

For the Agitator.

A TALK OF THE SEA SNAKE.

A LAWYER once, with talents rare, As all our honest lawyers are, By eloquence, or otherwise, Did learn the news with great surprise, That they had caught a monstrous snake!

With all dispatch and might and main, He hurried to the lightning train; And once on board with eager flight He sped along both day and night, And no repose or sleep did take, Until he'd seen the monster snake.

At a hotel quite near the Lake The stranger did his lodging take; A pond of crackers and some cheese Added new vigor to his knees. Ere Phobos did her debut make, He had been down to Silver Lake.

"Ah ha!" said he while on his way, "How glad I am I came this way, How low will dare to undertake To come so far to see a snake!"

The sight he saw there none can tell, Methinks he was might guess it well. Though he himself will never say, Just what he saw upon that day, As he with sad heart turned away And said, "I'm wiled without my pay!"

Perhaps he saw the ropes and stakes With which the king of snakes; Or saw the spot where he had lain, Or pieces of the heavy chain; But not the snake he had in view, And so our hero left for town.

With weary limbs and aching head The lawyer hastened to his bed, To dream of monstrous captured snakes That had been seen in Silver Lake; But not that spot since, 'tis said by men, No snake nor lawyer has been seen.

Little Del., Sept. 16.

THE CASE OF PASSMORE WILLIAMSON.

Statement by his Father.

To the Editor of the North American and U. S. Gazette:

In an editorial of your paper of the 12th inst., is contained a paragraph as follows, viz: "Now we take occasion to say that, in our judgment, the manner of intervention of Mr. Williamson was ill-advised, especially as measurably at least, it was attended by violence. We are not lawyers enough to determine whether a habeas corpus could have been sued out for the adjudication of the rights of these slaves; but we presume if Mr. Wheeler could have got a habeas corpus to recover them, Mr. Williamson could have got one to rescue them in the first instance. If he could, then he was wrong in what he did. By pursuing another course a great scandal and a great danger might have been averted; but we are constrained to admit that the active partisans of the Anti-Slavery cause are not much addicted to discreet or circumspect words or acts. They have a singular knack of putting themselves, their friends, and their cause in the wrong."

It appears to me that this paragraph of your editorial imports censure in a wrong direction, and is calculated to mislead instead of enlighten the public mind in regard to the facts connected with the late alleged "abduction" of the Wheeler slaves; and also in regard to the general mode of proceeding by the Acting Committee and other officers of the "Pennsylvania Abolition Society" (commonly so called,) from its first existence (in 1782) to the present time.

Notwithstanding my explicit statement, the party manifested by words and conduct decided incredulity in regard to the facts—so much so as to evince a desire still to have admission into my house. I regarded myself insulted, improperly and wantonly, and therefore, without saying more, I retired again to my bed, leaving them to choose their own course of procedure. I had scarcely laid down when I heard the steam-whistle of the 11 o'clock train of cars starting on the west side of Schuylkill, or what I believed to be such. Why it was necessary for three or more United States' officers to present themselves at my door, or that of Passmore Williamson, at 11 o'clock at night, for the only purpose of serving a writ upon him, is for those officers themselves, or those whom they were serving, to explain. Other persons can only imagine and surmise. That it was their intention, under instructions, on gaining admission, to ransack the house from bottom to top with the expectation of finding and taking into custody "Jane, Daniel, and Isaiah," for the purpose of placing them under the kind care and protection of a superior officer, I will not assert. Next morning at 6 o'clock, as nearly as I can say, my door-bell was again rung. I opened the door, and received from the hand of Deputy-Marshal Miller the original writ of habeas corpus issued against Passmore Williamson, returnable at 3 o'clock P. M. of the same day, (19th July,) which I subsequently handed to E. Hopper, Esq., and requested that he would attend at the place an hour designated for the purpose of manifesting proper respect to the Court and its process, by giving the necessary explanation as to Passmore's absence from home, and his consequent want of knowledge of any such process having issued. The evening of the same day a copy of an alias writ of habeas corpus, issued against Passmore, was handed to me at my door by Deputy-Marshal Miller, the original of which was left by some person, I know not who, at Passmore's house on Buttonwood-st. The writ was returnable next morning at 10 o'clock.

On the morning of the 20th, about 8 1/2 o'clock, Passmore made his appearance at our office with the alias writ in his hand. He then informed me he had arrived at home from Harrisburg between 1 and 2 o'clock of that morning, and that he had in no way heard of the writ having been issued until informed of it by his wife after his arrival. I informed him that Edward Hopper, Esq., the day before had at my instance appeared at Court and explained the circumstance of his absence from the city, and proposed that he should avail himself of his aid as counsel in preparing his return to the writ. Passmore assented, and I accompanied him to E. Hopper's office. The return was therefore indorsed upon the writ, Passmore himself writing it in the usual form, according to the dictation of his counsel; and having thus proceeded therein to the proper point, I requested a pause, and proposed adding the words "or at any other time"—which being approved by both Passmore and his counsel, they were accordingly inserted; then believing, as I now do, that those words asserted truth and only truth, in the denial of any custody, power or possession by him of the parties commanded by the writ to be produced.

Such are the facts of the case within my own knowledge; and I do not and cannot doubt but that I am in possession of full and precise information, from himself and from others, of every part of Passmore's agency, actions, and doings in any way relating to or having connection with the release of Jane Johnson and her two children from the custody, possession and control of John H. Wheeler, her and their assumed master, on board the steamboat Washington, at Walnut-st. wharf; and I have now no hesitation in saying and averring—as I have repeatedly heretofore said and declared to individuals—that I fully and heartily approve of every act, matter, and thing which either of my own knowledge or from information derived from himself or others, I know or believe was by Passmore done and performed, or caused or procured to be done; performed and acted in connection with that case.

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THE AGITATOR.

Devoted to the Extension of the Area of Freedom and the Spread of Healthy Reform.

COBB, STURROCK & CO., PUBLISHERS & PROPRIETORS.

VOL. 2. WELLSBOROUGH, TIOGA COUNTY, PA., THURSDAY MORNING, OCTOBER 4, 1855. NO. 12.

short absence (I think not exceeding, though it may have been less than half an hour) he returned to our office, and to myself and John Farnum who happened then to be with me, he related the circumstances as to himself and others connected with the release of Jane Johnson and her two children from the custody and control of their previous master, on board the steamboat Washington; their passing thence over the wharf and down Delaware-av. to Dock st. and from that point seeing them enter a carriage at Dock and Front-sts., and driven off. The relation then made by him was, in substance, and I think almost in terms, the same as was made by him in the District Court of the United States, on the 20th of the same month (two days later,) upon his affirmation, and by leave of the Court.

After Passmore's return to our office, as above stated, he was constantly and uninterruptedly engaged in preparing business at his desk until 10 1/2 o'clock, with the single exception of, in the mean time, going to his own home for his evening meal, and perhaps changing his clothes preparatory to leaving the city for Harrisburg. During most of the evening I was present with him in our office; and at 10 1/2 o'clock or later he left it; I closed the door after him, and retired immediately to my chamber for the night, and in a short time was asleep in my bed. At 11 o'clock my wife woke me, and stated that our door-bell had been twice rung. I immediately arose, presented myself at the front window of my chamber, from which I distinctly saw at least three persons on and near my door-steps, only one of whom I then recognized as Deputy-Marshal Wm. H. Miller, who was spokesman on that occasion. I inquired their business. He informed me they wanted to see Passmore Williamson, to serve a writ upon him. I informed them distinctly and explicitly that this (meaning my house) was not the residence of Passmore, nor was he then here; that it was his place of business; where he was ordinarily to be seen during business hours; that his residence was with his own family, at No. 32 Buttonwood-st., between Franklin and Eighth-sts., and that he, Passmore, was then from home, on his way to Harrisburg, where his duty required him to be next morning.

Notwithstanding my explicit statement, the party manifested by words and conduct decided incredulity in regard to the facts—so much so as to evince a desire still to have admission into my house. I regarded myself insulted, improperly and wantonly, and therefore, without saying more, I retired again to my bed, leaving them to choose their own course of procedure. I had scarcely laid down when I heard the steam-whistle of the 11 o'clock train of cars starting on the west side of Schuylkill, or what I believed to be such. Why it was necessary for three or more United States' officers to present themselves at my door, or that of Passmore Williamson, at 11 o'clock at night, for the only purpose of serving a writ upon him, is for those officers themselves, or those whom they were serving, to explain. Other persons can only imagine and surmise. That it was their intention, under instructions, on gaining admission, to ransack the house from bottom to top with the expectation of finding and taking into custody "Jane, Daniel, and Isaiah," for the purpose of placing them under the kind care and protection of a superior officer, I will not assert. Next morning at 6 o'clock, as nearly as I can say, my door-bell was again rung. I opened the door, and received from the hand of Deputy-Marshal Miller the original writ of habeas corpus issued against Passmore Williamson, returnable at 3 o'clock P. M. of the same day, (19th July,) which I subsequently handed to E. Hopper, Esq., and requested that he would attend at the place an hour designated for the purpose of manifesting proper respect to the Court and its process, by giving the necessary explanation as to Passmore's absence from home, and his consequent want of knowledge of any such process having issued. The evening of the same day a copy of an alias writ of habeas corpus, issued against Passmore, was handed to me at my door by Deputy-Marshal Miller, the original of which was left by some person, I know not who, at Passmore's house on Buttonwood-st. The writ was returnable next morning at 10 o'clock.

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Such are the facts of the case within my own knowledge; and I do not and cannot doubt but that I am in possession of full and precise information, from himself and from others, of every part of Passmore's agency, actions, and doings in any way relating to or having connection with the release of Jane Johnson and her two children from the custody, possession and control of John H. Wheeler, her and their assumed master, on board the steamboat Washington, at Walnut-st. wharf; and I have now no hesitation in saying and averring—as I have repeatedly heretofore said and declared to individuals—that I fully and heartily approve of every act, matter, and thing which either of my own knowledge or from information derived from himself or others, I know or believe was by Passmore done and performed, or caused or procured to be done; performed and acted in connection with that case.

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The Judge and jury began to be impatient; they had been led to believe, from the strong assertion of the counsel for Searle, and from the old man's life and integrity, that he would come off triumphant; but the testimony of Fisk, an ignorant and unlettered man, was nevertheless so succinct and consistent, saying nothing but about the case, and full of all facts necessary to sustain it—that their minds were evidently made up, and they were only thinking of their dinner. It was close on two o'clock, when the court usually adjourned to dinner, and yet Mr. Webster continued his questions with repetitions, which provoked reproof from the Court, but which, from the urbane manner of Mr. Webster, at last resulted in an order for an adjournment to the afternoon session, with leave to Mr. Webster to go on with his investigation then to the heart's content.

Old Searle seized the arm of Mr. Webster as the crowd left the court, with all the agony of a crowning man, and whispered in his ear with trembling accents, that Fisk was only telling the lies which Emerling had taught him to repeat. The court and the bar went to dine, the crowd separated. Mr. Webster stood apart, and while he was in despair in the fearful certainty of losing a case which he believed ought not to be lost, he saw the man Fisk retire to an obscure place, and take from his waistcoat pocket a paper which he consulted with all apparent earnestness. The lips of the man moved, and his gestures were animated as he returned it to his pocket and he went to the tavern bar room and drank a glass of brandy and water. Presently the court-house bell rang and the witness was again upon the stand. Webster—"You say you never received any letter from Emerling?"

Witness—"Yes. The said Emerling never wrote to me."

Webster—"Do you know his handwriting?"

Witness—"No, I never saw it."

Mr. Webster rose as if to look at a book lying near the witness box and while the attention of Fisk was drawn to this movement, Mr. Webster suddenly thrust his hand into the waistcoat pocket, where he had seen the paper placed, which the witness pursued during the adjournment, and quietly returned with it to the bar, in spite of the quick, convulsive clutch of Fisk which was shaken off by Mr. Webster, who, after a hasty perusal of it said—

"I hold here the whole written instructions of the man Emerling, to the witness, Fisk, the story written out by Emerling as it has been repeated by Fisk word for word, on that stand. He has just declared that he never received letters from Emerling, and did not know his hand writing. Mr. Foreman will you please be sworn, and see if you know this writing to be that of Emerling?" It was proved, it was read, it was handed to the court, and during all this time you could have heard a cricket chirp in that court room. You should have seen old Searle in these moments, as he stood behind Mr. Webster, his hands holding hard upon the railing of the bar, his chin quivering like the mouth of a rabbit, and the big tears trickling down his hard, dry cheeks. O, it was a happy freedom of truth from the fangs of wrong.—There was not a word of hesitation in the verdict; and bench warrants were forthwith issued against Fisk for perjury.

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THE LORD'S PRAYER.

A friend tells us an anecdote of Booth, the great tragedian, which we do not recollect having seen in print. It occurred in the palmy days of his fame, before the sparkle of his great black eye had been dimmed by that bane of genius, strong drink. Booth and several friends had been invited to dine with an old gentleman in Baltimore, of distinguished kindness, urbanity, and piety. The host, though disapproving of theatres and theatre-going, had heard so much of Booth's remarkable powers, that curiosity to see the man had, in this instance, overcome all his scruples and prejudices. After the entertainment was over, lamps lighted, and company seated in the drawing-room, some one requested Booth, as a particular favor, and one which all present would doubtless appreciate, to read aloud the Lord's Prayer. Booth expressed his willingness to afford them this gratification; and all eyes were turned reverently upon him. Booth rose slowly and gravely from his chair. It was wonderful to watch the play of emotion that convulsed his countenance. He became deathly pale, and his eyes, turned tremulously upwards, were wet with tears. As yet he had not spoken. The silence could be felt. It became absolutely painful, until at last the spell was broken as if by an electric shock, as his rich-toned voice, from white lips syllabled forth, "Our Father who art in Heaven, &c., with a pathos and fervid solemnity that thrilled all hearts. He finished. The silence continued. Not a voice was heard nor a muscle moved in his rapt audience, until, from a remote corner of the room, a subdued sob was heard, and the old gentleman (their host) stepped forward with streaming eyes and tottering frame, and seized Booth by the hand.

"Sir," said he in broken accents, "you have afforded me a pleasure for which my whole future life will feel grateful. I am an old man, and every day, from my boyhood to the present time, I thought I had repeated the Lord's Prayer, but I have never heard it before, never."

"You are right," replied Booth, "to read that Prayer as it should be read, has cost me the severest study for thirty years. I am far from being satisfied with my rendering of that wonderful production. Hardly one person in ten thousand comprehends how much beauty, tenderness, and grandeur can be condensed in a space so small and in words so simple. That prayer of itself sufficiently illustrates the truth of the Bible, and stamps upon it the seal of divinity."

So great was the effect produced (says our informant, who was present,) that conversation was sustained but a short time longer in subdued monosyllables, and almost entirely ceased; and soon after, at an early hour, the company broke up and retired to their several homes, with sad faces and full hearts.

Popping the Question.

Gracious, says I, now it's time to look after Nance. Next day down I went, Nance was alone, and I asked her if the Squire was in.—She sed he wasn't.

Cause, says I, making believe, I wanted him, our coat sprained his foot, an' I cum to see if the Squire won't lend me his mare to go to town.

She sed she gessed he would—better sit down until the Squire cum in.

Down I sot; she looked sort o' strange, and my heart felt queer all around the edge. Arter a while sez I:

Are you going down to Sarah Martin's quiltin'?

Sed I, Reckoned I would.

Sez she, Spose you'll take Patience Dodey.

Sez I I mout and then again I wouldn't.

Sez she, I learn you're goin' to get married.

Sez I, I wouldn't wonder a bit.

Communications.

The Case of Passmore Williamson.

Under the above heading I notice an article from the *Montrose Democrat*, copied and endorsed by the *Tioga Eagle* of Sept. 20th.

It is seldom that we met with so unblushing a falsification of well known facts, as is exhibited in that article. Take for example the following paragraph: "Judge Kane issued the writ, and Williamson instead of making the legal return, so that the question of the freedom of the slave could be tried, contented himself with denying the jurisdiction of the court to make him produce them, whereupon the Judge committed him to jail for contempt of Court."

This is entirely original. It has no foundation anywhere, not even in the decision of the Supreme Court. So wide is it from the truth, that Williamson denied the jurisdiction of the Court, that one of the principal grounds upon which Judge Lewis denied Williamson his application for a habeas Corpus, was that he did not raise the question of jurisdiction before Judge Kane. Let any person who has any doubt look at a newspaper, I care not what one, that contains an account of those proceedings and satisfy himself. Even the decision of Judge Kane himself, when he sent Williamson to Jail, is sufficient to show the above extract to be a sheer fabrication.

Then as to the return. He did make a full and legal return. It was in substance that "the persons named in the writ nor either of them were at the time of issuing the writ nor at the time of the return nor at any other time in his custody or possession nor restrained of their liberty or confined by him and therefore he could not produce them &c."

Now had Williamson left out of his return that part in italics which it will be clearly seen was not essential, I have yet to hear of any Court, judge, lawyer, or even newspaper editor, who denies that the return would have been a full, perfect, legal, and true one, for the simple reason, that there never has been a shadow of evidence, or even pretence, that Williamson ever saw the slaves after they left the steamboat or exercised any more control over them, than he has at this moment over any three individuals in Tioga County. But Judge Kane assumed under the evidence before him, that Williamson did have on board by the steamboat, for a few moments at least, a kind of constructive possession of the slave and therefore that part of the return in italics was constructively false which he construed into a constructive contempt of Court and thereupon committed Williamson to jail.

Under this state of facts, and the facts in the case are matters of notoriety upon which any person can easily satisfy himself; these *perceptive* editors in their zeal to justify Judge Kane, in his unparalleled tyranny in sending a honest man to jail upon a string of constructions which were unfounded in fact, clearly endeavor to create the impression in the minds of their readers that Williamson actually did withhold persons in his custody, against the commands of Judge Kane's writ, which they know to be totally false.

Then followed in the article, the declaration so much harped upon, that "Williamson carries the key to his prison" "will be released when he makes the legal return &c." For this it is true they have the authority of the Supreme Court, very much however as the Devil gets authority from scriptures. The court say in substance, "We find upon the record that Williamson was convicted by Judge Kane of contempt of Court, in making a false return, and we are bound by that to conclusively assume that he was guilty of making such false return, and therefore say that he holds the key to his prison and can come out, whenever he chooses to make a true return."

Quite a difference that assumption of guilt makes in the matter, yet the conclusion based upon that assumption is heralded as the decision of the Supreme Court, upon an examination of the facts in the case when the truth is, not a single fact was brought before them.

Read the following extract from the opinion of the Court delivered by Justice Black: "If we fully believed the petitioner to be innocent if we were sure that the court which convicted him misunderstood the facts or misapplied the law, still we could not reexamine the evidence or rejudge the Case."

"It is most especially necessary that convictions for contempt in our courts should be final, conclusive and free from reexamination by other Courts on habeas corpus."

"The writ which the petitioner is convicted of disobeying, is legal on its face. It enjoined upon him a simple duty, which he ought to have understood and performed without hesitation. That he did not do so is a fact, conclusively established by the adjudication which the Court made upon it."

"We cannot go one step behind the conviction itself." Now aside from this conclusive assumption of the guilt of Williamson because Judge Kane convicted him, let us see how much there is in this talk about Williamson carrying the key to his prison. How is he to use it? By producing the slaves? That he can not do. They are as much beyond his reach as they are of Wheeler himself. Then his only recourse is to make a new return. How can he do it? He has already made a full return, every word of which he knows to be true. He has sworn before his God that it is true. The woman he was accused of having in custody has sworn that it is true; that he never had any custody of her or her children. Every im-

partial mind that examines the facts believes it to be true. And yet he is coolly told that by acknowledging that his return was false, that he committed perjury when he swore to it, he can come out of jail. This is carrying the key to his prison with a vengeance.

But although the supreme Court have denied to Williamson a writ of Habeas Corpus, the people are preparing a writ to execute on the second Tuesday in October, and see to it every friend of freedom that you help execute the *Peoples writ of right* for Passmore Williamson. VINDEX.

To Free Soilers of '49.

Mr. Editor: Will you permit me to say a few words in your columns, to the old Free Soil party in this county. In 1848 nearly one third of the electors of Tioga county, being then "opposed to the extension of slavery to free territory," organized and at the election voted the national and county free-soil tickets. Since that time, nearly the whole party have acted with the Democratic organization; giving to it nearly one half its strength, and enabling it to elect nearly all of the county officers from that time to the present. And now, Free Soilers, what has been the treatment you have received from the Democratic party in return? A proscription as bitter and inveterate as any party of men ever experienced. Is this fact denied? Then to the record and the evidence. The Democratic county conventions from 1849 to 1855 inclusive, have made eighteen nominations for the principal county officers, as follows: For Representative, seven; Sheriff, three; Prothonotary, two; Recorder, two; and Treasurer, four. This embraces all of the county officers of any consequence, either for honor or profit. How many of these eighteen nominations have been given to Free Soilers? Just one! One to seventeen! If this is not proscription where will you look for it? Why even that band of ruffians who called themselves the Legislature of Kansas were as liberal. They permitted one free soil member to retain his seat as long as he chose to disgrace himself by associating with them. At almost every convention more or less Free Soilers have been presented as candidates, but "defeat them" has been the watch-word of the party and most religiously they observed it. I am aware that it is replied to all this, that as a matter of principle, it makes no difference from which branch of a party the candidates are elected. That the best men should be nominated from the whole party &c., I readily admit, that in a case where two branches of a party, differing on some points, but united for the purpose of advancing principles of greater importance, it would be immaterial from which branch the candidates were selected, if they were sound upon those principles of greater importance, and even if a single ticket should be made exclusively from one branch if honestly done for the purpose of securing the best men, it would form no reasonable ground of complaint. But where as in the case under consideration, it becomes a settled policy; steadily pursued for a series of years; clearly evincing a fixed determination to exclude one branch from all participation in the offices or influence of the party; and where, too, the difference between them is a radical one of principle, and that upon an issue far more important than all others at stake, it may then well become those thus excluded to consider whether they will longer aid in sustaining men who proscribe them and principles at direct variance with their own. Again have the masters of ceremony presented a ticket and demand for your support at the coming election. Look at it from top to bottom. Clear Hunker! Not a man on it who was ever suspected of entertaining a free soil sentiment—not one who would not vote for Pierce or Douglas if so ordered by the leaders, not one who would not if in his power, send another Broadhead from Pennsylvania to the United States Senate to aid in making Kansas a slave state. But they deny these things just now, do they? Call them lies! Wonderful! Where would they get free soil votes enough to help elect them if they did not deny until after election. When have the candidates of that party, failed to deny everything which they thought necessary to secure free soil votes before election, or to carry out rank Hunkerism afterwards. Look at the past, see if you can find a single instance in which the old Hunker Democracy of this county or of any other, have failed to obey the commands and answer the purposes as far as in their power of the Slaveocracy that rules at Washington. As it ever has been, so will it be again. Professions are easily made, resolutions easily adopted to suit the times, but depend upon