

that, a re-apportionment would add, considerably, to the taxable basis. Unless I am much mistaken, it would enable you, in a short time, to commence a progressive reduction in the rate of taxes; the benefits of which would be felt, equally, by all.

Shortly after my induction into office, Mr James S. Mitchell, a citizen of Cecil County, in this State, informed me that, the Grand Jury of Philadelphia City and County, had found a bill of indictment against him, on a charge of kidnapping; and, that, he had reason to apprehend that, the Governor of Pennsylvania, would demand him, under a requisition. He stated to me that, about the year 1845, a negro woman, his slave for life, had made her escape into Pennsylvania - that, during her absence, as a fugitive from his service, she had given birth to an illegitimate male child - that, he had recently, through the instrumentality of agents, residing in Pennsylvania, succeeded in apprehending the woman, who, together with the child, had been delivered to him, at Elkton, Cecil County - that, the crime alleged was, the taking of the child alone - and, finally, that, he himself, had never been personally present, within the jurisdiction of Pennsylvania, in connection with the arrest or removal of either of the parties. I replied to Mr Mitchell that, it was quite clear, first, that, the child of the slave, even though born during the period of her absconding, was his property, by the law of Maryland; for taking which, he could not be punished by the laws of any other state, without a manifest violation of the Federal Constitution; and secondly, that, not having been personally engaged, within the jurisdiction of Pennsylvania, in the perpetration of the act, whether criminal or not, he could not be demanded, as a fugitive from her justice. But, I expressed to him, a doubt, as to my power, under the Federal Constitution, to go behind the requisition of the Governor of Pennsylvania, if the record, by a suppression of the real facts, should present a prima facie case of alleged kidnapping. I assured him, however, that the preliminary question should be carefully considered; and that, if decided affirmatively, I would certainly shield him from a requisition, after having just been fully satisfied, by competent proof, under oath, that his statement of the facts was true. On the first day of March last, I received the requisition of His Excellency, the Governor of Pennsylvania, as had been anticipated. The case was immediately referred to the Attorney General, for his legal opinion. Upon a most elaborate and exceedingly able review of the law and authorities, he gave it, as his decided opinion, that I had the power to go behind the requisition, and examine into the true merits of the case, in such modes might appear proper, in my judgment. I, thereupon, addressed to His Excellency, the Governor of Pennsylvania, a communication, setting forth the views, entertained by me, both of the law and the facts; and I enclosed to him a copy of the written opinion of the Attorney General. I stated to his Excellency that, a commission should immediately go out to take the required testimony; and that, if the statement made to me by Mr Mitchell (which I communicated to his Excellency,) should be substantiated by competent proof, I would feel compelled respectfully to decline acting under the requisition. At the same time, I gave the assurance, that if, on the other hand, it should appear, that Mr Mitchell had violated the laws of Pennsylvania, by the perpetration of a recognized crime, and had afterwards fled from her jurisdiction, I would most cheerfully unite with his Excellency, in bringing him to justice. I accordingly appointed an officer of this Department the Commissioner, for the purpose designated; who, after due notice first given, proceeded to Elkton, and took the depositions of highly credible witnesses. This testimony clearly established the truth of Mr Mitchell's statement, in each particular. Whereupon, I notified His