

to obtain. if it be practicable, such modification of the existing Laws of Pennsylvania in reference to the recaption of fugitive slaves as will better protect the rights of their owners, and tend to perpetuate the friendly relations, which have so long happily subsisted between the two States.

The individuals, for whose protection the State of Maryland has deemed it to be her duty thus to interfere, are charged by the Indictment of a Grand Jury, with a violation of the Laws of Pennsylvania in having forcibly and feloniously seized and carried out of the State into Maryland, a negro woman named Margaret, and her children with the intention of selling or detaining them as slaves for life.

It is, at least for the present unnecessary to advert to the circumstances accompanying the transaction from which this charge originated. When they come however to be examined they will be found to shew, as I think conclusively, the absence of any intentional violation of Law by the parties accused. It is more material to the views of Maryland in relation to this subject, that I should state the fact, of which the record evidence is in my possession, subject to your inspection, that after a very full investigation of the question on a petition for freedom filed in Harford County Court, in behalf and at the instance of the fugitives themselves, assisted by learned counsel, they were upon the finding of a Jury, adjudged to be slaves for life, to the party at whose claim they had been arrested and carried out of the State of Pennsylvania.

This fact having been thus ineversibly established by the judgment of a court of competent jurisdiction in a proceeding instituted for the very purpose of trying the question, by the parties claiming their freedom, the State of Maryland has instructed me respectfully to ask for a dismissal of these prosecutions, on the broad ground, that the exercise of a right, secured to her citizens in common with the citizens of every State in the Union, by the Constitution of the United States, cannot be legally or justly imputed or punished as a crime, by any power of State Legislation.

I am sure sir, that it is quite unnecessary to remind you that in the earlier periods of the history of our country, involuntary servitude very generally existed, as a recognized legal institution, clothing the master with all the rights of property. The laws which regulate personal property enabled him therefore, to pursue, arrest wherever found and carry back to his own