

disallow the use of the jails and other buildings of the Commonwealth, so that they should not be occupied to detain alleged fugitive slaves, and also to punish those violating these provisions.

"2. The next five sections, and from the eighteenth to the twenty-first, inclusive, are for the purpose of securing the right of trial by jury, as well as of the writs of habeas corpus and of personal replevin.

"3. The seventh and eighth sections are intended to punish by fine and imprisonment all those who shall be instrumental in transmitting a freeman into a slave, whether by sending into slavery any man who has always been free, or by returning one who has escaped, either to a person other than the slave-master from whom he escaped, or to any one to whom his 'service or labor' is not 'due,' and to enable the alleged slave who is injured by such unjust rendition to recover damages therefor.

"4. The ninth, thirteenth, and fourteenth sections are for the purpose of prohibiting Massachusetts officials of every kind from acting at all for the return of alleged slaves.

"5. The tenth, eleventh, and twelfth sections deprive of all State offices the man who grants a certificate for the return of an alleged slave, and the attorney who acts as counsel for the claimant, incapacitating the former from thereafter holding any office of trust, honor, or profit, under the laws of the Commonwealth, and the latter from thereafter practicing in the courts of the State.

"6. The fifteenth and sixteenth sections, at the same time that they provide commissioners for the defence of the alleged slave, expressly allow any volunteer attorney whose services are desired by the defendant to act in the case.

"7. The Fugitive Slave Act having been declared at once unconstitutional and unchristian by the resolutions of the present Legislature, sanctioned by the Governor and Council, the seventeenth section is to prevent the use of the State prisons and jails for the imprisonment of those who disobey its provisions."

Now, what does Common Sense teach? Repeal the infamous Act which is attempted to be enforced in the teeth of the Humanity, Morality, and Religion of the North and West, and leave the case of the reclamation of fugitives from service or labor, to stand as it does in the Constitution, a stipulation between the States, to be legislated on by the States alone.

**STATE SOVEREIGNTY AND PERSONAL RIGHTS.**

From our youth up we have been trained in the school of State Rights. The *States, first*, the *Union, second*, is our motto. Whatsoever powers are not expressly delegated to the Federal Government, are reserved to the States, or the People thereof. As the power to abolish Slavery within the States was never so delegated, it belongs alone to the States. State Sovereignty may shield Slavery within its limits from Federal action, but so it protects Liberty from Federal usurpation and the aggressions of Slavery. As an example, take that outrageous act of Slavery aggression and Federal tyranny, the Fugitive Slave Bill—to what must we look for protection against its unconstitutional provisions, until there be force enough in Congress to repeal it? To State Sovereignty. Without collision with the Federal Government, without violation of the Federal Constitution, it is yet possible for the States to counteract the operation of the Bill, and baffle the Tyranny which is attempting to put it in force. Prudence teaches that this reserved power, residing in State Sovereignty, should not be used, except in extreme cases, and of those the State must be the judge. Monarchists in creed, Centralists, partisans who regard the States as little better than private corporations, and the Government at Washington as the only real government, who think more of the Union than Liberty, more of Federal authority, although tending to usurpation, than the rights of the States, although exercised against it, will of course pronounce this doctrine very heretical and dangerous, full of fanaticism and disunion. Thus, the *National Intelligencer* stands aghast at the Personal Liberty Bill, which has just passed the Legislature of Massachusetts by a large majority. "Fanaticism," it exclaims, is in full sway in Massachusetts." \* \* "Alas for the Constitution, when fanatics at both ends are tugging at its heart-strings."

Resistance to Tyranny has always been stigmatized as "fanaticism" by the worshippers of Power. It were well for these ultra Federalists to remember that the true way to preserve the Constitution is, to abstain from the exercise of powers not granted, or of doubtful existence, and the true way to maintain the Union, and to respect the rights of the States. The Federal Government, in disregarding these two rules, becomes responsible for whatever conflict follows with the States and Public Opinion.

The Fugitive Slave Act is unconstitutional and flagitious—odious and oppressive, especially to the Free States. They cannot acquiesce in it, and they ought not; still, if by the exercise of their reserved rights they can counteract this usurpation, without resort to violence, let them do so. Some of them have already attempted this: the Personal Liberty Bill of Massachusetts, so rudely assailed by the *Intelligencer*, is designed, not to interpose any forcible resistance to the execution of the Fugitive Slave Act, but to withdraw the State and its citizens completely from all participation in its enforcement. Its language to the Federal Government is, if you will persist in this unconstitutional, oppressive, and odious measure, you must depend solely upon your own power for its administration and execution—the State and the citizens shall give you no aid or countenance—and let your instruments take care that, in serving you, they offend in no point against the peace, dignity, or rights, of the Commonwealth. Its provisions are thus described in the report of the committee which framed it:

"1. The first section continues the efficacy of the old law of 1843, the constitutionality of which was never judicially questioned, and makes it applicable to the act of 1850. This law was made to prevent the State Judiciary from taking cognizance of slave cases, to