adds:

"The words, 'due process of law,' 'in this place, cannot mean less than 'a prosecution or suit, instituted and 'conducted according to the pre-'scribed forms and solemnities for 'ascertaining guilt, or determining the 'title to property."

Lord Coke explains "due process 'of law" to be "by indictment or 'presentment of good and lawful men, 'where such deeds be done in due 'manner, or by suit original of the 'common law."

Importance of a "D."

Somebody in the Boston *Transcript*, writing from a place called Jerusalem, in Virginia, tells the following good story illustrating at once the importance of the letter "D," and the bad odor of Abolitionism in the old Dominion:

Theodore D. Parker, Esq., a merchant of Boston, happened a few weeks since to be a guest for one night at Knapp's Hotel in this place. After tea, as he was enjoying the coolness of the evening on the piazza, he noticed a gentleman in the office who was examining the book of arrivals, and who afterwards walked up and down the piazza, scanning him (Mr. P.) very closely. Some ten or fifteen minutes passed in this way, when the stranger broke the silence by addressing him:

"Is your name Parker, Sir?"

"Yes, Sir."

"Theodore Parker?"

"Yes, Sir."

"Do you come from Boston?"

"Yes, Sir."

"Then, Sir," (with a look as if the identity of the individual were fairly established,) "I suppose that you are the person who goes about in New England villifying the institutions of the South!"

"O, no, no!" answered the astonished Mr. Parker, before whose eyes a bag of feathers and a kettle of tar danced a momentary *pas de deux;* "I am Theodore *D.* Parker—I am a merchant in Boston—I am not the Minister whom you speak of."

"Ah! that alters the case, then," responded the chivalric Virginian in a milder tone; "but allow me to give you one piece of advice; and that is, that if you are going to travel round these diggins, you had better, in future, when you sign your name, be particular and put that *D.* d—d plain!"

The unfortunate youth who was drowned a few days ago in a "flood of tender recollections," is slowly recovering.

From the N. Y. Tribune.

THE WOMAN'S RIGHTS CONVENTION.

PHILADELPHIA, Oct. 20, 1854.

Except (perhaps) the outpouring of the spirit from one or two rather ardent Quakeresses, there has not been a single speech, by a woman, which was not fluent, pointed and telling. If there have been poor speeches made, it has not been done by the *women* in the Convention.

The only men who have thus far been prominent in the deliberations of the Convention are Messrs. Garrison and Higginson of Massachusetts, though several male speakers from this vicinity have also participated, with various degrees of success.—Among the women, Lucy Stone has been, of course, the observed of all observers. It is remarkable to notice how the public mind instinctively fastens upon this little person as being (what she really is) the heart and soul of this crusade. Yet it does not seem to destroy the simplicity and straightforwardness of her character, alike unmoved by cheers or hisses; and her peculiar voice, (in which lies half her power) has lost none of its sweetness since I last heard her. But there are other excellent speakers here.

Mrs. Emma R. Coe, of Buffalo, is well known; she is as unlike Lucy Stone as possible; an artistic and almost dramatic speaker, she plays off a whole battery of rhetorical arts upon the audience, and with almost unfailing success; she has them in her hands and she knows it. Mrs. Gage, of Missouri, is a much older woman, but of fine figure and appearance; she has, I understand, reared a family of eight children well, and having done that duty, thinks she has a right to claim a hearing as a woman. She is a simple, sensible, able speaker. Susan B. Anthony is also a fine-looking woman, with excellent business talents, and full of facts which she presents vividly and well. Mrs. Tracy Cutler of Illinois, is, I believe, a new person in Conventions; she is a good, bright, wide-awake Western woman, and speaks well to the sympathy of a popular audience. Mrs. Gage, of New York, seemed inexperienced in public oratory, but said some good things. Miss Ann Preston, Professor in one of the medical colleges, made a very pleasing and modest address. Finally, Mrs. Rose, the President, did her duties with great dignity; and her occasional short addresses showed wide experience, and a more cultivated mind perhaps, than any of the other ladies possessed. And Lucretia Mott was, as usual, clear-headed, motherly, and wise.

A good deal of information has been communicated to the meeting, in regard to the extent of agitation throughout the country. These women are really working hard. One in New England, another in New York, another in New Jersey, another in Ohio, another in Michigan and Illinois, another in Missouri, have held meetings with great success. Mrs. Coe was allowed the use of the Representatives' Hall in New Jersey, for four evenings, and naturally thinks that the banner State. Lucy Stone has spoken in Louisville, Mrs. Rose in Baltimore and Washington, and Mrs. Gage in New Orleans, and have been treated with respect even among the slaveholders.

AN AUCTIONEERING JUDGE.—The Hon. P. McKenna, the well-known Pittsburg auctioneer, who was almost as famous in the "going—going—gone" business as Robbins, the great London Knight of the Hammer, was some time ago appointed Associate Judge of one of the Courts of Allegany County, Pennsylvania, and the wags of the press are telling some capital stories at his expense. Among them, the following is going the rounds of our exchanges:

It appears that during the delivery of an unconsciously long, prosy speech to the jury, his honor, who for several nights previous had been broken of rest, fell into a comfortable doze, which for some time he was permitted to enjoy, till the attorney, commenting on the prices of certain articles involved in the controversy, had occasion to use the term "sixty-two and a half." Thereupon his Honor, becoming partially aroused, and fancying himself in his auction room, hammer in hand, sung out in that stentorian voice for which he is remarkable—"Sixty-two an' 'alf, an' 'alf, an' 'alf, all done, gentlemen!—an' 'alf, an' 'alf, an' 'alf,—not a third the value of it—an' 'alf, an' 'alf, an' 'alf,—why, gentlemen, is it pos——." At this stage of the "sale," his Honor was suddenly restored to entire consciousness by the uncontrollable merriment of the audience. He never since engaged in the business of auctioneering on the bench.

SLAVERY AGGRESSIONS.

The *Express* referring to the late important letter from Dominica, published by the *Baltimore Patriot*, says that "after all what we have copied from the *Tribune* to the contrary, the Dominican Congress adjourned without concluding a treaty with the United States. The only convention negotiated, it is said, opens to our citizens a country represented to be rich in mineral and staple productions."

This only proves that "all what we copied from the *Tribune*," was copied with a singular lack of intelligence even for the *Express*. All the affirmations of the *Tribune* and its correspondents, were perfectly confirmed by the letter of the *Patriot* in question, while that letter stated other facts of great consequence, to which the *Express* and all other journals would do well earnestly to direct the attention of their readers. It appears, as we have always supposed and stated, that Gen. Cazneau has made a Convention with the Dominican Government allowing Americans to buy and hold lands and work mines in Dominica without being naturalized; it is also true that the same Government has granted to the United States the right to establish naval or military depôts on the north-eastern portion of the island, and this is the whole of "ALL what we copied from the TRIBUNE." The treaty which the *Patriot's* correspondent states to have failed from the adjournment of the Dominican Congress was one for the annexation of that Republic to the United States, and this treaty, according to the same well-informed writer, was shaped out by President Pierce. Thus nothing but fears of invasion from Hayti, excited in the Dominican Legislature by the British Consul, prevented the adoption of this treaty and the annexation of Dominica at the next session of Congress, always supposing that the body which made the Nebraska bill the law of the land would not be qualmish about extending to Dominica the same great principle of squatter sovereignty and universal slave-driving. And in this transaction President Pierce is so far involved that he shaped out the treaty under which it was to be consummated. But that treaty having failed we are now to have it diluted into a Convention for the recognition of that negro government and the filibustering of the island, or at least of the Dominican part of it. Is the *Express* in favor of that measure!—*N. Y. Tribune.*

COUSINING.

A country gentleman lately arrived in Boston, and immediately repaired to the house of a relative, a lady who had married a merchant of that city. The parties were glad to see him, and invited him to make their house his home, as he declared his intention of remaining in the city but a day or two. The husband of the lady, anxious to show his attention to a relative and friend of his wife, took the gentleman's horse to a livery stable in Hanover st.

Finally the visit became a visitation, and the merchant, after the lapse of eleven days, found besides lodging and boarding the gentleman, a pretty considerable bill had run up at the livery stable.

Accordingly he went to the man who kept the livery stable and told him when the gentleman took his horse he would pay the bill.

"Very good," said the stable keeper, "I understand you."

In a short time the country gentleman went to the stable and ordered his horse to be got ready. The bill, of course, was presented.

"Oh!" said the gentleman, "Mr.—— my relative, will pay this."

"Very good, sir," said the stable keeper, "please to get an order from Mr.——, it will be the same as the money."

The horse was put up again, and down went the country gentleman to Long Wharf, where the merchant kept.

"Well," said he, "I am going now."

"Are you?" said the merchant, "well, good-bye, sir!"

"Well, about the horse; the man says the bill must be paid for his keeping."

"Well, I suppose that's all right, sir."

"Yes—well, but you know I'm your wife's cousin."

"Yes," said the merchant, "I know you are, but your horse is not!"

AN EXEMPLARY JUDGE.—The most extraordinary instance of patience in modern times, is that of an Illinois Judge who listened silently for two days, while a couple of wordy attorneys contended about the construction of an act of Legislature; and then ended the controversy by very quietly remarking, "Gentlemen, the law is repealed."