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The Patriot & Union. HARRISBURG, PA., TUESDAY, JANUARY 8, 1861. VOL. 3. NO. 108.

PERSONAL LIBERTY LAWS. IMPORTANT CORRESPONDENCE.—LETTER FROM JUDGE LEWIS.

PHILADELPHIA, December 29, 1860. To the Hon. Ellis Lewis, late Chief Justice of the Supreme Court of Pennsylvania: DEAR SIR:—We have observed in the Public Ledger, of this city, of this date, an article purporting to be an extract of a letter from the Hon. John Sherman, a member of the House of Representatives of the United States for the State of Ohio, addressed to Charles B. Trego, Chairman of a Committee of the People's Party of Philadelphia, by whom Mr. Sherman had been invited to partake of a public dinner given up for social and political purposes.

Believing, as we do, that Mr. Sherman, in the above extract, has either ignorantly or willfully mistated the facts as regards the laws of Pennsylvania, commonly called Personal Liberty laws, we respectfully ask from you, in reply to this, your views upon the subject. Your high character as a jurist and statesman warrants us in asking this much of you at a time when correct information on this subject is of so much importance to the proper understanding of the question as to what the meaning and purport of the provisions of the law of 1847, and those of the Revised Penal Code of Pennsylvania, touching the reclamation of fugitives from labor, &c.

Trusting that you will at your earliest convenience favor us with a reply for publication, we remain, very respectfully, your obedient servants. THOMAS C. MACDOWELL, A. DEKALB TARR.

WEST PENN SQUARE, PHILADELPHIA, JANUARY 3, 1861. GENTLEMEN:—Yours of the 29th inst. is before me. You quote from the eloquent letter of the Hon. John Sherman, some remarks relative to what he termed the "Personal Liberty Bills" of several of the States, including Pennsylvania, in which he intimates that there are none upon the statute books which infringe upon the Constitution of the United States.

The Constitution of the United States declares that fugitives from labor, coming from one State into another, "shall be delivered up on claim of the party to whom such labor shall be due." This clause imposes an active duty upon the State. A passive acquiescence in the efforts of the owner to recover his property is not a fulfillment of the obligation.

It is certainly better than open and active violation, but it is not a fulfillment of her obligation to deliver up the fugitive within her jurisdiction. It is true that the Federal Government may use its civil and military power to execute its own Fugitive Slave Law, and to nullify all unconstitutional obstructions created by the States, but it cannot compel the States to fulfill their obligations to pass laws in accordance with this provision of the Constitution.

By the act of 1850, the act of 1860 prohibits the sale of a fugitive slave within the State, and makes it a criminal offense in the purchaser to exercise his right of reclamation. If it be true that the right of property is not impaired by the absconding of the slave, it is equally true that the right to sell the property remains with the owner, because the right to sell is one of the chief incidents of ownership.

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he is to deal, in yielding his measures to a course of practical wisdom. If the issue has been tried, he extinguishes the flames as quickly as he can, and does not first pause to argue whether the incendiary is a criminal. If a State to succeed, it is better to let her go in peace, than to do worse, by driving others to assume the same attitude.

As a native of this city, on the call of my fellow-citizens, had my years been essential to what I might deem just, honorable and patriotic, I should have advised a rendition, not only to the South, but to all the States, of a full, fair and constitutional redress of all grievances of which they had a just right to complain, on their relinquishment of all oppressive or malicious proceedings founded on the action of any State whatever, and a restoration to the charter articles of the Constitution anything of which they may have been deprived through a vicious, unfair or latitudinarian construction of that instrument, or a revision of that instrument itself, which so closely binds together myriads of the human family—seeking under it, all their rights in pursuit of honor, welfare and happiness.

There was no repugnance in the provisions of the two acts, in regard to the jurisdiction of State magistrates. The rule is that when two acts in pari materia, may stand together, they are to be construed together, and one is not a repeal of the other, if the two are not repugnant to each other.

THE NATIONAL CRISIS. MADNESS RULES THE HOUR. From the Public Ledger. Messrs. Editors:—There are two classes of politicians engaged in efforts to dissolve the Union; the secessionists of the South, who claim the right to do so in peace, and the advocates of coercion in the North, who would do it by war.

Another part of the same section prohibits the seizure of fugitive slaves "violently and unlawfully," although "under presence of authority," and although the intention is "to carry the fugitive before a District or Circuit Judge." There is too much reason to fear that this provision may be construed to authorize the punishment of those who aid in the execution of the act of Congress.

The 96th section of the act of 1860 prohibits the sale of a fugitive slave within the State, and makes it a criminal offense in the purchaser to exercise his right of reclamation. If it be true that the right of property is not impaired by the absconding of the slave, it is equally true that the right to sell the property remains with the owner.

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