

### REPRISALS AND THE BLACKS.

The New York *Courier and Enquirer* has been conspicuous for twenty-five years, for its opposition to what are called "Abolition" ideas, and yet we find it recently using the following language:

"The word 'property' becomes exceedingly significant now. The Southern Confederacy have authorized their President to issue letters of marque for privateers to capture and destroy the private 'property' of our people; and of course wherever our troops make a landing, they too will be instructed to capture and destroy the property of the traitors in the rebel States. 'Are slaves property?' was asked of a member of the Cabinet recently; and the answer was, 'so say the traitors in rebellion against the Government.' Now, when this 'property' is captured, what are we to do with it? The sole title of the slaveholder to his property in the slave, is derived from war and capture. The negro is captured in Africa; and the prisoner thus captured in war is sold into slavery, and thus becomes the 'property' of his master; and he and his descendants are held through this title. By capture, then, in the pending war, every slave becomes the 'property' of the Government which makes the capture. We do not deal in human chattels—we do not put blood-money in the Treasury; but it does not follow that, because we will not sell the property of chattels thus captured, we are to return it to the party from whom it is captured. Far from it. What then? Why, of course, we shall be compelled to give freedom to the captured 'chattels.' How? Leave him to be recaptured? Not willingly; and therefore it will be the duty of our people thus capturing their chattels, either to bring them off and give them their freedom, or to free them on the spot, giving them arms wherewith to protect their freedom! Such is the proposition made to the Government. If it be right to let loose pirates to prey upon our commerce and destroy the private property of our merchants, most assuredly it is right and proper for our Government to make inroads all along the coast of the rebel States, capturing and destroying their 'property;' and as we do not propose to take the lives of their chattels, it will be our duty to give them their liberty. But, says justice, of what use is his liberty, unless you give him a sword to defend it, and prevent his recapture?

"Such is the punishment which Jeff. Davis and his associate rebels are bringing upon the South. Just as certainly as they issue letters of marque to pirates to prey upon our private property, just so certainly we will liberate every slave captured during the war. Let them put this in their pipes and smoke it." \* \* \* "Let the property of rebels be confiscated wherever found, and without regard to its character. Its being 'slave property' will certainly not make us more chary in meddling with it; but, on the contrary, cause us to require that the 'institution,' for the propagation of which this war is waged by the rebels, shall be made to feel its effects most severely."

We have made this extract from the *Courier and Enquirer*, as a significant indication of the tendency of public sentiment, and not because we endorse the precise line of argument which is resorted to.

Right or wrong, there is a well settled distinction in the law of nations between the capture of private property on the sea, and of private property on land. The one is lawful, and the other is unlawful, according to that code. Upon the theory, that the Southern Confederacy is to be treated as an actually existing foreign Power, its issue of letters of marque would not justify reprisals on land. That, of course, is the theory upon which it is itself proceeding, although the correctness of that theory is not admitted by this Government.

There can be no sort of doubt, however, that an army advancing into an enemy's country, may not only take advantage of all disaffections among the population, but may stimulate such disaffections by appeals of every available description. In fact, the commanders of invading armies almost invariably issue proclamations, suggesting considerations to particular classes, to induce them to assist in the invasion, or not to oppose it. Such considerations may be presented by the different nationalities, or different religious creeds, of the invaded populations, or by other circumstances. When our revolutionary generals invaded Canada, they addressed proclamations to the French inhabitants. Invasions of Ireland have always been accompanied by appeals to the Catholics.

Whatever difficulty, then, if any, there may be in respect to capturing slaves as property, there can be no difficulty, as respects legal principles, treating them as persons, in detaching them from the enemy by promises of liberty and protection. As a part of the population of the States now proposed to be invaded, they constitute, while in a condition of allegiance to the enemy, a part of his resources, and really a most important part. It is they who carry on the operations of agriculture, while their masters fight. And they are actually employed in the armies of their masters, as servants and indispensable laborers. It is the slaves of the South, who have done the hard work, in all the fortifications at Norfolk, Charleston, Pensacola, and elsewhere. Deprived of their slaves, the conspirators would be absolutely deprived of their means of support.

Events are progressing with great rapidity, and if this war continues much longer, the slaves of the South, now used as laborers attending Southern military operations, will be employed as soldiers to fight us. That is not thought of to-day, because slaves have been too

costly and valuable to be used as soldiers, but when they cease to be saleable, they will be offered liberty by their own masters, as the condition of fighting in the ranks of the rebellion. They will be less dangerous in the army, than on the plantations, and the pressure of a continued war, will require the fighting men of whatever color in the Gulf States, the population of which of all kinds is not numerous. The South is already raising black troops, certainly at Lynchburg and at New Orleans, of free negroes. The next thing will be slaves organized into companies and regiments.

What is expedient to be done, will depend upon circumstances and localities.

Fomenting insurrections among slaves, with the probable consequences to women and children, is an idea abhorrent to civilization and humanity. It is not to be entertained for a single moment, or under any conceivable contingencies.

To invite a general stampede from their

masters, of all the slaves of the South, involves absurdities and impossibilities of all sorts. It might weaken the enemy, but not so much as it would weaken the nation, by devolving upon it the charge and support of millions of helpless creatures.

Yet, in particular localities, and within manageable limits as to numbers, it may be wisely resorted to, and it is everywhere conformable to public law and the approved usages of war.

### Slave Stampedes on the Southern Borderlands