

The conclusion of the argument is, that slaves at sea, in a vessel of the United States, are not property, but persons. As persons, they are entitled to the protection of the government; and if injured by the subjects of a foreign power, it is the duty of the government, in their name and behalf, to demand redress. But the general government has no right to listen to the complaints of a person claiming to be their owner. If they continued in his possession, and under his control, after they were embarked, it was a possession continued by force, and not law; and from such an illegal captivity they had a perfect right to force to rescue themselves. In such a case, the persons treated as slaves are injured, justly, by the pretended masters.

It would not be difficult to show that the argument by the additional difficulties which are presented. I will not add a single reason, which I had your confidence. Where slaves exist, there are also delinquents of the master and the wrong of the slave; and the wrong of such laws that was reformed, which regards them as property, extends to them some protection, and some benefit. But when slaves are in a vessel of the United States, since the law that limits the authority of the master is what the law that would make the slave property is not there, there are none. The State has no power to take, and none have been possible. Congress, if slaves, then, in those circumstances, continue to be property, they have no personal rights whatever. If they are not property, the Constitution, for use of no protection, is in the same place, and to the same extent, whether merchant or chattel, and the same choice of the master is subject to no limitation. The slave-owner or dealer may subject the miserable wretch to any punishment, or inflict upon him any more that he pleases. He may stab him, or beat him, or frighten him in the face of the law. He may throw him overboard, and expose him to the dangers of the sea, or to the perils of the air. He may sell him to any man, or to any nation, or to any country, and he may do so with impunity. He may sell him to any man, or to any nation, or to any country, and he may do so with impunity. He may sell him to any man, or to any nation, or to any country, and he may do so with impunity.

#### EXTRAORDINARY CONDUCT OF THE GOVERNOR OF CANADA

January 23, 1852.

The editor of the Liberator will confer a favor upon the colored citizens of this city, by giving the following preamble and resolutions a place in his columns, and prefer it will such comments as he may deem necessary.

On Monday evening, Feb. 14, 1852, a large meeting of the colored citizens of Detroit met at the second Baptist church, to take into consideration the situation of Nelson Hackett, now in prison in this city, having been surrendered by the Governor of Canada to Lewis Tappan, as a fugitive from justice. Mr. Lightfoot, the chairman, stated that Hackett was a free man, and that he had been wrongfully seized and carried to the United States. He stated that he had been wrongfully seized and carried to the United States. He stated that he had been wrongfully seized and carried to the United States.

Resolved, That a committee be appointed by this meeting, to draw up a preamble and resolutions, setting forth the dangerous precedent at the Government of Canada, in surrendering to the said Hackett to the Executive of Arkansas, a fugitive from justice, when at the same time he was a refugee from slavery.

Resolved, That it is with sorrow we find the government of the British Province of Canada commencing and availing the slaveholders and their agents of the American confederacy, by seizing and confining in prison, and returning to bondage, individuals who had fled to that Province for protection and liberty.

Resolved, That as there are no treaty stipulations binding the two governments to surrender fugitives from justice, we cannot believe the Governor General was justified in giving up the said Hackett, even admitting him to have been guilty of the charges preferred, viz., stealing a horse and a watch.

Resolved, That if this precedent, this sort of courtesy, is established, then Canada will no longer be a safe asylum for our unfortunate brethren who are fleeing from bondage. They will be just as safe in the States of New York, Vermont, Massachusetts, and Maine.

Resolved, That we pray our brethren in Canada, to give this subject immediate and serious attention. It is of vital importance to them, and if possible, to find out what part certain officers and counsellors at Chatham and Sandwich had in this transaction, and publish the whole

affair, and by all means endeavor to stop such nefarious proceedings.

Resolved, That the proceedings of this meeting be published in the Signal of Liberty, in Ann Arbor, Liberator, in Boston, Philadelphia, in Cincinnati, Emancipator, in New York, and all papers friendly to the rights of man.

WILLIAM C. HENRY, Chairman.

ROBERT BANKS, Secretary.

#### NORTHERN SLAVERY—NEW YORK AND VIRGINIA.

Message from the GOVERNOR.

Executive Chamber, April 12, 1852.

To the Legislature:

I received last evening a preamble and resolution, in which the Legislature, after reciting my refusal to surrender Peter Johnson, Edward Smith and Isaac Gentry as fugitives from justice, and further reciting that I had assigned as the reason for that refusal, that serving a slave within the jurisdiction and against the laws of Virginia was not a crime within the meaning of that part of the Constitution of the United States which relates to the capture and surrender of fugitives from justice, has expressed an opinion adverse to the construction of that instrument which I had thereupon adopted. The subject in which the resolution refers is exclusively one of Executive responsibility, the duties of the Department in regard to the surrender of fugitives from justice being prescribed not by the Constitution or any law of the State, but by the Constitution and laws of the United States. Nevertheless, it is not only rightful, but it has always seemed to me to be proper for the Legislature to express its opinion upon the subject by way of advice, and such an expression is more proper when the adherence of the Department to its decision has, by other causes, resulted in unconstitutional, oppressive and arbitrary acts by Virginia and South Carolina.

Grateful, therefore, to the Legislature for the advice which has thus been received, I have considered it most respectful deference to their wisdom, and with an anxious desire for harmony and agreement upon a question in which the rights, interests, and honor of this State are deeply involved. After thus considering the subject, without the benefit, however, of any of the arguments which brought the Legislature to a different conclusion, I remain of opinion, that a being possessed of the physical, moral and intellectual faculties common to the human race cannot, by the force of the Constitution or laws, be considered as property, and that no such thing as a slave can be the subject of legal ownership or sale. The Constitution is far from controlling the subject of slavery, and no, obvious acknowledgment of the fact, that the rights of man are born equal, and that the inalienable right to enjoy life, liberty and the pursuit of happiness, is a right which is common to all men, and which is not subject to the will of any man, or to the will of any State.

I am rejoiced to see the Legislature communicate the preamble and resolution to the Executive of Virginia. The resolution of the State declares that it shall be the duty of the Governor to expel all fugitives which shall be resolved upon by the Legislature, and to take care that the law go forth unimpeded. But the Legislature cannot effectually resolve upon any measure, or impose a duty on the Executive, except by bills passed by both Houses, and becoming laws by the Executive approval, or by a Constitutional majority, notwithstanding his objections. In proper cases, I cheerfully comply with the requests of the Senate and Assembly, and I cannot do so when they conflict with Constitutional duties. I cannot transmit the resolution in the present form, without silently acquiescing therein, and thereby giving a decision to which I adhere, or without accompanying the communication to Virginia with a protest of my dissent. The former course would be a plain, palpable dereliction of Constitutional duty; the proceeding, if the latter resolution were adopted, would tend to enhance the respect in which this State is held by her sister States by the civilized world.

Chartered principles of civil liberty forbid me, generally from recognizing such a natural inequality among men as the resolution of the Legislature seems to me to assume, and from contributing in any way to perpetuate the inequalities of political condition, from which result a large portion of the evils of human life. The Senate and Assembly will therefore excuse me from assuming the duty which an assent to their request would impose, and will, if it be proper, select some other organ of communication with the Executive authority of our sister Commonwealth.

WILLIAM H. SEWARD.

For the Executive and Vice Assistants.

#### CONNECTICUT ABOLITIONISTS ON THE OLD FLEDGE.

It cannot be denied that in the earlier stages of the abolition movement, a considerable number even of titled persons, were disposed to march under its banner. Perhaps they hoped, Peterkin, by one stroke of the sword to secure the triumph of their cause. But when it was found that the contest was likely to be a long and arduous one, and that wealth, talent, and "respectability" would be careful to wash themselves clear of all connection with it, these champions on the rock, could not endure the scorching sun of persecution.

I make these remarks, in order that friends at a distance may better understand the position of some in our State, who once bore the name of abolitionists. And though it is with reluctance the names of individuals are mentioned, yet when their public doings are exerting a prejudicial influence against the slave, considerations of delicacy must not prevent faithful dealing. Among them, individuals of the class referred to, who suffer attachment to political party, religious sect, benevolent society, general complexion, to sever them from the right, may be mentioned the Rev. Mr. L. of New Haven. Sometimes indeed under the influence of a warm natural humanity, he seems to come out nobly on the anti-slavery cause. But the difficulty is he will "not stay put." With his colored ministerial brother of the same denomination he does not exchange pulpits. He does not like to open his church to the meetings of the State Anti-Slavery Society, if any thing a little foreign unhappily comes out on the occasion. He discourages county meetings being held where the minister turns his back against them. His influence over anti-slavery families leads some to give up the publications, and forsake anti-slavery meetings of every description. And yet this is the man who, when he is consulted, (see Lewis Tappan's letter in the Friend of Man) to take the slip of paper from the Secretary, and make the desired motion at the meeting of the American Board.

**Extraordinary Conduct of the Advernor of Canads.**

William C Munro, Chairman and Robert Banks, Secretary.

*Emancipator and Free American* (New York, New York, Thursday, April 28, 1842; Issue 52. (748 words)

**Category:** News

**Gale Document Number:**GT3016488034