

the express purpose of preventing by force the collection of any public revenue, in a particular district, & they were to proceed to carry that purpose into effect by force of arms, it would amount to a levying of war, I presume, & would go far beyond a case of Smuggling.

As a community of debtors resisting civil process by a forcible combination, I am not aware that such a case has ever been judicially held not to be treason; but, suppose that a large number of debtors to the Government combine to resist by force of arms the execution of United States process on their persons, or their property, & do, in pursuance of that general design, resist with force the United States' Marshall while executing process of the United States, would not that be a case of treason? Or, suppose one hundred men conspire to prevent by force of arms the collection of any revenue by the Custom house officers in Philadelphia & do carry that intention into effect forcibly, I presume that would be treason.

But the Northampton Insurrection was the very case where the people of Northampton County intended to protect themselves alone from the direct tax on their houses; they did not design to prevent the exaction of the tax elsewhere, or to levy war generally against the law, wherever its execution might be attempted; yet, it was not then thought that any local combination to resist the execution of a law on the conspirators themselves was not treason, when ripened into forcible resistance. But his Honor Judge Grier made a great mistake of fact, ~~when~~ in assuming that this conspiracy was merely "to protect one another from Kidnapers" or that it was merely an organization of "runaway Slaves".

I confidently assert that according to the evidence there were no slaves in the <sup>substantive</sup> multitude but the three owned by Mr Gorsuch, who were seen on the ground so far as any evidence was given; all the rest of the multitude were to be considered under the laws of Pennsylvania as freemen *prima facie*.

The case <sup>then</sup> was simply this: There is an insurrection of one hundred or one hundred & fifty armed blacks all of whom are free except three who are slaves & these blacks incited & encouraged by at least four white men, Townsend, Hamraway, Lewis, & Scarlett, all three combined together to resist an officer of the United States in the execution of an act of Congress, & do by force of arms resist the execution of the law, & there is evidence that there