

of official suspicion, and may be so abused as to become an instrument for persecuting any obnoxious individual, as in the case of Governor Quitman. It is sufficient to say that he contemplates a violation of neutrality, and he may be arrested, his property seized, be held to bail, or imprisoned in default, and subjected to all the expense, disgrace, and vexation of a trial in which the whole weight of government influence is brought to bear against him. His personal or political enemies have only to get up a charge of *intention*, and he is, for the time being, placed out of the way effectually. This is exemplified in the late New-Orleans trials, in not one of which was there any sufficient evidence, even of intention, to establish their guilt. Governor Quitman was arrested while in the actual exercise of his official functions as chief magistrate of a sovereign state, and many other persons, brought before a court of justice, whose members are subjects of executive patronage, charged with a violation of this law. They were all, without exception, either acquitted or discharged under a *nonne prosequi*, moved by the attorney of the prosecutor, the government of the United States, against which they have no redress for slanderous imputations and false imprisonments. It may be, and has been asserted, that these men were undoubtedly guilty of the *intention* charged against them; but that such was the state of public feeling in New-Orleans, that no jury could be found to convict them, even though the proof had been direct and positive. In cases like these, we are very apt to draw the conclusion, that such a general feeling among an entire community is much more likely to arise from a universal sense of right, than a resolution to maintain that which they know to be wrong. But we have seen no evidence of the truth of this sweeping charge against the New-Orleans juries, and have, therefore, a right to believe that the acquittal or release of the persons on trial before them, was owing to the want of evidence to establish their guilt, rather than a pre-determination to acquit them whether guilty or not.

Those who are conversant with the history of the decline and downfall of liberty in all ages and nations, will recollect, that the first and most successful inroads on personal freedom, were made under pretence of maintaining law and order among the people. For this purpose it was said to be indispensable to extend the powers and strengthen the arm of government; and all lovers of law and order were called upon to acquiesce in these encroachments on the general liberty, in order to guard against a particular evil, often imaginary, and as often created by ambitious rulers, solely to justify the remedy. When they wished to restrain the people in the just exercise of their rights, they were first goaded into resistance, then charged with being licentious and ungovernable, and denounced as madmen, to justify their being chained. The apprehensions of the rich for their property, and the fears of the timid for their lives, were appealed to, and thus a large portion of the people became accomplices in robbing the other, to secure themselves. The great majority were placed in strait waistcoats for fear they should run mad; and mankind became gradually divested, not only of the right to judge what was best for them in this world, but relieved from the care of their souls in that to come, by being compelled to adopt the creed of the sovereign. Thus, by a gradual process, they lost all the feelings and habits of freemen, in the total absence of all occasions for their exercise; and at length it became no longer necessary to employ any other instrument in keeping them in subjection, but brute force. This is the usual progress in