

white individuals living in that neighbourhood, & that he had never returned & it was said by the counsel for the defence that this and other acts (not given in evidence) had caused an organization of colored persons in that neighbourhood, to prevent the kidnapping of ^{free} negroes & that this was the organization which had so suddenly brought such large numbers to the attack of the Gorsuch party.

To rebut this sort of defence, & to show that the organization thus confessed did not originate at the time, and for the purpose alleged by the defence, the United States then offered to show that both before & after the transaction at Chamberlyns, there were armed bands of negroes in great numbers marching on the public roads in that neighbourhood, encouraged by white men, for the avowed purpose of shooting and resisting all persons who might come armed with legal process, for the arrest of fugitive slaves, & that these bands did before & after the transaction at Chamberlyns successfully resist with force & arms various attempts made by masters, to arrest fugitive slaves, in that neighbourhood, in the manner & with the process as directed in the act of Congress, passed in Sept. 1850.

The United States further to reply & rebut the evidence thus given by the defence, offered to show that prior to the transaction at Chamberlyns public meetings of white citizens were held in the neighbourhood and in the adjoining county of Chester, attended by delegates from Cadbury township when the murder was committed, at which resolutions, were passed denouncing the act of Congress, known as the fugitive slave act, & declaring that the same ought to be resisted by force, whenever its execution was attempted.

But the Court ruled this testimony inadmissible, because it was not in their view rebutting evidence, but rather matter in chief, undoubtedly this evidence if known to us in time would have been competent in chief, but it did seem to ~~us~~ that it was clearly admissible as rebutting evidence, to explain the true origin & purpose of that organization, which was referred by the defence to a certain object & a certain date. But the decisive points ruled, which were fatal to all the pending prosecutions, are to be found in the following passage, taken from the opinion of the Court.