For the Coos Republican.

"FREEDOM NATIONAL, SLAVERY SECTIONAL."

Under the above heading is found a communication in the *Coos County Democrat*, in which the writer says, "As this is one of the abolition cries of the day, as readily recognized as the Philadelphia cry of 'clean cat fish,' or the Boston 'buy lob,' we propose to show what an entire perversion of a great truth—as the above is—can be, when uttered with the understanding of an abolitionist. The freedom of the Constitution is national; that we presume no one will deny. The Constitution is the great charter of national liberty to this country, and establishes it, guarantees it, and, when executed, enforces it; therefore, as our reliance is upon the Constitution for protection against all abuses in the enactment or execution of laws, it follows that there is no genuine freedom, no real liberty for a citizen of the United States outside the bounds of the Constitution; and that this government, in order truly to be free, as a government, must be conducted in strict conformity to the requirements of the only permanent guaranty freedom has, the Constitution. When the privilege is claimed by a citizen of the United States to violate the Constitution, or disregard its guaranties, that claim is not one for freedom, liberty, but licentiousness."

Thus far I fully concur in the ideas of the writer; thus far we travel harmoniously together, particularly in the idea last suggested, for which we find a perfect illustration in the conduct of Border Ruffians, Governor Shannon, Judge Lecompte and Marshal Donaldson, fully endorsed by the President and Senate of the United States, approbated and justified by the Cincinnati platform. But when the law-giver interposes his *ipse dixit*, unaccompanied by any proof that such is the freedom of abolitionists, I must beg leave to part company with him. The writer appears to be conversant with what he calls these privileges, and he has a right to be, they are the usurpations of his party. The Fugitive Slave Law of 1850, the repeal of the Missouri Compromise in 1854, the invasion of Kansas by the Ruffians of Missouri, the control of their ballot box, the election of a Legislature by the votes of Missourians, the meeting of that Legislature in Kansas, the inhuman laws enacted by them, the election of Whitfield a delegate to Congress from Kansas by the votes of Missourians, his admission to a seat in Congress as such delegate, the arrest and holding in durance vile the citizens of Kansas, the bombarding and burning the houses and villages of the citizens of Kansas, the murder of its citizens, the forcibly entering the private dwellings of the citizens, and robbing them of their private papers, their jewels and other property, the divesting the citizens of their private arms necessary for defense, are the same class of usurpations described by this writer, all palpable violation of the Constitution. And yet all these, and innumerable similar depredations (which our writer calls privileges,) have been perpetrated upon the unoffending, peaceable, and law-abiding citizens by a drunken mob of desperadoes, collected from four slave States of the Union, armed and equipped for the occasion with the arms of the United States, authorized by the President thereof; nor have I time to record nor will the columns of your paper afford room for a tythe of the cruelties which have been perpetrated upon that unoffending and defenceless people, in violation of the Constitution. Yet, says the modern law-giver, the freedom of abolitionists consists in claiming privileges in violation of the Constitution, in disregard of its guaranties, because, he says, they demand the repeal of the fugitive slave law, a law rendered by their mad opposition strictly necessary to secure rights solemnly guaranteed by the Constitution, and this he says they demand in the name of *their* freedom. Had they been willing, like honest men and law-abiding citizens, to execute this plain provision of the Constitution, no fugitive slave law would have been needed. Such are his more specific charges against abolitionists, by which it appears that their crime consists in

the sin of omission instead of any overt act. In omitting to convert themselves into hounds and be ready upon the occasion of a stampede to run down, capture and return to bondage, the poor, panting slave, who is exerting all the power God has given him to obtain that which we all regard the greatest earthly blessing. He then recites that provision in the Constitution which he says imposes these obligations, and it is as follows: "No person held to service or labor in one State, under the laws thereof, escaping into another, shall in consequence of any law or regulation therein be discharged from such service or labor, but shall be delivered upon *claim* of the party to whom such service or labor may be *due*." Our writer adds, "that the nullification of this provision by the local laws of Northern States rendered the fugitive slave law necessary to define the manner in which this provision in the Constitution should be enforced. The law enacts nothing of itself, merely directs the enforcement of the Constitution; to refuse obedience to it is in short to refuse obedience to the Constitution, yet this is one of the rights claimed in the programme of abolitionists, a part of the freedom of abolitionism."

"Remember," he says, "that the *right* to nullify a plain provision of the Constitution is one branch of the *national freedom* claimed by abolitionism." Here again I must beg leave to differ with our law-giver. That provision of the Constitution, taken in the abstract, imposes no such obligations as the writer seems to suppose. The word Slave is not embraced in it. It can have relation to slaves only by way of inference, and it is a sound maxim of law that wherever an inference has necessarily to be drawn, as well in reference to Constitutional as municipal law, that such inference shall be drawn in a way that is most favorable to personal liberty. Persons is the word, not slaves, and persons is nowhere defined to mean slaves. Persons have rights, but slaves have none. The third section of the first article of the Constitution provides that no person shall be convicted without the concurrence of two-thirds of the members present, meaning the Senate. This can't mean a slave. The first section of the second article provides that no person except a native-born citizen shall be eligible to the office of President, &c., and immediately preceding the provision in question, the Constitution provides that a person charged in any State with treason or felony or other crime who shall flee from justice, &c. Can this mean a slave? The 5th article of the amendments of the Constitution provides that no person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, &c., nor be deprived of life, liberty or property without due process of law. Are such formalities observed in regard to slaves? There are many similar provisions in respect of persons in the Constitution, which can have no applicability to slaves. Why then are we bound to infer that this particular provision has relation to slaves; it would be dangerous to draw any such inference in the absence of an explanatory law. Yet, says our law-giver, it was only the mad opposition of abolitionists that rendered such a law necessary.

Again this provision provides that such person shall be delivered up on claim of the party to whom such service or labor may be due. Due is the word, which supposes a debt, an obligation. Does the slave owe service or labor to his oppressor? Certainly not; no assumpsit can be raised. No debt can be due without a consideration. No obligation can arise without a promise either express or implied, both of which are indispensable requisites, and are wanting in the case of a slave. The oppressor can force service and labor from him while he has him in his possession, but none is due. Does the fact that his ancestor was stolen from his native country, and that his ancestry have been held in bondage through succeeding generations form a consideration? does that fact raise a promise, expressed or implied? certainly not. How then can service or labor be due?

In the dark ages, when man was uncultivated by civilization, when war was his chief pursuit, if he vanquished and captured his enemy in deadly conflict, by a custom of those barbarians he had a right to slay him, but if he spared his life, it was on an implied condition that that life should be devoted to his service. Such formed the semblance of a consideration for his service and labor; but such consideration does not exist in respect of the slaves of these States. They were not captured in honorable warfare, nor any warfare, but stolen by a thief at night. Hence, inasmuch as there is no consideration for such service, none can be due, and therefore the fugitive cannot necessarily be meant by this provision in the Constitution. It is much more rational to suppose that this provision has relation to the apprentice who is bound to service by indentures, which is common in all the States; or that it has relation to persons who are convicted of crime and in default of payment of the penalty are bound to service until it shall be paid.

Such is the law of some and indeed most of the States, even though such of the delegates of the Constitutional convention as were favorable to oppression supposed that this provision reached the slave. If in a test of Legislative skill the friends of humanity triumphed in behalf of the oppressed, should not the oppressed share the benefit of that triumph? If in a test of diplomatic skill one of the diplomatists overreaches the others, shall one of the two contracting parties repudiate the treaty because of the ignorance of their minister? Hence our law-giver is outside of his law when he says that no fugitive act was necessary. Without one, the oppressor would have been perfectly remediless, whenever his victim should have passed the bounds of his State. But in 1794, Congress passed a fugitive act for the relief of the oppressor, and that law has received a construction by the Supreme Court, the highest tribunal in the United States, which is made by the Constitution the supreme law of the land, and the Constitution imposes no such obligation upon Northern freemen as is supposed by this law-giver. It is to the effect to be sure that the victim shall not be discharged in consequence of any law or regulation of the State into which he escapes. It gives the party claiming, the right to pursue, recapture and return his victim to bondage. It prohibits the inhabitants of the State into which he escapes, from interfering to prevent his recapture, but it imposes no duties on them, it does not make hounds of them. The oppressor may pursue his victim but no one is obliged to aid him. He must catch and return him at his own expense, and this was regarded by the oppressor a very great hardship. Hence the necessity of a provision for relief, and by aid of such dough-faces as our law-giver, in 1850 a new law was enacted by Congress. Our law-giver says it enacts nothing of itself, merely directs the enforcement of the Constitution, but we say it disgraces humanity, it converts every Northern freeman into a hound, makes him subject to the command of the oppressor of our race, compels him to leave the laudable labor of his field, which is esteemed degrading by the oppressor, and fly in pursuit of his brother who is guilty of no crime but a desire to be free; an honest man perhaps, a Christian, a brother in Christ, belonging perhaps to the same church with himself, he may not feed him, he may not clothe him, he may not give him a cup of cold water, he may not relieve him from heavy burdens, he may not break his yoke and let him go free, he may not perform any of the benevolent acts enjoined by the Holy Scriptures, but he must pursue the victim made in the image of God, possessing an immortal soul, capture him and return him to bondage, and if he escape through his neglect, he is responsible for the value of him.

Such are the duties imposed upon Northern freemen by the law which our law-giver says enacts nothing of itself, but only enforces the Constitution. But it does more. It prohibits such legal investigation in regard to the title and ownership of an immortal being, as is absolutely required and secured by the laws of the United States in regard to the title or ownership of a horse or a hog. It offers a bribe of five dollars to the only tribunal having cognizance of the matter by the provision of the act to return the fugitive to bondage. It imposes the expense of returning the fugitive to bondage upon the United States, and makes the United States responsible for his safe return. It violates the common law, the laws of nature, the laws of God, and the Constitution of the United States.

Such is the character of the law which our law-giver says is not directory but merely explanatory, for the enforcement of the Constitution, and rendered necessary by the mad opposition of abolitionists. While a man ought to be excused for innocently promulgating an opinion though it be ill-founded and absurd, he ought at the same time to be held up to public detestation and scorn for the promulgation of that which he knows to be false, and without foundation in truth.

And here we leave the law-giver self-convicted, self-condemned, gloating over his own infamy.

Coos.