

domici', his absconding slaves, without hindrance or difficulty arising from conflicting opinion or hostile interests. Indeed this right of recaption was not only sanctioned but enforced, by the customary law of almost every community in the country.

Before the adoption of our constitution however, a partial change in public sentiment had taken place, and new and adverse interests began to produce their effects. Several of the Northern and Eastern States of the confederacy, Pennsylvania among them, whose coloured population fortunately for them, was comparatively small, commenced, as they had a perfect right to do, a system of gradual abolition. But its effects upon the Southern States were quickly felt. The States which had adopted this policy became so many places of refuge for fugitive slaves, and while their numbers increased, the facilities formerly afforded for their reclamation were often either entirely withdrawn or embarrassed by perplexing difficulties.

The subject therefore as we all know, became one of the most intense and absorbing interest in the Convention of 1787. It presented a very formidable difficulty to the framers of the constitution. Indeed it has often been said by those who had the best opportunities for observation, that had it not been finally overcome, the Southern States would not have entered into the Union. A spirit of concession and compromise however, fortunately prevailed, and a provision was at last unanimously adopted which was designed to remove forever all just cause for discontent and complaint.

I need not quote the article of the constitution to which I have referred.

Its scope and intention are most apparent. Its professed object was to guard against a recurrence of the difficulties and vexatious embarrassments to which the citizens of the Southern States had been subjected, to give the owner an unqualified right to the possession of his property, and a constitutional guarantee for its protection, and to enable him to reclaim his fugitive slave in whatever State he might escape to, without molestation or hindrance of any kind. For this purpose, no more certain means, one would think, could have been devised, than the positive and explicit prohibition which this article contains, against all interference with the subject, by State law or State regulation.

The prohibition is as general and unqualified in its terms as language could have made it. The rights of the master, as they are recognized by the institutions of his own State, cannot