



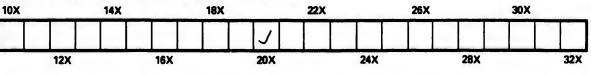
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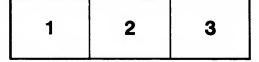
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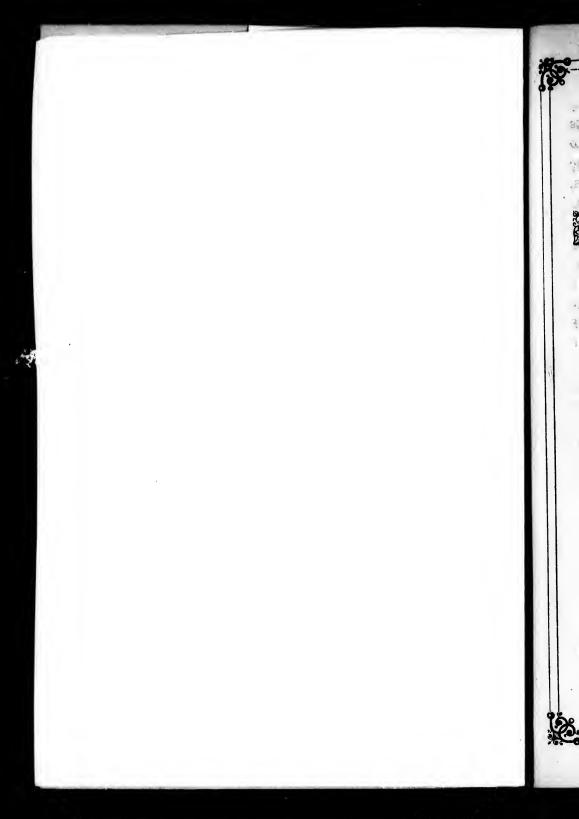
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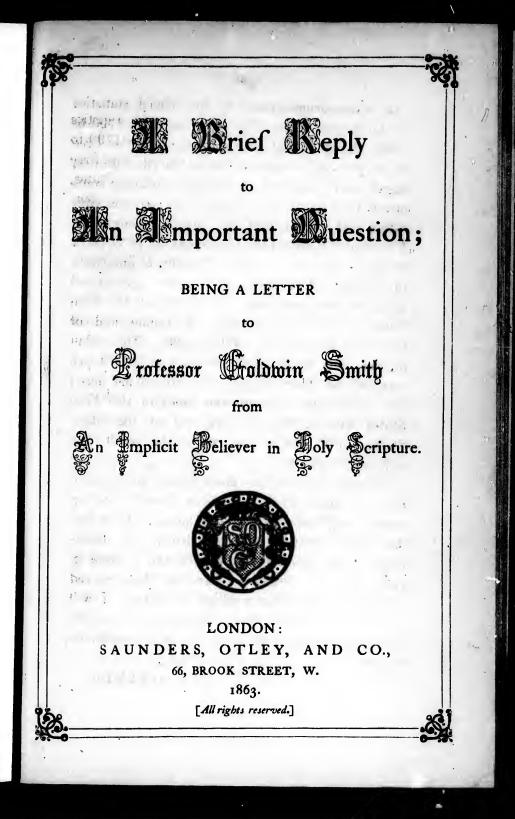
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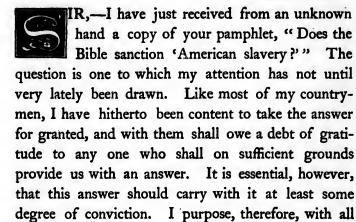
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A LETTER.

ETC.

December, 1863.



submission, to point out :

1. Certain respects in which your arguments appear likely to fall short of their intended effect.

2. Certain points, of no ordinary relevance, which appear to have altogether escaped your observation.

I shall esteem myself fortunate, if in so doing, I assist, however humbly, in arriving at a correct solution.

And first let me notice two particulars in which I fear your arguments will suffer from the conditions under which your inquiry is conducted. You say (p. 4):

"In this discussion the authority of the Pentateuch "is taken for granted on both sides. In using, there-"fore, the common language on the subject, the author "is not presuming to pass any opinion upon the ques-"tions respecting the date and authorship of the books "which divide great Hebraists and theologians, and "which, he is perfectly aware, can be decided only by "free inquiry, carried on by men learned in the subject, "with absolute faith in the God of Truth."

And again (p. 1):—" It is important in more ways "than one to determine whether the slave-owner's "plea is true. The character of the Bible is "threatened."

A little further on (p. 3) you speak with obvious inference, of denying :—" Not a theory of Inspira-" tion, but a great and manifest fact of history."

And you propose to yourself (p. 4) :---" To relieve " the distress caused by *doubts as to the morality of the* " Old Testament on other points as well as on the " question now in issue, at a less expense than that of " supposing the existence of two different Moralities, " one for God, the other for Man, and thus making " Man worship, what to his mind must be, an immoral " God."

Now here, sir, is a matter on which, as I apprehend, you will be found to differ, at the outset, with no small proportion of those to whom your arguments are addressed. We who believe—as thank GoD the vast majority of Englishmen do still believeimplicitly and unreservedly the truth and inspiration of Holy Scripture, are altogether opposed to the theory here set forth by you, in agreement apparently with Bishop Colenso and other sceptics, of the questionable character of that most vital portion of it, the Pentateuch. Still more strongly, if possible, do we reject the idea that the "character of the Bible" is, or can be, "threatened."* Most emphatically of all do we repudiate, as altogether monstrous and blasphemous, the idea of "immorality" in connexion with God or His HOLY WORD.

Nor is this difference of so little moment as, from your point of view, it will no doubt, at first sight, It is of vital importance. Not only does appear. it array against you at starting our deepest and most cherished convictions, and taint beforehand with suspicion every argument from such a quarter; it affects the whole character and drift of your discourse, and, so far at least as your believing readers are concerned, renders the ends for which we are severally striving as diverse as the points from which we start. You, taking for . granted the iniquity of slavery, are anxious, for the Bible's sake, to show that slavery cannot be defended on Scriptural grounds. We, taking for granted the infallibility of God's Holy Word, are anxious only, for our own conscience' sake, to learn whether, by the authority of that Word, the institution of slavery is

* Comp. Colenso, Part I. p. 144, l. 24.

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sanctioned or condemned. With us, that is to say, it is slavery that is on its trial. With you it is the Bible.

The second particular of fundamental disagreement springs of necessity from the first. The question which you thus commence by taking for granted, is precisely that on which we are anxious for enlightenment. The matter on which we desire only to arrive at a just decision is one on which your foregone conclusion is so strong as to prepare you, in the event of an adverse judgment, for the rejection of that very authority to which we both appeal. We look, as in duty bound, for the calm impartiality of a judge. You come before us, almost avowedly, as counsel for the prosecution.

With a somewhat freer recourse, perhaps, to the ingenious arts of the advocate than, in such a position, the strict tradition of legal practice might allow. Your opening paragraph is indeed a masterpiece of special pleading, and, as such, deserves the highest admiration such efforts may command. But it is not special pleading of which we are now in want. We pay a willing tribute to the ingenuity that seeks to enlist against the South our feelings of abhorrence for the coarse polygamy of the West; though it is in truth to the ingenuity rather than to the honesty of the artifice that this tribute is due. But the appeal for which we are prepared, lies not to our feelings, but to our reason, and our reason at once detects two fallacies of the most transparent kind. The connexion you attempt to set up between the two institutions has no shadow of foundation in fact. It would be totally irrelevant to the issue if it had.

So, too, with the clever "clap-trap"-pardon the phrase-of the "great Act of Emancipation." Why should the Bible injunction to the slave to return to his master make this great act a "robber's act?" The Bible certainly enjoins it in the case of the early Jews, at the very time when that same Bible-as you are at some pains a little further on (p. 48) to show-forbade the Hebrew to give up to any other nation a fugitive Was this law of Jehovah himself-this law slave. on which rests so large a portion of your own case against the South-a "robber's law?" Or, to compare great things with small: the law of our own England recognises, I believe, a property in land. Is all our railway, and canal, and public improvement legislation a series of "robber's laws?"

Unhappily, the same spirit of partisanship, thus displayed in the outset, is but too clearly discernible throughout the entire work. And nowhere is it more conspicuous than in the references by which your statements are supported. So marked is this, that it seems to have struck yourself; and the monotony of perpetual reference to one almost solitary authority is judiciously relieved by variations of the mode in which the reference is made. Sometimes (as at p. 61) the names of book and author are given in full; sometimes (as at

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pp. 34 and 62) the name of one or the other is quoted alone; sometimes (as at p. 36), a portion only of the title is quoted; or (as at p. 23) a trifling alteration in the spelling of the name gives some relief to the wearied eye. But the authority thus variously designated is, in fact, ever the same; and it is that of simply one of the most notoriously unscrupulous partizans that ever bore "false witness against his neighbour."

So, too, with your other authorities. I do not now speak of "Goodell's American Slave Code," for after careful inquiry of my friends, both North and South, I have been unable to learn anything whatever of that apparently not very generally recognised publication. But surely some more reliable picture of Southern manners and society might have been found than a quotation (p. 49) from a sensation romance! And surely, too, in endeavouring to establish your point as to the real *status* of the American slave, some higher authority was accessible than that of "Judge Ruffin, of North Carolina."

The laws of each State are published. Would it not have given more weight to your argument to have quoted them? Or must we believe that they would have failed to bear out your position; and that to support it you were fain to dig and ferret among the obscure records of the minor courts until fortune rewarded your perseverance with the decision of some "hanging judge," on whose *dictum* you might take your stand? the the n in ried is, one

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I fear me, sir, such slips as these must tend grievously to weaken the effect of your arguments on the minds of English lovers of fair play.

We come now to the brief consideration of these arguments themselves. And here, too, one seems to recognise more than one fallacy of a nature to thwart very seriously the object you have in view. I will endeavour, for brevity's sake, so far as possible, to classify them.

First then, you appear to be the victim of some strange delusion, as to the position of the Confederate States with regard to their "peculiar institution." You speak (p. 1) of "the conclusion that slavery is . . . established by GoD for all time." In drawing the analogy between this and other Mosaic institutions, you say (p. 8)—

"Shall we say, then, with these things before us, "that the Bible sanctions private revenge, the right of "asylum for criminals, the exercise of a power of life "and death by parents over their children, or the "practice of polygamy; that it establishes these as "divine institutions intended for all time; and enjoins "the revival of them, where they have been allowed to "fall out of use, in civilized and Christian lands?"

You ask (p. 56), in speaking of S. Peter's words, "servants be subject to your masters"*—

" Is this an exhortation to modern society to esta-

* S. Peter ii. 18-24.

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" blisb or suffer to be established in the midst of Chris-" tianity, freedom, and equal law, an institution " under which men are subject to the frowardness of " masters?"

And, finally (p. 73), you speak of "a great Slave "Power," being "established on the neighbouring "shore."

Now, to all this there is one simple and obvious reply. It is untrue. The Confederate States are not legislating "for all time." They are simply dealing with facts as they exist at this time present. There is no question of the "revival "of slavery where it has been "allowed to fall out of use." It fell out of use -when it was no longer found to pay-in the Northern States alone, and the one desire of the Southern States is permanent separation from the North. The Confederacy does not wish to "establish" slavery. Throughout their entire territory it was established by ourselves long ago. While, so far from the war being one to establish a "great Slave Power," it is simply the result of the Southern effort to break up and diminish by one half, the greatest Slave Power the world has ever known.

Another class of error equally extensive and equally fatal, is that relating to the actual *status* of the American slave and the relation between him and his master. You say (p. 5)—

"Every moral being, in other words, has a right to be treated as a person and not as a thing." Christution ess of

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But it is precisely as a person, and not as a thing, that the American slave is treated by American law.*

You draw (p. 20) a "picture of patriarchal bondage" too long for quotation here, and familiar already to every reader of the Bible. But it is a picture that, allowing for difference of scenery, manners, and costume, might well bring before us the bondage of the American slave, not indeed "as painted by Judge Ruffin," or Miss Maria Child, or Mrs. Beecher Stowe, but by any one of the many unprejudiced observers among our own countrymen who have dared to speak the truth as they have seen it.⁺

So too, (p. 21), with the identity of interest between the patriarchal chief and his "servant, and the reliance "consequently placed by the chief in the servant's "loyalty, which we have noted in the story of Abra-"ham's steward, and which appear elsewhere also. " When Abraham heard that his brother (Lot) was " taken captive, he armed his trained servants, born " in his own house, three hundred and eighteen, and " pursued them unto Dan.'" ‡ How many an instance of similarly affectionate devotedness has not this cruel war revealed.

You pass from the slavery of the ancient Jews to that of the classic age, and (p. 23) illustrate American

^{* &}quot;Any slave, or other *person*, held to service." Vide Constitution of the Confederate States, Par. 3.

[†] Vide Miss Murray's book; South as it is; British Merchant; Malet, &c.

[‡] Gen. xxiv. 1-4, 10-14.

slavery by the example of Cato; that "perfect "model of the slave-owning agriculturist," who "advises his reader to 'sell off his old oxen, his dis-"carded cows and sheep, wool, hides, old wagons, " old tools, old and sickly slaves."

Yet a few pages (p. 70) further on you are not ashamed to admit your knowledge of the fact—a little disguised in your representation, it is true—that the Southern States forbid even the *emancipation* of "old " and sickly slaves," that the master may not by an act of spurious philanthropy, relieve himself of their charge.

So (p. 34) when you speak of " the Slave States of " America, where in law a slave's marriage is a nullity, " and where, in practice, husbands are sold away from " their wives, children from their parents; where the " human cattle are bred like sheep or swine for the " market: where, in short, the whole system is a " standing defiance of nature and humanity."

You know, or should know—for it is shown by an hundred proofs of which it is little less than criminal in one thus setting himself up as a judge to be ignorant—that in the sense in which these charges are made they are altogether false; that the assertion that negroes are "bred like swine for the market" is contradicted not merely by the evidence of every one acquainted with the facts, but by the laws of the States, expressly framed to prohibit such an act, and by the census returns, which show, with all the cold inpartiality of figures, that those laws have had their fect who disons,

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effect.* That is agh the law does not recognise the marriage of a slave-and nowhere is that law more sincerely condemned than in the South-society, which, as with ourselves, is often in advance of the law, dces recognise it, and visits with heavy penalties its wanton infraction by the master. That, "in practice," slavery separates slave husbands from their wives, and slave parents from their children, far less often than the exigencies of earning a livelihood compel no less inexorably such separations in the families of our free labourers at home. And that even were this not so, the slaveholding confederacy is at the least disgraced by no such law and no such practice as thatour own boast and pride-which pronounces for the worn-out freeman the economical divorce of the union workhouse.

I come to an instance which, sad as it is in its lack of Christian charity, might almost make one smile to see how far astray the spirit of partisanship can carry its victims.

* One of the most ingenious arguments in support of this charge of "breeding like swine" is the comparatively low rate of increase in the Border States, compared with most of those by which the slaves bred in the Border States are supposed to be "consumed." In other words, we are asked to believe that a decreasing stock is a sign of a "breeding," and an increasing stock of a "consuming" state. The argument has at least the advantage of novelty. Applying it to the case of the "swine," used by its originators as an illustration, it proves conclusively that the export of "swine" from England to Ireland must be very large indeed. A fact as novel—almost—as the argument. "In America," say you (p. 40) "the slave is made "a Christian in a sense of which we may have more "to say hereafter; but practically he can scarcely be "said to belong to the same Church any more than "to the same State with his master. He sometimes "sits in a separate part of the same place of worship, "and receives the Communion separately from the "same hands;" and again (*Ibid.*) "Mr. Olmsted "says, that 'though family prayers were held in several " of the fifty planters' houses in Mississippi and Ala-" 'bama, in which he passed a night, he never in a " 'single instance saw a field-hand attend, or join in " 'the devotion of the family.""

What an outrage on our Christian feelings would it not be were the poor farm labourer to sit "in a separate part" of his parish church, or kneel anywhere but between his master and his mistress at the altar rails! How shocked would you yourself be, on a visit to some large country house, to find that the ploughman and the cartboy did not come in to family prayers!

One instance more and I pass to another branch of my subject. It is one I would willingly avoid, but as you have not hesitated to adopt in this respect also the tactics of those sensation writers in whose hands it is so pointed a weapon, I cannot altogether pass it by. You say (p. 66):

"The only refuge for those who defend Slavery on "grounds of race, if they do not wish to contradict "S. Paul, seems to be to go the full length of saying "that the negroes are not 'a nation of men.' And to "this suggestion the Slave-owner, as we have hinted "before, has given and daily gives a conclusive answer "by the practices which fill the country with a mixed "race."

You have indeed " hinted at this before," somewhat too frequently, perhaps, even had the charitable assertion been true. The universal voice of the entire South, and even yet more clearly the practical evidence of hardihood and vigour which no race guilty of such general licentiousness could have shown, prove it to be a gross and disgusting slander.

My letter is running to too great a length, and I must hurry rapidly over the remainder of your argu-In those relating to the " principle " on which, ments. as you assume, the Mosaic alterations of the law were made, I cannot but think that you have strangely missed the mark. The right of asylum (p. 5) is not So far as criminals-moral criminals " modified." that is to say-are concerned, it is abrogated altogether. The life and death power of parents (p. 7) is not "checked." It is altogether transferred to the congregation before which the parent is henceforth to plead. The case (p. 12) of the "President of the Southern States making bimself a king," has no more bearing on the question of monarchy as established by God, than the case (p. 13) of a "self-ordained and self-invested " order," on the authority of the priesthood expressly ordained for His service by Himself.

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y on adict .ying So, too, in your arguments (pp. 24, 25, 26, 44, &c.) from the Mosaic injunctions to free, at stated intervals, all *Hebrew* slaves. The constitution of the Southern States goes far beyond this. It does not permit their own people to be enslaved at all. While if, as you argue (p. 42) from the Mosaic "discouragement of . . . piracy . . . conquest . . . and kidnapping," the object of the lawgiver was really to stop the supply of slaves, how much more effectually must this end be served by the laws of the Southern States which, instead of "discouraging," forbid these practices altogether?

In the case of Onesimus also I cannot but fear that you have missed the real gist and force of the whole story. You ask (p. 64) "Does [S. Paul] send him back as a slave ?" S. Paul's own words seem to give a very straightforward reply. "Whom I would have retained with me, that in thy stead he might bave ministered unto me, in the bonds of the Gospel, but without thy mind would I do nothing, that thy benefit should not be as it were of necessity, but willingly." Tby benefit, be it observed, not that of Onesimus. The "benefit" or benevolence (Everysolac) of the ministration of the slave are spoken of as belonging not to the slave, but to the master. Onesimus renders S. Paul a service, but it is to Philemon that, on account of that service, S. Paul is under obligation; and the apostle's scruple at claiming these services at the hands of his convert's slave is not that he questions the master's right to lend, but rather that he will not even appear to interfere with it. by exercising, unlicensed, his own strong claim to borrow. Had he foreseen that this right would one day be called in question, could he have recorded more pointedly his own acknowledgment of its validity?

And this brings me to the last of your arguments which I propose at present to analyse. It is perhaps the most extraordinary of any that have come under my notice. You say (p. 33):

"The last of the Ten Commandments which we continue to use instead of the Two,* shews us what was the general state of society for which the code was framed, and fixes the real position of the slave in the household. "Thou shalt not covet thy ' neighbour's *bouse*, thou shalt not covet thy neigh-' obour's *wife*, nor his *manservant*, nor his *maid*-' *servant*, nor his *ox*, nor his *ass*, nor anything *tbat* ' *is thy neighbour's.*' We see that the wife is as ' completely a subject of property and a part of a '' man's estate as a *manservant* or a *maidservant*. '' And when this is seen, all thought of degradation '' as attaching to the condition of a slave is at an end."

Had you not yourself italicized the words I should have fancied you must have forgotten that this passage comprises with the manservant and the maid-

* The precise gist and *animus* of this qualification is, I admit, not clear to me.

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servant not only the wife, but the ox and the ass, and "everything that is his." Are we really to understand that you, Professor of History in the University of Oxford, would feel it "no degradation" to be considered as an ox—or an ass?

And yet it is quite true that the words of this Commandment do really and definitively "fix the position of the slave." Like all other words of Holy Writ, the more closely they are examined the more comprehensive, the more accurate, the more exhaustive they appear. In three short lines we have a résumé of every variety of property that man can hold. The house, type of the inanimate things that are absolutely his, to use well or ill, to sell or to bequeath, to improve, to damage, or to destroy. The wife, slaves, cattle, his living property; each ranked according to the nature and extent of its subordination to his will. The wife, her person and her service his, but his alone-untransferable during his life, and at his death reverting ipso facto to herself. The ox and the ass transferable at pleasure; subjected not merely in respect of person and of service, but of life itself; and differing from the inanimate "house" only in that they must not be hurt or damaged, but tended with the regard due to everything that in common with man himself has received from its Creator some portion at least of the mysterious gift of life. The slave holding a position between the two; owing, indeed, subordination of person and of service only, not of life, but with this obligation, like that of the ox or the .ass, transferable at pleasure, and at his master's death reverting not to himself but to his master's heir.

And such is precisely-not perhaps "according to Judge Ruffin, of North Carolina," but according to the written constitution and laws of the Southern States-the present position of the American slave. His legal description and his legal status alike are those of a "person held to service."* It is to his service alone-the precise right so expressly reserved by S. Paul to Philemon, that the master has any claim. And though that service may be transferred from master to master, and in respect of that service he is in the eyes of the law a "chattel personal," + in all other respects he is regarded as a "person" and not as a "thing," and as a person his rights and immunities are guarded by jealous and stringent laws. His service differs from that of an English apprentice in two respects. It is perpetual and it is transferable. In all others it is identically the same.

I pass from the examination of the arguments you have adduced, to consider one or two which seem hitherto to have escaped your attention.

* Vide note on p. 11.

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† There are few points on which more misunderstanding prevails, than in respect of this phrase. Its meaning is simply that the obligation of service—in respect of which alone the slave is a "chattel," as the wife also is sometimes called a "chattel" in respect of hers—follows the law, not of "real," but of "personal" estate.

It is a fact, surely not altogether without significance, that not only is the relation of master and, slave-or "servant" as we translate it-so continually referred to in our LORD's parables, without any word of reprobation, but that it is under the figure of a slaveholder that our LORD Himself is frequently depicted.* Nay, more. This very relation is used by S. Paul to illustrate the relation in which He stands toward ourselves. We are "not our own, but bought with a price." + Not ransomed and set free, but bought. The property in us, which, by right of our sin, had belonged to Satan, transferred by right of purchase to God. And, therefore, we are bidden to glorify God in our bodies, and in our spirits, "which are God's." Surely it is somewhat hazardous to assume that a relation thus plainly, and without qualification, set forth as illustrating the position of the Almighty, can be of itself essentially evil!

We turn from the Bible estimate of the relation of master and slave, to examine the Bible estimate of the relation of the master and his free or hired servant. And here, too, even more, perhaps, than in the former case, do His ways seem strangely at variance with our ways, and His thoughts with our thoughts.

Shut out by the Mosaic law from that participation

* S. Matt. xviii. 23—34; xxv. 14—30. S. Mark xiii. 34. S. Luke xii. 47, 48.

† 1 Cor. vii. 20.

in the great rite of family worship to which the slave was expressly, and by reason of his slavehood, admitted,* the "hireling" occupies in the New Testament a position of equally little honour. If a faithful and good servant† is to be depicted, he is selected, as a matter of course, from among his master's slaves. If we are to have placed before us, for contrast's sake, the lowest class of all in morals and in social position, this helot's place is filled by the "hireling," not the slave. "How many hired servants of my father have bread enough and to spare, and I perish with hunger."‡ "The hireling fleeth because he is an hireling and careth not for the sheep."§

One other Scripture test there is, to which you have not appealed, but by which this question, in common with all other questions, may be judged. "By their fruits ye shall know them. Do men gather grapes of thorns, or figs of thistles?"

By their fruits then let us examine for a moment the advocates of slavery and of abolition in the country where alone these questions enter sufficiently into men's daily lives to affect their character and conduct.

And first, what is the religious aspect of the case? On which side are ranged the banners of the Church and of her foes? With scarcely an exception, the whole body of the Church in America upholds and

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^{*} Exod. xii. 44, 45. ‡ S. Luke xv. 17.

[†] S. Matt xxv. 21; S. Luke xiii. 37-42. § S. John x. 13.

maintains the institutions of the South. Their opponents are to be found among the Colensos, the Renans, the Spurgeons of the North; the votaries of Mormonism and Free Love; the "War Christians" of every shade of unbelief and misbelief, who with Mr. Ward Beecher preach the "moral agencies" of fire and sword, or with Mr. Brownlow clamour in open blasphemy for "an anti-slavery Bible, and an anti-slavery "God."

You may consider this argument irrelevant. Let us inquire then, by whom is the negro-the person whose advantage and happiness is in question -treated, as a rule, with the greater kindness and con-I will not here speak of the horrors persideration. petrated by Northern mobs in the excitement of the present war; of negro soldiers driven at the bayonet's point into the hottest of the fight, with a brutal jest at the economy of white man's blood; of negro workmen hunted to death in New York streets by their Irish rivals; or even of the abolitionist President's plan of wholesale consignment to the horrors of a certain slavery among the savage tribes of their own heathen land. I will confine myself to the deliberate language of the laws that guided the conduct of the old calm and peaceful times. The South, as we have seen, while denying to the slave his liberty, passes stringent laws for his protection, and even his comfort. What is the negro legislation of the North?

MASSACHUSETTS.—" No [negro] . . shall tarry within this 'Commonwealth for a longer time than two months, and if such person shall not [then] depart within ten days . . he shall be whipped."

CONNECTICUT.—" The select men of the town are to warn any person,* not an inhabitant of this State, to depart from such town. . . If such person refuse to depart or to pay his fine, such person shall be whipped on the naked body."

VERMONT.—" The select men shall have power to remove . . and persons* . . and any person returning without permission . . . shall be whipped."

NEW YORK.—" If a stranger* be entertained in the dwellinghouse or outhouse of any citizen, without giving notice to the overseers of the poor . . above forty days . . the justices may cause such stranger to be . . transported into any other State. . If such person returns, the justices may cause him to be whipped by every constable into whose hands he may come . . if a man, not reaching 39 lashes, and if a woman not exceeding 25 lashes."

OHIO.—" No white person shall intermarry with a negro or mulatto."

INDIANA.—" No negro or mulatto shall come into or settle in the State."

ILLINOIS .- (Law enacted 1853) :--

"If any negro or mulatto, *bond or free*, shall hereafter come into this state with the intention of residing there, [he] shall be deemed guilty of a high crime and misdemeanour . . and shall be fined the sum of 50 dols. . . and if the fine be not *forthwith* paid . . the . . justice shall at public auction proceed to sell the said negro to any person that will pay the said fine and costs. . ."

OREGON.-Admitted 1859 :--

"No free negro . . shall ever come into, or be within this state . . or maintain any suit therein; and the Legislative Assembly shall provide by penal laws for the removal . . of all

* By the Constitution of the United States, this could only. apply to blacks.—*Vide* Art. IV. Section 2.

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such free negroes . . and for the punishment of persons who shall bring them into the State or employ or harbour them therein.

"Whether of these twain thinkest thou was neighbour unto" this poor helpless negro slave ?

The one cry of the South is for peace. Is that a less Christian cry than the Northern shriek for blood and war? "Greek fire for the Southern masses, and HELL FIRE for their leaders!" Is it by lips hardened to such words as these that Christian duties and Christian charity are to be taught?

My task is done. I do not presume to offer a final solution to the momentous question you have so boldly raised; I do but suggest a reason here and there why it should not be summarily decided in the manner in which you have endeavoured to decide it. God be thanked that upon us in tranquil England the necessity for a decision is not forced. But it may be— I believe it is—only the more our bounden duty, in very gratitude for the exemption, to see, as far as in us lies, that our own countrymen at least do not abuse the advantages that have been given them, to render yet more grievous, through their injustice and misrepresentation, the difficulties of those on whom this heavy burden has been laid.

THE END.

