

The North Carolina Whig.

"Be true to God, to your Country, and to your Duty."

VOLUME 6.

CHARLOTTE, N. C., MARCH 24, 1857.

NUMBER 4.

THOMAS J. HOLTON,
EDITOR & PROPRIETOR.

TERMS:

The North Carolina Whig will be furnished to subscribers at TWO DOLLARS in advance; TWO DOLLARS AND FIFTY CENTS if payment be delayed for three months; and THREE DOLLARS at the end of the year. No paper will be discontinued until all arrears are paid, except at the option of the Editor.

Advertisements inserted at One Dollar per square (16 lines or less, this sized type) for the first insertion, and 50 cents for each continuation. Court advertisements and Sheriff's Sales charged 25 per cent. higher; and a deduction of 50 per cent. will be made from the regular prices for advertisements in the year. Advertisements inserted monthly or quarterly, at 91 per cent. for each time. Semi-monthly 75 cents per square for each time.

Postmasters are authorized to act as agents for the Whig.

Union Line.
CHARLESTON TO CHERAW VIA GEORGETOWN.

THE popular steamer **Marietta**, on Capt. J. Ferguson is now regularly engaged in the trade between Charleston, Georgetown, and Cheraw and is known as the most prompt and efficient boat in the trade.

The Gov. Graham is a very light draught and well calculated for the River trade, and being now in the hands of an old and experienced commander, J. J. Roper can be relied upon to deliver his freight without detention. The Gov. Graham will only run to Georgetown, but will connect with the **Marion** in low stage of the River, thereby avoiding any detention from low water but than being well provided with suitable lights.

Assignments to the Agents in Charleston will be forwarded free of commission.

CALDWELL & ROBINSON.
Agents at Charleston,
SHACKLEFORD & PRASER.
Agents at Georgetown,
DANIEL A. HORN.
Agents at Cheraw.

Dec. 2 1856 41m

Encourage Home Industry!
HAVING PURCHASED THE CONCORD FACTORY, I am prepared to fill all orders for
YARN.

Overseers,
Shedders,
Shirtings,
Shirtings,
Grains, Bagging,
Heavy Drilling,
Wrapping Twine.

I am making a article of Cloth for the purpose of shipping Flour, Wheat and Corn. Farmers and Truckers who will find it to their advantage to use it. All orders from a distance will be attended to with promptness.

J. McDONALD.
General, Oct. 28, 1856. 36m

NASH, DOOR & BLIND FACTORY,
CHARLOTTE, N. C.
HAVING associated ourselves together for the purpose of carrying on the
CARPENTER AND JOINER'S BUSINESS

in all its branches, we take this method of informing the public that we are at all times ready to execute all kinds of work in our line, and at the lowest rates. Our shops are in the city, and we have the advantage of the citizens of Charlotte in the execution of our business, and we have of doing work with dispatch and satisfaction.

Orders from a distance for Sash or Blinds or any work in our line will be promptly attended to.

We have on hand and expect to keep a supply of the best Lumber the country affords.

Our machine shop is on College street, East of the Methodist Church, where one of us can be consulted at any time.

Household in the latest styles of work particularly attended to. We would invite the attention of the citizens of Charlotte to the advantages we have of doing work with dispatch and satisfaction.

RUBISILL & WHISANT.
May 27, 1856. 14m

Notice.
PERSONS owing accounts at the Charlotte Bank Store, for the year 1855, must call and settle the first opportunity.

L. M. ENNIS.
April 8, 1856. 7m

New Establishment.
THE undersigned having established himself permanently in Charlotte, intends carrying on the following branches of business, viz:
Silver Plating, Gun and Lockmaking, Bell Hanging, Silver, Brass and all kinds of Metal Work repaired; Composition Mill Licks made. Boxes of the most durable kind made, and warranted to be superior to any other kind for Mill and Factory purposes.

All of the above branches I warrant to turn out in a workmanlike style.

Orders from a distance that wish to have their work done, will give particular attention to dispatching the same as possible.

Persons at a distance wishing Goods altered from their pattern or otherwise repaired, except making, will have them repaired and returned on the shortest time possible.

I could give any number of references as to the work I do, but I deem it unnecessary as I will do the work to speak for itself. So send your orders as soon as possible.

JOHNNIE WILLIAMS.
Please give a call at my shop, opposite the Presbyterian Church.

JOHN M. MASON.
Charlotte, March 18, 1856. 4m

Last Notice.
PUBLIC NOTICE is hereby given, that all the Noted Accounts of **SPRATT & ALLISON**, **SPRATT, DANIEL & Co.**, and **ALLISON & DANIEL**, are transferred to the undersigned, for the benefit of the creditors of said firms respectively, and that they are in the hands of J. R. DANIEL for immediate collection.

Longer indulgence cannot be given, as the debt must be paid.

JOHN ALLISON,
J. R. DANIEL.
Dec. 13, 1855. 4m

WANTED.
2,000 BUSHELS of dried PEACHES
needed and appraised, for which
the highest price will be paid, by
T. M. FARROW.
Dec. 9, 1856. 4m

G. E. ANDERSON. **W. D. REYNOLDS;**
ANDERSON & REYNOLDS,
FORWARDING & COMMISSION
MERCHANTS,
No. 10, Rowan Square,
NORFOLK, VA.

Pay active attention to the sale of Flour and other kinds of Produce, avoiding unnecessary charges and insuring prompt returns.

Notice.
THE CHARLOTTE MUTUAL INSURANCE COMPANY continues to make payment loss by Fire on Houses, Goods, Produce, &c., at usual rates.

Office in Brawley's Building, upstairs.
DIRECTORS:
M. B. TAYLOR, President.
S. P. ALEXANDER, Vice President.
J. A. YOUNG,
J. H. WHITE,
J. H. CARSON, Executive Com-
C. O. VERMAN, mittee.
A. C. STEELE,
J. H. WILSON, Attorney.
E. NYE HUTCHISON, Secretary.
Aug. 12, 1856. 25m

Read This and Take Notice!
AS SURVIVING PARTNER OF SPRINGS & WEDDINGTON, have to close up the business of said firm, I therefore notify persons indebted, either by Note or Book Account, under the name of **Clear Creek or Rocky River Store,** that longer indulgence will not be given. As the largest number of said Notes and Accounts have now about long since passed, the shortest and quietest course will be pursued for their collection. Call at the Grocery Store of **Spring & Weddington,** Charlotte, or at the Store in Rocky River, where the business will be continued, and settle the same forthwith.

LEROT SPRINGS,
Surviving Partner.
Charlotte, Aug. 5, 1856. 21m

Notice.
CONSIGNMENT of having lost by fire the 27th of May last, various Notes and claims against numerous persons in this and adjoining counties—viz: **W. A. SHELLEY, A. BOWEN & Co., and others,** which were placed in my hands for collection: All persons, therefore, against whom any of such claims are still standing, are hereby duly notified, that unless they appear immediately and discharge the same, by note or cash, I shall be compelled to file, forwile, Bills in Equity, thereby subjecting such persons to additional and unnecessary costs.

S. W. DAVIS.
Charlotte, June 17, 1856. 4m

A. F. BREVARD,
ATTORNEY & COUNSELLOR AT LAW,
CONCORD, (CAROLINA) N. C.

Will attend to business committed to him in Concord and the adjoining counties.
February 5, 1856. 30m

PROFESSIONAL CARD,
DR. E. M. COBB

Will be pleased to receive Professional Calls, in the departments of **MEDICINE** and **SURGICAL**. Office in the County Jail, where he can be found at his residence, Fort Mill Depot, York District, S. C.

Feb. 12, 1856. 4m

WANTED,
10,000 LBS. COTTON & LINEN RAGS wanted. Apply to
WILLIAMS, GILLESPIE & CO.
Feb. 22, 1855. 14m

WHY WEEDS GROW APACE.

There may be 130 flowers having seed-vessels on a single plant of groundsel, and in each seed-vessel there are 50 seeds. Thus one groundsel seed is father to 6500 seeds, more than are visible stars in the firmament. Many of these settle where they cannot live; many exist only to be eaten by birds. It is not meant that all seeds should produce plants; very many are as much bread to the birds as seeds of corn are bread to us. If, however, by an accident, every son to which a thriving groundsel seed is parent, grow up, thrive, and produced seed in the same proportion—an impossible assumption—the descendants of a seed of groundsel in the second generation would exceed in number 40,000,000; and the telescope itself has not enabled us to see so many stars. Chickweed is less prolific; though, indeed, even that may produce as many as 500 seeds upon each plant. But, then, look at the red poppy. It can yield 100 flowers from one root, and from each flower can develop no less than 500 seeds; 50,000 may, therefore, by chance be the number of the offspring. Black mustard and wild carrot produce families of magnitude about equal to one another. One may, when in perfection, produce 200 flowers with six seeds in each, the other 600 flowers, with each two seeds. One dandelion root may yield 12 flowers, while each dandelion flower yields 170 seeds. The seeds of one sow-thistle may number 25,000. One plant of stinking chamomile may yield 10,000, one plant of May-weed 45,000 seeds—*Dickens's Household Words.*

MORE LEAD MINES IN MISSOURI.—The lead mines of Missouri promise to be as important to the interests of that State, as the coal and iron resources of Pennsylvania have been to us. New mines have recently been discovered, of much value, at the head of Swan river, in Tazewell county. They promise a yield equal to the prairie mines of Newton county, which have become famous. About twenty feet below the surface, the miners have struck a solid bed of mineral, which appears to be inexhaustible. It is said that ten thousand pounds can be taken out from a single shaft in a day. A furnace for melting is now in course of construction.—*Chil. Ledger.*

Poetry.

From the Flag of the Union.
HOPE ON.
BY MISS M. J. MERRICK.
View not the past with sorrow,
O, banish all regret—
Hope whispers on the morrow,
"We may be happy yet!"
Thank God for every blessing,
Pray for his care in need;
That goodly gift possessing,
Thou wilt be least in need.

In every life there is a scene
Of bitter grief in all,
And oft doth memory's darts, I ween,
These fearful scenes recall.
But though our early life be clouded
By cares we can't forget,
Let each bitter thought be shrouded,
And we may be happy yet.

ENIGMA.
FROM THE SATURDAY EVENING POST.
Four letters do compose my name,
I am of great renown;
I'm known by almost every man
In city or in town.

I'm read by both the grave and gay,
Great notice I have obtained,
And still continue the same way,
To please both young and old.

The two first letters of my name,
Will spell a river long,
Look on a chart of Italy,
You will not guess it wrong.

My fourth, my second, and my first,
Will form, if put together,
A thing long used by most school-boys,
In cold and frosty weather.

Miscellaneous.

MARRYING FOR MONEY.
THE BRIDEGROOM'S PROPOSITION.

A young Englishman, from gaming love affairs, and other such gold scattering enjoyments had so nearly reached the verge of his great grandfather's hereditary portion, that he could calculate the departing hour of his last home. As one evening he was returning home from one of those haunts of dissipation, which he had habitually frequented, feeble in body and in mind, and for the first time in his life casting a far look upon the ruin of his fortune, he could not but determine whether he should end his troubles by drawing a trigger, or by throwing himself into the Thames.

While he thus wavered between fire and water, the very profound idea occurred to him, not to lay violent hands upon himself, but to allow himself to be conducted out of the labyrinth of poverty by the fair hand of some wealthy bride. With this consoling thought he went to bed; and already in his nocturnal visions the rapid rattle drew, the fair girls frisked around him, boys of which he was happy in thinking might maintain in future upon the decay of his wife.

On the following morning he reflected anew upon his plan, and found it unexpected in every point, excepting a very slight circumstance of not knowing him or where he was to find the rich heiress he regarded him as a spendthrift, it was not to be thought of. He saw that, for the future, he must throw his nets out elsewhere.

After much cogitation and searching, he at last hit upon an old rich colour, living upon his own estate, about twenty miles from the capital, who fortunately had no acquaintances in London, and was the father of an only daughter.

Into the house of this gentleman, by means of a friend, whom he promised half the booty, he got himself introduced, and received. The daughter of the colour was an awkward country girl, with round chubby cheeks, like Neuben's cherubim, and looked particularly odd in the hand-down attire of her sainted mother, which did not at all fit her, and was of course not of the most fashionable cut. Her mind too was as her attire. She could only talk of hens and geese, and when any other topic came above board, her conversation was limited to "yes, yes," or "no, no;" all beyond this seemed to be sinful.

This wooden puppet was indeed a wretched contrast to the sprightly, gay, and lively nymphs with whom the young Briton, had until this period, been toying; but being carefully confined to the solitude of his own bosom, the disagreeable feeling of this heaven and earth distant difference. His fluttering tongue called the girl's silliness celestial innocence, and her red swollen cheeks he likened to the beauty of the full blown damask rose. The end of the song was, he returned to the father and sued warmly for his daughter's hand.

The colour during his sixty years' career through the world; had collected this much knowledge of mankind himself, that however silly the young man had masked himself, he could, nevertheless, discover the fortune hunter peering through the disguise. At first, therefore, he thought of propitiously refusing him permission to win his daughter; but on the other hand he thought, the youth is fashionable and perhaps I may be doing him an injustice as he yet betrays no anxiety about the portion, and why should the girl who is unmarriageable, remain longer at home. His request shall be granted—but his apparent insincerity shall stand a decisive trial.

portion, which, in German money might amount to thirty thousand dollars. The dissembler acted as if he wished to know nothing about the matter, and solemnly vowed that he had not yet thought on such things, but had regarded only the noble qualities of his charming wife, whose pure self was dearer to him than all the treasures of the world.

Upon this they sat down to the table, and the father-in-law urged and begged that they would make such haste as possible, as it was his intention that the young married people should set off very afternoon to London, and that he should accompany them.

The son-in-law rose, and began to make some excuses, but the father-in-law would not be deterred, and the soldier maintained that these were futile, assuring him that he had particular reasons for proceeding forthwith to the capital, and that his matrimonial joys would be well realized in London as in the country. What was to be done? Why, the journey was immediately undertaken. The old man set out in a small chaise, before the eyes of the bridegroom, the portion of the bride, partly in gold and partly in bank notes, took it under his arm, and placed himself by the side of the young couple in the carriage.

The road ran through a forest, and scarcely had they fairly entered it, when two horsemen darted out from the brush-wood, with masks upon their faces, and stopped the carriage. One of the persons watched the postillion, with a presented pistol, while the other approached the coach window, and said: "We are adventurers, and request you to give us the portion of the bride."

"The colonel and his son-in-law swore and rented, but the robber coolly insisted upon his demand. After some parleying, however, the horseman bent toward the young man and whispered in his ear: "That you may see we are reasonable men, we leave you the choice of two things—give us either the bride or her portion. For certain reasons, it is quite immaterial to us, and, moreover, no one shall ever know your decision."

The bridegroom did not think long about the matter, before he whispered: "Take the bride!" "Brother," cried the robber to his accomplice, "we shall take the bride." In the twinkling of an eye, the soldier seized his pistols, and with a thundering voice, exclaimed in a thundering voice: "Ha! villain! no conjecture was not unfounded, that you were not for my daughter, but merely for her fortune! God be praised that my child and my money are not yet irretrievably in your clutches. Know then, henceforth the man who married you was no clergyman—he was a brother soldier, in priest's attire, and these gentlemen are no highwaymen, but friends who have done me the service of proving you. Since then, you have laid upon your whole villainess, we shall have no more connection. I shall return home with my daughter and my money, and you may go to London or to the devil!"

With these words, he transplanted the astonished bridegroom with a kick from the carriage to the road, ordered the postillion to turn about, the only road led back to London, and had, while upon the road, the fairest and best opportunity of determining whether he should now use a pistol or throw himself into the river.

CANROBERT ON HORSES.—Canrobert's *bon mot* upon the subject is recorded with great gusto. One of the numerous assaults of his heart, the Marquis de T—, had been watching with evident anxiety his approach across the ball room to where she was seated. After a few of those little *monnaies* for which the Marquis is remarkable, and one or two killing glances in the General's face, seeing that his attention was attracted by her toilet, she exclaimed with an affective cry: "Well, Marshal, what do you think of my dress to-night?" "Marianne," returned Canrobert, with a smile of gallantry, as he surveyed its vast expanse, "I cannot but admire it, for it recalls to mind the dearest souvenir of my soul!" "Indeed!" exclaimed the Marquis, for countenance brightening, and her eyes expressing at the same time all the varied emotions of hope, delight and surprise, to which the remark had given rise, "and how so?" "Why," replied he the moment I entered the room, both in its extent and shape, of *my text in the Cranium!*"

SKIRT EXPLOSION.—An *Aerial Flight*.—A day or two since, as a couple of ladies were crossing one of our most public streets, just where there is always a great crowd, one of the whiteboned busts of her balloon-like garment suddenly burst from its confinement, and "stuck out a foot!" she said, she screamed, and may be she was frightened! She was very badly frightened or not, we can only surmise by the way she quickly raised her pretty silk skirt, and withdrew the rebellious whiteboned, which, on being measured, was found to be just three feet and three inches long! The lady fell full the naughty intruder, and dropping her pretty blushing companion, who, like the other spectators of the scene, was splitting her sides with laughter. Who'll dare attempt hops after this! A fact!—*New Orleans Picayune.*

A GENTLE HINT.—The Rev. Jonathan French, of Hout Abster, was to be supplied with wood by his parishioners, according to the terms of his settlement. Winter was coming on, but no wood had been furnished. Mr. French waited until the Governor's proclamation for Thanksgiving came, when, after reading it to his people, he said, with great apparent simplicity: "My brethren, you perceive that His Excellency has appointed next Thursday as a day of Thanksgiving; and, according to custom, it is my intention to prepare two discourses for the occasion—*the first I can write this without jest.*" The hint took, and on the next day all his winner's wood was in his wood yard.

SUPREME COURT DECISION
IN THE
DRED SCOTT CASE.
OPINION OF CHIEF JUSTICE TANEY.

The Civil and Political Status of Negroes in the United States Authoritatively and Definitively Defined.

The following is an abstract of the recent highly important decision in the Supreme Court of the United States, in the now-to-be-always-called Dred Scott case:—

Chief Justice Taney said, that this case, after argument at the last term, was directed to be re-argued at the present term, owing to difference of opinion existing among members of the Court, and in order to give the subject more mature consideration.

There were two leading questions; first, had the Circuit Court of the United States for the District of Missouri, jurisdiction in the case; and if it had jurisdiction, was its decision erroneous or not? The defendant pleaded, by plea in abatement, the jurisdiction of the Circuit Court of the United States on the ground that the plaintiff "is a negro of African descent, his ancestors were of pure African blood, and were brought into this country and sold as slaves," and therefore the plaintiff "is not a citizen of the State of Missouri." To this plea the plaintiff demurred, and the Court sustained the demurrer. Thereupon the defendant pleaded over, and justified the trespass on the ground that the plaintiff and his family were his negro slaves; and a statement of facts, agreed to by both parties was read in evidence.

The Chief Justice, having stated the facts in the case, proceeded (in a tone of voice almost inaudible) to say, in substance, that the question first to be decided was, whether the plaintiff was entitled to sue in a Court of the United States. This was a peculiar question, and for the first time brought before the court under such circumstances; but it had been brought here, and it was the duty of the court to meet and decide it. The question was simply this, can a negro, whose ancestors were imported and sold as slaves, become a member of the political community formed, and brought into existence by the Constitution of the United States, and, as such, become entitled to all the rights and immunities of a citizen, one of which rights is suing in courts of the United States in excess therein specified: In discussing this question we must not confound the rights of a citizen which a state may confer within its own limits, with the rights of a citizen within the limits of the United States. No one can be a citizen of the United States, unless under the provisions of the Constitution; but it does not follow that a man, being a citizen of one State, must be recognised as such by every State in the Union. He may be a citizen of one State and not recognised as such by another.

Previous to the adoption of the Constitution, every State might confer the character of a citizen, and endow a man with all the rights pertaining to it. This was confined to the boundaries of a State, and gave him no rights beyond its limits. Nor have the several States surrendered their power by the adoption of the Constitution. Every State may confer the right upon an alien or on any other class or description of persons, who would, to all intents and purposes, be a citizen of the State, but not a citizen in the sense used in the Constitution of the United States. He would not thereby become a citizen of the United States, and, therefore, could not sue in any Court in the United States, nor could he enjoy the immunities of a citizen in the other States.—His rights would be confined strictly to his own State. The Constitution gives Congress the power to establish a "uniform rule of naturalization;" consequently no State, by naturalizing an alien, could confer upon him the rights and immunities of all the States under the Federal Government. It is very clear, therefore, that no State can, by any act, introduce a new member into the political Union created by the Constitution. The question then arises, whether the provisions of the Constitution of the United States in relation to personal rights to which a citizen of a State is entitled embraced negroes of the African race, at that time in the country, or afterwards imported, or made free from any State; and whether it is in the power of any State to make such a one a citizen of the States, and endow him with full citizenship in any other State without their consent? Does the Constitution of the United States act upon him, and clothe him with all the rights of a citizen? The Court think the affirmative cannot be maintained; and, if not, the plaintiff could not be a citizen of Missouri within the meaning of the Constitution, nor a citizen of the United States, and, consequently, not entitled to sue in its Courts.

It is true that every person, and every class and description of persons, at the time of the adoption of the Constitution, regarded as citizens of the several States, became citizens of this new political body, and none other. It was formed for them and their posterity, and for nobody else, and all the rights and immunities were intended to embrace only those of State communities, or those who became members according to the principles on which the Constitution was adopted. It was a Union of those who were members of the political communities, extended over the whole territories of the United States, and gave each citizen rights outside his State which he did not before possess, and placed all rights of persons and property on an equality.

It becomes necessary, therefore, to determine who were citizens of the several States when the Constitution was adopted. In order to do this we must recur to the Colonies when they separated from Great Britain, formed new communities, and took their place among the family of nations. They were recognised as citizens of the States, declared their independence of Great Britain, and defended by force of arms. Another class of persons, who had been imported as slaves, or their descendants, were not recognised by the instrument—the Declaration of Independence. It is difficult at this day to realize the state of public opinion, respect

ing that unfortunate class, with the civilized and enlightened portion of the world, at the time of the Declaration of Independence and the adoption of the Constitution; but history shows they have for more than a century been regarded as beings of an inferior order, and unfit associates for the white race, either socially or politically; and had no rights which white men were bound to respect; and the black man might be reduced to slavery, bought and sold, and treated as an ordinary article of merchandise. This opinion, at the time, was fixed and universal with the civilized portion of the white race. It was regarded as an axiom in morals, which no one thought of disputing, and every one habitually acted upon it, without doubting for a moment the correctness of the opinion.

This opinion never fixed and generally acted upon in England, the subjects of which government not only seized them as ordinary merchandise, to whom they could make a profit clear. This opinion thus entertained was universally impressed on the colonists this side of the Atlantic; accordingly, negroes of the African race were regarded by them as property, and held, and bought, and sold as such in every one of the thirteen Colonies which united in the Declaration of Independence, and afterward formed the Constitution.

The doctrine of which we have spoken was strictly enforced by the Declaration of Independence. It begins thus: "When in the course of human events it becomes necessary for one people to dissolve the political bonds which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitles them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation." And then proceeds: "We hold these truths to be self-evident—that all men are created equal; that they are endowed by their Creator, with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, Governments are instituted among men, deriving their just powers from the consent of the governed," &c. The words before quoted would seem to embrace the whole human family; and, if used in a similar instrument, at this day would be so understood. But it is too clear for dispute that the enslaved African race were not intended to be included, for, in that case, the distinguished men who framed the Declaration of Independence, would be flagrantly against the principles which they asserted. They who framed the Declaration of Independence were men of too much honor, education and intelligence, to say what they did not believe; and they knew that in no part of the civilized world were the negro race, by common consent, admitted to the rights of freemen. They spoke and acted according to the premises, doctrines and usages of the day. That unfortunate race was never thought of spoken of as property. These opinions under consideration, when the Constitution was adopted. The Framers set forth for that purpose, and for whose benefit, it was formed by the people—such as had been members of the original States—and the great object was "to secure the blessings of liberty to ourselves and our posterity."

It speaks in general terms of citizens and people of the United States when providing for the powers granted, without defining what description of persons should be included, or who should be regarded as citizens. But two Clauses of the Constitution point to the negro race as separate, and not regarded as citizens, for whom the Constitution was adopted. One Clause reserves the right to import slaves till 1808, and in the second, the States pledge themselves, one to another, to preserve the rights of the master, and to deliver up slaves escaping to their respective Territories. By the First Clause the right to purchase, and hold this property is directly sanctioned and authorized, for twenty years, and the States pledged themselves to uphold the right of the master as long as the Government then formed should endure. And this shows conclusively that another description of persons were embraced in the other Provisions of the Constitution. These two clauses were not intended to confer upon them or their posterity, the blessings of liberty so carefully conferred upon the whites. None of this class ever emigrated to the United States voluntarily. They were all articles of merchandise. The emancipated was few as compared with those who were held in slavery, and not sufficiently numerous to attract public attention as a separate class, and were regarded as a part of the slave population, rather than free.

It cannot be supposed that the States conferred citizenship upon them; for all those States at that time established police regulations for the security of themselves and families, as well as of property. In some minor cases there were different modes of treatment, but it could not be supposed that those States would have formed or consented to a government which abolished this right, and took from them the safeguards essential to their own protection. They have not the right to bear arms, and appear at public meetings to discuss political questions, or urge measures of reform which they might deem advisable. They cannot vote at elections, nor serve as jurors, nor appear as witnesses where whites are concerned.—These rights are secured in every State to white men. It is impossible to believe that the men of the slaveholding States, who took so large a share in the foundation of the Constitution, could be so regardless of themselves and the safety of those who treated and confided in them.

Every law of naturalization confides citizenship to white persons. This is a marked separation from the blacks. Under the Constitution, every State has a right to legislate, and the term "free inhabitant," and defended by force of arms. Another class of persons, who had been imported as slaves, or their descendants, were not recognized by the instrument—the Declaration of Independence. It is difficult at this day to realize the state of public opinion, respect

ing that unfortunate class, with the civilized and enlightened portion of the world, at the time of the Declaration of Independence and the adoption of the Constitution; but history shows they have for more than a century been regarded as beings of an inferior order, and unfit associates for the white race, either socially or politically; and had no rights which white men were bound to respect; and the black man might be reduced to slavery, bought and sold, and treated as an ordinary article of merchandise. This opinion, at the time, was fixed and universal with the civilized portion of the white race. It was regarded as an axiom in morals, which no one thought of disputing, and every one habitually acted upon it, without doubting for a moment the correctness of the opinion.

This opinion never fixed and generally acted upon in England, the subjects of which government not only seized them as ordinary merchandise, to whom they could make a profit clear. This opinion thus entertained was universally impressed on the colonists this side of the Atlantic; accordingly, negroes of the African race were regarded by them as property, and held, and bought, and sold as such in every one of the thirteen Colonies which united in the Declaration of Independence, and afterward formed the Constitution.

The doctrine of which we have spoken was strictly enforced by the Declaration of Independence. It begins thus: "When in the course of human events it becomes necessary for one people to dissolve the political bonds which have connected them with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature and of nature's God entitles them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation." And then proceeds: "We hold these truths to be self-evident—that all men are created equal; that they are endowed by their Creator, with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, Governments are instituted among men, deriving their just powers from the consent of the governed," &c. The words before quoted would seem to embrace the whole human family; and, if used in a similar instrument, at this day would be so understood. But it is too clear for dispute that the enslaved African race were not intended to be included, for, in that case, the distinguished men who framed the Declaration of Independence, would be flagrantly against the principles which they asserted. They who framed the Declaration of Independence were men of too much honor, education and intelligence, to say what they did not believe; and they knew that in no part of the civilized world were the negro race, by common consent, admitted to the rights of freemen. They spoke and acted according to the premises, doctrines and usages of the day. That unfortunate race was never thought of spoken of as property. These opinions under consideration, when the Constitution was adopted. The Framers set forth for that purpose, and for whose benefit, it was formed by the people—such as had been members of the original States—and the great object was "to secure the blessings of liberty to ourselves and our posterity."

from the best consideration, we have come to the conclusion that the African race who came to this country, whether free or slave, were not intended to be included in the Constitution for the enjoyment of any personal rights or benefits; and the two provisions which point to them, treat them as property, and make it the duty of the Government to protect them as such. Hence, the Courts of opinion, from the facts stated in the foregoing, in abatement, that Dred Scott is not a citizen of Missouri, and is not, therefore, entitled to sue in the United States Court.—The following facts appear on the record.

"In the year 1834 the plaintiff was a negro slave belonging to Dr. Emerson, who was a surgeon in the army of the United States. In that year (1834) said Dr. Emerson removed the plaintiff from said military post at Rock Island, to the military post at Fort Snelling, situated on the West bank of the Mississippi river, in the territory known as Upper Louisiana, acquired by the United States from France, and situated North of the latitude of 36 deg. 30 North, and North of the State of Missouri. Said Dr. Emerson held the plaintiff in slavery at said Fort Snelling until the year 1838.

"In the year 1838, Harriet, (who is named in the second count of the plaintiff's declaration,) was the slave of Major Taliaferro, who belonged to the army of the United States. In that year (1838) said Major Taliaferro took said Harriet to said Fort Snelling, military post situated as herein before stated and kept her there as a slave until the year 1838, and then sold and delivered her as a slave at Fort Snelling, unto said Dr. Emerson, hereinafter named; and said Dr. Emerson held said Harriet in slavery at said Fort Snelling until the year 1848.

"In the year 1848, the plaintiff and said Harriet, at said Fort Snelling, with the consent of said Dr. Emerson, were claimed to be their master and owner, father-married and took each other for husband and wife. Eliza and Lizzy