

Those who seek to justify the re-opening of the trade in African slaves rely in defence of their opinions and policy upon two grounds.—The first is, that the laws of Congress prohibiting the trade and declaring those who may engage in it guilty of piracy are unconstitutional—that it is beyond the power of Congress to say that the laboring population of any State shall not be added to in such manner as the people of such State shall consider most expedient and proper. The second ground of justification is, that allowing the laws to be constitutional, that instrument having been set at defiance by the rescuers of fugitive slaves and nullifiers at the North, it is no longer binding as a compact upon the people of the South.

It is an effectual answer to the first proposition to say, that whatever individual members of society may think or say of the laws, the judicial authorities of the country—the only power competent to pass upon them—prominent among whom are two able Judges residing in two Southern States, (Carolina and Georgia) have delivered from the bench well considered decisions, declaring that those laws are constitutional, and that Congress had a perfect right to pass them. This simple fact is a complete extinguisher to the objection.

As regards the second objection, we think those who make it have certainly not seriously considered its import. Have they not, time and again, and ten thousand times over, denounced the slave rescuers and opponents of law at the North as an infamous band of traitors and fanatical knaves? Has not the whole vocabulary of epithets been emptied upon their unprincipled guilty heads, and have we not all denounced their conduct, in setting up a higher law than the constitution, as base and revolutionary? Who, again, are the men at the North who engage in such disgraceful and treasonable proceedings? It is true one State has endorsed such conduct, in a time of high political excitement, by legislative enactments, yet she is beginning to feel the dishonor of bad faith and to inaugurate measures of repeal.

The men at the North who engage in this disreputable conduct are free negroes and mobs of white vagabonds equally, if not more despicable, all combined under the lead of a few crazy fanatics, who have no countenance from the sober and patriotic element of society. Is it the example of such men that the South is called on to imitate? Is it on a platform side by side with such creatures that you would place the decent, respectable, and law-abiding people of Georgia? No one, we apprehend, will stand up boldly and counsel such a policy; and yet such is the effect of the argument, and you can make nothing else of it. The friends of the slave trade would put us in that position, and yet there is not a man of them who would not consider himself insulted and call for pistols and coffee for a dozen, did any one intimate that he is to be found in the very company that he recommends so earnestly to others. We think the advice bad, and the company worse, and shall not only reject both, but prevail on all we can to follow our example. We have, from the very beginning, considered these Northern higher law men as a despicable clan of fanatics and fools, reckless alike of their own character and the best interests of the country; and we shall not, at this day, when we are doing what we can to thwart their wicked designs, compromise ourselves by following in their footsteps and setting the laws of our country at defiance. Even should a whole State at the North, by a unanimous vote of her citizens, prove recreant to her constitutional obligations, it would be no reason why Georgia should place herself in a like position. Nor would it be ground of complaint against the federal government and a license to resist its laws, while that government has done its constitutional duty by passing all necessary laws for our protection.

We think, then, these two arguments are effectually disposed of.

But the argument of the friends of law and order in the case now claiming the public attention does not stop here. There is a higher and more sacred ground than they occupy—one to which there can be no demurrer, sophistical or otherwise, and from which they can appeal to the sense of right and loyalty of every Georgian. Granting, for the argument, that the North has violated her constitutional obligations, that her bad faith has relieved us from our share of the compact, and that the federal government has forfeited the respect and allegiance of Southern men—let all these things be so, there yet remains upon the citizens of Georgia a prohibition which no man will dare say he has a right to set aside. The good old State from whose bosom we sprung, or by whom we have been protected in our rights and liberty, has never yet forfeited her claim to the respect and obedience of her children. It is her constitution and her laws that we now assert in opposition to the African slave trade, and where is the man that will dare come forward and fling defiance at her commands? Who will say that those who yield obedience to her behests are black republicans in principle and enemies to the South?

In the eleventh section, fourth article, of the constitution of Georgia is to be found the following clause:

"There shall be no future importation of slaves into this State from Africa, or any foreign place, after the first day of October next." (1798.)

There it stands, in our very organic law, the solemn condemnation of our patriot fathers upon this illicit traffic. Let every Georgian, read it and bow to the majesty of the laws of his own State, whatever he may think of federal behests and enactments.

But again: the Legislature of Georgia, for the purpose of giving effect to this provision of the constitution, and in aid of the federal law, on the nineteenth of December, 1817, passed a statute, from which we copy the following sections:—

Sec. 1. It shall be lawful for his Excellency the Governor, and he is hereby authorized to appoint some fit and proper person to proceed to all such ports and places within this State as have or may have, or may hereafter hold any negroes, mulattoes, or persons of color, as may have been or hereafter may be seized or condemned under the above recited act of Congress (act 1808,) and who may be subject to the control of this State, and the person so appointed shall have full power and authority to ask, demand, and recover and receive all such negroes, mulattoes, or persons of color, and convey the same to Milledgeville and place them under the immediate control of the Executive of this State.

Sec. 2. His Excellency the Governor is hereby empowered to cause the said negroes, mulattoes, or persons of color, to be sold, after giving sixty days' notice in a public gazette, in such manner as he may think best calculated for the interests of this State.—(Cobb's Digest, p. 938.)

In addition to this, the Legislature of Georgia, on the 19th December, 1818, passed the following act:—

Whereas, numbers of African slaves have been illegally introduced into the State in direct violation of the laws of the United States and of this State—

Sec. 1. Be it therefore enacted, That for the encouragement of those who have used, or shall use their efforts to suppress this traffic, by informing against and seizing the slaves so imported, they shall, on final condemnation of the same, as forfeited to the State, receive one-tenth of the amount of the net proceeds of the sales of the same. Provided, nothing herein contained shall be so construed as to extend farther back than the year 1817.—(Cobb's Digest, p. 994.)