

house of a Pennsylvanian, who is harbouring him, without having made due inquiry into his freedom or slavery. This sort of recapture though secured by the Constitution (as expounded in Prigg's case where it can be done without "illegal violence or a breach of the Peace") is matter of grave judicial complaint, when a little reflection must have satisfied his Honor that, unless the master or his agents can seize the fugitive at night in the house where he is harboured, the whole Constitutional right of recapture is at an end; for it would be a mockery to send the master in the light of day to the house where his slave is protected & cherished.

The very appearance of the master would be but a notice to his slave to escape, or for his armed allies to run together by a sudden conclamation to rescue their friend, as Judge Grier has it in his charge; ^{then} the master would probably fare the fate of those lamented citizens of Maryland, who have already fallen as sacrifices "to those insidious feelings & prejudices" which his Honor Judge Grier has so kindly respected in his charge to the Jury.

I can only say, ^{that} both before & since the passage of the Fugitive Slave Act, the master ~~or his agent~~ has the same right of recapturing his fugitive slave personally, or by agents, as he would have in the State whence his slave fled, & no Act of Congress or State Legislation can override this paramount Constitutional right, so ably expounded in Prigg's case by Judge Story. The Fugitive Slave law cannot therefore be considered as the exclusive remedy for the master. It is but an additional security, & furnishes him with a more effectual remedy, at his election, by providing a public officer with power expressly granted to summon the posse comitatus, a power by the way of very little account in a place like Sadsbury Township, where the bystanders positively refuse to assist when summoned by the officer, in which refusal they were justified by the Counsel of the Defendant who without a rebuke from the Court denied that Congress could make "any respectable Pennsylvanian become a slave catcher." It is not necessary however to argue this right of recapture under the Constitution, as Mr Gouch & his party were fully protected by the Act of Congress, & the resistance made to them was, in effect, resistance to a public Act of Congress.

If a portion of the people of Pennsylvania feel themselves insulted & their families outraged, by nocturnal arrests