

considered that the condition of the issue of a fugitive female slave could be fixed or regulated by state laws, I admit that the Courts of Pennsylvania have decided, that by their statutes the issue of a fugitive female slave, is free but the decision of the Supreme Court in *Prigg's Case* has necessarily overruled these state decisions, otherwise its judgment was erroneous & cannot be maintained.

But be that as it may, the condition of Joel Henry Thompson could not be ascertained by reference to the laws of Pennsylvania, where he was not born, but by reference, rather to the laws of New Jersey, where he was born; & until some law of New Jersey can be produced which declares that the issue, born of a fugitive female slave, is free, it is vain to assert the freedom, of Joel Henry Thompson, or to charge his abduction into lawful slavery, as a criminal act. Should such a law prevail in New Jersey, then I would consider it as void & inoperative for the reasons hereinbefore stated. But how are these parties, to be released or the error of the Court to be reversed? It cannot be by writ of error or appeal, for I have carefully examined the record in conjunction with the before named Counsel & there is nothing to take to the Appellate Court, but the indictment, which is good on its face, the verdict "of guilty," & the judgement. So that there can be no appeal to the Supreme Court of Pennsylvania, much less to the Supreme Court of the United States. Nothing then remains for the State of Maryland, if she desires to procure, the release of these innocent men, who have been unjustly condemned for assisting the Constitutional rights of one of our citizens to his property, but to take some action with a view to their pardon by the Governor of Pennsylvania, or to the passage of an Act by the Legislature of Pennsylvania, awarding a new trial to the parties & a privilege of taking a special verdict on the facts as was done in *Prigg's Case*, in order to carry the question to the Supreme Court of the United States. It is true that Albert & Price are not citizens of Maryland, but they are now suffering a dreadful & ignominious punishment, because they were representing a citizen of Maryland in the lawful pursuit of his property, under the Constitution of the United States.

If the principal for whom they acted is innocent, of which there can be no doubt, then are his agents