SELECTIONS.: THE DRED SC Liberator (1831-1865); Jul 1, 1859; 29, 26; American Periodicals pg. 0_1

SELECTIONS.

THE DRED SCOTT DECISION

The following eloquent extract, from the Annual Report of the Excentive Committee of the American Asti-Slavery Society, deserves the widest circulation through the press :-

Ani-Slarery Society, deserves the wheele cheminion through the press :--To Chief Justice Taney belongs the bad eminence of haring claborately falsified history, misconstrued bar, and outraged justice and humanity, through more than twenty pages of his extended opinion, in the vain attempt to prove that control persons into the vain attempt to prove that control persons into the vain attempt to prove that control persons into the vain attempt to prove that control persons into the vain attempt to prove that control persons into the vain attempt to prove that control persons into the vain attempt to prove that control persons into the vain attempt to prove that control persons into the vain attempt to prove that control persons into the vain attempt to prove that control persons into the vain attempt to prove that control persons into the vain they had no right's which the white rece, either in social or political relations, and so far inferior, that they had no right's which the white was bound to respect; that the negro might usity and lawfally be reduced to slavery for his bene-fit; that this opinion was, at that time, fixed and miners of in the civilized portion of the white race, was rogated as an ariom in morals, as well as po-lities, which no one thought of disputing, or suppos-tios, which no one thought of disputing, or suppos-tion, degraded race were then left, and still con-tinne, so far as the Federal Government is concern-ed, in the same rightless condition, incapable of ask-ing of the Federal Courts redress for any wrong, and one-quenty destitute of the legal recognition of any right. Considering how feeble, helpless and already despi injured are the objects of this assuult, it is hard to say whether injustice, meanness or cruelty, ablashing falschood, or sophistical misinterpreta-tioe. The judge does not pretend that any clause or word

hard to say whether injustice, meanness or crueity, inshinking falschood, or sophistical misinterpreta-tion of facts and law, is its most marked character-ist. The judge does not pretend that any chause or word of the Constitution expressly dobars black men from direnship, or even hints at color or race as a test of chill rights; or that the States, before they entered be present Union, had generally set up, in terms, as such distinction as is contended for. The sum of his argument is, that' the white orace' cannot be exposed to have recognized as citizens a race which they so to have recognized as citizens a race which they is boked down upon. He cites freely from the early legislation of Congress and the States to prove-their want of civil rights. But, unfortunately for his purpose, this inference is flatly contradicted by the well-established fact, that the Federal Govern-ment has repeatedly naturalized colored allens, and given passports to colored men, describing them as vitates of the United States ; and, in one instance, if not more, has officially complained of an act of bitth aggression upon a colored American seaman, stating been committed upon a ' native citizen of the United States.' It is constitution, colored men, 'descended from African slaves,' were citizens of these States, and had the elective franchise ' on qual terms with other citizens.' Chancellor Kent, in his Commentaries, says ' it is certain that the Constitution and Statute hav of New York speak of nen of color as being citizens ? And that 'if a slave born in the United States, and lawfully discharg-el from bondage, or if a black man be born free in the United States, he becomes thenefor ward a cit-zens of the State,' and has deelared it ' a mature diversitution and Statute hav of New York speak of nen of color as being citizens ? Mosth Carolinn, and evelded that slaves born within the State are born citi-zens of the State,' and has deelared it ' a mature of minersal notoriey, ' that free men of color had and settled, the equali

As a down in the Congress, eight Sittes opposing all only two supporting it, while the vote of one vas divided. There was no need of eiting Statutes to prove that the coloral people have all along heen the objects of rejudee and contempt. Nobody denies it. But this, so far from disproving their citizenship, rather strengthes its diverte prool in its favor, drawn from the facts above mentioned. For the more degraded as despised they were, the less likely is it that they were tolerated in any position to which they had no right, and especially in one so important as that of or surgeigns of the Commonwealth; and consequently, the stronger is the oridence afforded by their outing, that they were recognized as citizens. Judge Taney endeavors to evade the force of the ford of citizenship from the fact of voting, by saying that 'a person may be entitled to vote by the in all the State, who is not a citizen of the State itself; and instances ' foreigners not naturalized,' as hing 'allowed to vote in some of the States.' Whether they are not, by such allowance, made the sorereignty is not of course admission to the in the sorereignty is not of course admission to the in the sorereignty is not of course admission to the state still; and as no such special provision existed in regard to the colored people, it follows that their voting was on the common ground of the general right of citizenship. The judge, in his engerness to make out a case, magnetic the colored people, it the truth

Schalt; and as no such special provision existed in Psych to the colored people, it follows that their voling was on the common ground of the general fight of citizenship. The judge, in his engerness to make out a case, has greasly overstated the sentiment of the period in quantum particle in the sentiment of the period in quantum provided to the colored people. The truth is the general feeling toward them is bad enough; but he general feeling toward the truth, in affirming that the opinion was universal in the civilized portant the endit, and had no rights which the white can's benefit, and had no rights which the white can's benefit, and had no rights which the white can's benefit, and had no rights which the white can's benefit, and had no rights which the white can's benefit, and had no rights which the white can's benefit, and had no rights which the white can's benefit, and had no rights which the white can's benefit, and had no rights which the white can's benefit, and had no rights which the white can's benefit, and had no rights which the white can's benefit, any philanthropy and religion, approximate the help judicial officer of the nation.
Bid he roully know nothing of the emphatic voice which literature, haw, philanthropy and religion, approximate the civilized portion of the white race,' had 'the dister mark' the sent of all vised enders.' by Poley, as a then universally thought to be just, had be advanced within the time he specifies, by Cowpersa's the sum of all villances:' by Poley, as a 'the sum of all villances,' by the bistorian Robert-sa, as 'the sum of all villances,' and 'the principles of religion ;' by Bishop Warburgh', and 'ta whore, political ceonomists, statestran-sa, and divines, political ceonomists, statestran-like, '' contrary to all the laws of humanity', 'a criminal an

natural rights of mankind?' this chormity, this aggravated iniquity ?' a practice which spurns at all the principles of both matural and recaled re-ligiou;' a horrid practice, an injustice and bar-barity which, so sure as there is vengeance in Heaven for the worst of crimes, will sometime be the destruc-tion of all who allow or encourage it.' and, in a word, as deserving only abhorrence and reprobation ? —that it called forth Montesquicu's olten quoted screasm, i We must not allow the negroes to be men, or it will begin to be believed that we ourselves are not Christians;' and the Abbe Raymal's declaration, that 'he who supports the system of slavery is the enemy of the whole human race :' and Baxter's de-numeiation of slave-traders as 'the worst of robbers,' and of 'those who buy and use the poor Africans us mere beasts for their own convenience, regardless of their spiritual welfare,' as 'fitter to be called de-most than Christians'? Did he never hear of Clarkson and Wilberforce, and the ' multitude of others,' (to use Clarkson's own words,) who habored so zealously in the latter half of the eighteenth century for the abolistion of the slave trade? or of the suggestion of the celebrat-ed Necker, in 1784, that the nations of Europe should form a general compact to abolish that traffie? or of the persvering and successful exertions of Granville Sharp, from 1765 to 1772, to procure an authoritative exposition of British law against sla-very on British soil ? Hud he never learned, in the course of his legal studies, that full sixteen years before the American Federal Constitution was adopt-ed, a decision of the highest Law Court in Great Britain, pronounced by one of the ablest jurists of that age, and after thorough argument and long de-liberation, declared slavery, whether of black men or of white, to be unlawful in that country, as a viol-tion of natural right, contrary to countan haw prin-ciples, and so odious that nothing can be sufficed to support it but positive law? or that a few years htter, b

enjoy horey,' and thus noolsned statery in that State? Did he not know that in nearly every State of the old Confederation, (and of the new Union, when it was formed.) were Societies for promoting the abo-lition of Slavery, and protecting the rights of the free colored people, and that among their members and afficers were many of the best, and some of the uost illustrious men of that day? that the judicial seat he occupies was first filled by the President of an Abolition Society, John Jay? that to the same Society the first Secretary of the Treasury, Alexander Hamilton, belonged? that Benjamin Franklin was President of an Abolition Society, incorporated by the Legislature of Pennsylvania, and that its Consti-tution called ' all the children of men, members of the same family, however diversified by color, situa-tion,' or otherwise; and declared it ' more especially the duty of those who profess to maintain for them-selves the rights of human nature, to use such means as are in their power to extend the blessings of free-dom to every part of the human race'? I had he never seen, among the proceedings of pub-lic bodies ince the Revealution, that the non-

as are in their power to extend the blessings of free-dom to every part of the human race '? If a he never seen, among the proceedings of pub-lie bodies just before the Revolution, that the people of Fairfax county, Virginia, George Washington presiding, pronounced the African Slave Trade 'wicked, cruel and unmatural'? that the Freehold-ers of Hanover County, Virginia, called it 'most dangerous to virtue and the welfare of this country '? that the Virginia Convention in 1774 complained of the King for using his negative to defeat the at-tempts of the Colony to stop that trade, and for ' preferring the advantages of a few African corsairs to the rights of human nature; deeply wounded by this infamous practice '? that an agreement was formed by that Convention, by the North Carolina Convention, by the Continental Congress, and by the Georgia Provincial Congress, not to import slaves, or buy those imported by others? that the Committee representing the people of Darien, Geor-gia, claiming to be 'influenced by a general philan-thropy for all mankind, of whatever elimate, lan-guage or complexion,' expressed their 'abhorrence of the unnatural practice of slavery in America, a prac-tice founded in injustice and cruelty, debasing part of our fellow-creatures below men, and corrupting the virtue and morals of the rest '? or any of the numerous similar testimonies of that period, and es-pecially that introduced by Jefferson into the original the King of Great Britain as huxing, by his course in regard to it, 'waged cruel war against human nature itself, violating its most sacerd rights in the persons of a distant people, earrying them into sla-very in another hemisphere '? Could he be ignorant that in the very Convention. which framed the Constitution he professes to ex-und the constitution he professes to ex-

persons of a distant people, carrying them into sla-very in another hemisphere '? Could he be ignorant that in the very Convention. which framed the Constitution he professes to ex-pound, Negro Slavery and the African Slave Trade were denounced in the strongest terms by distin-guished men, Northern and Southern; that Gover-neur Morris said 'domestic slavery is a nefarious institution; 'that Madison called it 'the most op-pressive dominion ever exercised by man over man,' and thought it ' wrong to admit in the Constitution the idea that there could be property in men;' that Mason, of Virginia, styled the Slave Trade ' nefari-ous' and ' infernal,' and ' held it essential, in every point of view, that the General Government should have power to prevent the increase of slavery; ' that Reger Sherman was 'against acknowledging men to be property,' and ' regarded the slave-trade as in-iquitous;' that Luther Martin, of Maryland, con-sidered it ' unjustifiable in its nature, and contrary to the rights of mankind,' and ' justly exposing us to the vengeance of Him who is equally Lord of all, and who views with equal eye the not African lave and **w**is American master ;' that in the Con-ventions, North and South, which ratified the Con-stitution, the slave-trade was condemned with equal emphasis. heing characterized by prominent speakers ventions, North and South, which ratified the Con-stitution, the slave-trade was condemned with equal emphasis, being characterized by prominent speakers in the Virginia Convention as 'detestable' and 'ne-farious;' and in that of North Carolina, as 'abom-inable,' 'inhuman,' 'utterly inconsistent with the rights of humanity,' and 'probably reprobated by all the members' of the Federal Convention; while, in that of South Carolina, General Pinekney, who had been a member of the Federal Convention, testi-fed that on the slave question, the South Carolina in that of South Carolina, General Pinckney, who had been a member of the Federal Convention, testi-field that, on the slare question, the South Carolina delegates there ' had to contend with the religious and political projudices of the Eastern and Middle States,' whose people ' reprobate as an unpardonable moral and political evil, the dominion they (of the South) hold over a part of the human race '? Judge Taney has the effrontery to eite even the Declaration of Independence in support of his atro-cious argument. He admits, indeed, that its han-guage ' would seem to embrace the whole human family, and, if used in a similar instrument at this day, would be so understood ',' but denies that it was then understood to include ' the enslaved African race,' because, if it had been, 'the conduct of the distinguished men, who framed the Declaration would have been flagrantly inconsistent with the principles they asserted,'---a thing he assumes to be clearly impossible ; for they were ' incapable of as-serting principles inconsistent with those on which they were acting.' Indeed I Let us hear a little of their own testimony about that.

To whit does the Judge think Jefferson alluded, the very man who drafted the Declaration, and put into it originally that denunciation of the slave trade which we have just quoted,—which he exclaimed at the incourprehensibility of man, who can enduro so much for his own liberty, 'and the next moment, deaf to all those motives whose power supported him through his trial, inflict on his fellow-men a bond-age, one hour of which is fraught with more misery than ages of that which he rose in rebellion to op-pose '? Luther Martin says it was urged in the Federal Convention, against the concessions made to shavery in the Constitution, ' that our opposition to Great Britain was grounded upon the preservation of rights to which God and nature entitled us, not in particular, but in common with all the crest of man-kind.' Patrick Henry, writing in 1779, confesses that, in holding slaves, his 'conduct was inconsist-ent with the principles ' he 'asserted,' and adds, 'L' will not, cannot justify it.. I will so far pay my de-voir to Virtue, as to own the rectitude of her pre-cepts, and launent my want of conformity to them.' William Pinekney, in 1788, pronouncesslavery 'op-pressive, uujust, and inconsistent with the great groundwork of the late Revolution.' The Legisla-ture of Pennsylvania, in 1780, in the Act abolishing shavery in that State, speaks of 'negre slaves' as 'deprived of the common blessings that they were by mature entitled to i' and avows among the reasons for the Act, that ' we conceive ourselves at this par-ticular period extraordinarily called upon, by the blessings we have received, to manifest the sincerity of our professions; ' and then proceeds, ' in justice fu oommenoration of our own happy deliverance ' from British tyrinny, to enact the gradual abolition of slavery in Pennsylvania.' In 1788, in a Report on a patition ' in favor of the distressed Africans and their descendants, ' a Legislative Committee in the same State quoted from the Declaration of Inde

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