

thus suggested, the provision in our Constitution it would seem, should be construed to embrace similar cases only, except, perhaps, those offences which arise from an abuse of the same constitutional provision, that provision must be guarded with the utmost care or it will become intolerable.

I do not think the circumstances of the case before me are of such grave import, or the offence itself of such high grade as to justify the requisition desired. The power given by the Constitution ought not to be cheapened, nor applied to trifling offences, nor indeed to any that was not originally contemplated."

For the reasons stated in Mr. Spencer's opinion the Governor of New York refused to make the requisition upon the Governor of Illinois. The case certainly came within the letter of the law; but not within its spirit and meaning—so with the affidavit of Governor Boggs when he swears that Smith has fled from justice; it may come within the letter of the Constitution; but does it come within its spirit and meaning? does it show that Smith was in Missouri at the time of the commission of the crime, and that he fled from that State to evade being brought to justice for that crime? or does it refer to the flight of Smith and the Mormons from Missouri some years since?

I will refer to one more case of a similar nature, Lord Campbell, formerly Attorney General of England, in a recent debate in Parliament upon the subject of the Creole made the following remarks:—

"To show how cautious States should be in making such concessions, one to the other reciprocally, he would mention a case that occurred when he was Attorney General. A treaty had been agreed upon between the State of New York and the province of Canada, by which the Government of each agreed reciprocally to deliver up the citizens or subjects of the other against whom grand juries had found a bill, and who had sought refuge within the territories of the other. It happened that a slave had escaped from his master at New York, and had got to Canada. To facilitate his escape he rode a horse of his master's for a part of the way; but turned him back, on reaching the frontier.

The authorities of New York well knew that England would not give up a runaway slave, and that as they could not claim him under the treaty; they therefore had a bill of indictment against him before a New York grand jury for stealing the horse, though it was clear the *animus furandi* was wanting. The grand jury, however, found a true bill against him for the felony, and he was claimed under the treaty. The Governor, under such circumstances, refused to give him up, until he had consulted the government in England. He (Lord Campbell) was consulted, and gave it as his opinion that the man ought not to be given up, as the true bill, where no felony had been committed, did not bring the case within the treaty. The man was not given up, and there the matter rested. This, he repeated, showed the necessity of the greatest caution where reciprocal rights of surrender were granted between States."

It is not to be presumed that the Executive of this State, would knowingly lend his aid in dragging one of our citizens, who is not a fugitive from justice, into a foreign State, for trial. The Governor has undoubtedly been misled by the evasive affidavit, which accompanied the requisition.

I would advise that Mr. Smith procure respectable and sufficient affidavits to prove, beyond all question, that he was in this State, and not in Missouri, at the time the crime, with which he is charged, was committed, and upon these affidavits, apply to the Governor to countermand the warrant he has issued for his arrest.

If he should refuse so to do, I am clearly of the opinion that upon the above state of facts, the Supreme Court will discharge him upon Habeas Corpus.

Respectfully your obedient servant,

JUSTIN BUTTERFIELD."

The foregoing letter of Mr. Butterfield (United States Attorney for the district of Illinois) shows in a very lucid manner what our rights and privileges are, pertaining to the Habeas Corpus, and fully sustains the proceedings and views of the city council and the Municipal Court; it is sustained by the usages of all enlightened courts, and accords with the opinion of every intelligent man, the opinions of Ex. Governor Boggs, Governor Reynolds, of Missouri, and Governor Carlin to the contrary notwithstanding.

Friday, 21.—This evening I returned, in company with John D. Parker, to Father Taylor's, judging it wisdom to keep out of the way of my enemies a while longer, at least; although all is peace and quiet, and a prospect that my enemies will not trouble me much more at present.

Sunday, 23.—This day the Temple committee laid before the saints the propriety and advantages of laying a temporary floor in the Temple, that the brethren might henceforth meet in the Temple to worship, instead of meeting in the Grove. This was my instructions, and the saints seemed to rejoice at this privilege very much.

Monday, 24.—Printing Office took fire, which was extinguished with difficulty.

Tuesday, 25.—Ship Emerald sailed from Liverpool with 2500 saints for New Orleans.

Friday, 28.—Soon after day light this morning I returned home again to visit my family. I found Emma worse, the remainder of the family well. In the afternoon I rode out into the city and took a little exercise. From the appearance of things abroad we are encouraged to believe that my enemies will not trouble me much more at present.

This day the brethren finished laying the temporary floor and seats in the Temple, and its appearance is truly pleasant and cheering. The exertions of the brethren during the past week to accomplish this thing are truly praiseworthy.

### Dr. Kane's Expedition.

STATEMENT OF DR. HAYES AND MR. BONSELL, OFFICERS, AND MR. SONTAG, OF THE EXPEDITION UNDER DR. KANE.

We left New York 31st May, 1853. The passage to Baffin's Bay was without incident. We stopped at various Danish colonies in Greenland to provide ourselves with furs and Esquimaux dogs. Reached first ice in Melville Bay latter part of July. Without difficulty forced our passage through in four days, being a remarkably quick passage. Got into open sea on 3d August.—In latitude 76, on 5th August entered Smith's Sound. Made heavy ice next morning. From this time forth were constantly in ice. Worked through in a northeasterly direction till the end of August, when we had reached latitude 78 45; we found this coast so exposed that we had to retrace our steps for a short distance to find a secure winter harbor; on the 10th of September we housed over the ship; put galley stove between decks and anchored near shore; this was on the coast of North Greenland; during this time a party of sledges was sent out with provisions to the northward for the purpose of making deposits for navigators and for our party, which we intended sending out in the spring to prosecute the search for Franklin; this party traveled about 400 miles in a northeasterly direction, reaching latitude 80, and at last found a glacier which formed the shore line of Greenland to the north; the party traveled along this glacier for about fifty miles; the desolation of this latitude cannot be described with the pen; this party having made their deposit returned to the ship about the middle of October, when other parties were sent out for the purpose of exploring the coast.

The mercury at this time was 40 degrees below zero and constantly frozen. The cold and darkness were increasing, which put an end to our sending out our exploring parties. We lost the sun entirely in the middle of October. We were now certainly in a dreary situation. The sun we knew would not return till the 24th of February, till which time we had total darkness. We had coal fires all this time, and on board ship gained a comfortable temperature. Nothing of moment now occurred till March set in again, excepting all our dogs died but three or four, from a spasm peculiar to the climate. The loss of our dogs was severely felt, for upon these faithful animals we were to depend to draw our sledges. In March we again had twelve hours daylight, and in this month we started out another exploring party to the north, but from the heavy, rough ice, they were not able to proceed over forty miles from the vessel, when the party returned again to the vessel. This was March, 1854. On this expedition some of the party were frost bitten, and two so severely that they afterwards died. One was named Peter Shubert, the cook, and the other Baker. Two others of the party had their toes cut off. I was in this expedition, and when thirty miles from the vessel, myself and two others—the only ones who could walk—returned on foot across the ice to the vessel to report the condition of the party to Dr. Kane. Dr. Kane, with a strong party immediately set out for the relief of the sufferers, but did not succeed in giving succor till after the party had gone through suffering the most perilous and intense.

The next exploring party from the ship was in April, and headed by Dr. Kane in person. It consisted of two sledges—one drawn by dogs and the other by men. This party was out only eight days when Dr. Kane was taken dangerously ill with fever, and found it necessary to return to the vessel. In May another exploring party was formed under the command of Dr. Hayes, who succeeded in crossing to the westerly side of Smith Channel a distance of eighty miles from the ship. This party suffered greatly from snow blindness. The party running short of provisions here was obliged to return to the ship, which they reached after an absence of twelve days, and having in this time traveled three hundred and fifty miles. With the dogs, the explorer can travel fifty miles a day. Dr. Hayes, on his return from this expedition, traveled at this speed his dog team being fed on nothing more than an old boot for breakfast, and part of a pair of Esquimaux pants for dinner.

Directly after the return of Dr. Hayes, during the month of June, another exploring party was fitted out under command of Bonsel and McGearry. The object of all these parties was to ascertain some traces of Sir John Franklin if possible. This party took a northeastern direction to the western shore of Baffin's Bay. A branch party from this, accompanied by an Esquimaux driver, continued the search along the eastern coast, finding Smith Sound terminating in a large bay. At the bottom of this bay was the glacier of the shore already mentioned. From this point, a new channel was discovered, extending due north. The party traveled up this channel along the coast until they were brought up by open water. This open space was entirely free from ice, and abounding in animal life, such as fowl, fish, walrus and seal. A northerly gale lasting two days brought no ice down, proving that a large open sea was beyond; but whether this was the great Polar Sea or not is questionable. It is the opinion of Dr. Kane that this was the open Polar Sea, that is never frozen over. This party made a chart of the coast as far north as latitude 82 30—the most northern point of land yet discovered. In July this party returned, and this closed the operations of the year 1854.

Soon after this it became apparent to our whole party that the ship could not be liberated from the ice. We all felt that we were doomed to spend the winter in this latitude, unless relief came from Sir Edward Belcher, with whom Dr. Kane tried to communicate in perches. Sir Edward was at Beechy Island, which lay 700 miles to the south and west. The attempt to reach Sir Edward was fruitless. Dr. Kane in the attempt to reach him, crossed Smith Sound, with a crew of five men, in a whaleboat, and reached Jones

Sound, where they met the heavy pack of ice ranging from five to thirty feet in thickness.—They skirted this pack to the eastward, making repeated efforts to bore through it. This effort endangering their boat, upon which their lives depended, was given up, after reaching the east coast of Baffin's Bay or Whale Sound. Here other efforts were made to bore the ice without success. The party then returned to the ship, having made up their minds to spend the winter with old Boreas. This winter was spent as the winter before on shipboard, with the exception of having by this time consumed all our coal, we were obliged to burn all the spare wood work of the ship, and confine ourselves to the smallest part of the ship, for the purpose of economizing the fuel. Things at this period were extremely dark. During this winter, to add to the other horrors of our situation, we were all attacked with scurvy, and at one time Dr. Kane and Mr. Bonsel were the only persons able to move about and attend to the duties of the ship and nurse the sick. The scurvy gradually disappeared with the return of the sun and the increased warmth. We owed our recovery to the free use of raw frozen walrus meat procured from the wild Esquimaux, in return for which we gave jackknives, needles, pieces of iron, &c., the only currency of this country. Upon the opening of spring it seemed evident that the ship would not be liberated during the year, and it was known to be impossible to spend another winter in her, as the provisions had given out, and the fuel was all gone, excepting the hulk of the ship. After mature consultation it was determined to abandon the ship, and endeavor to make our way to the southward by means of boats. Three boats yet remained to us. These, together with simply a change of clothing, about 150 pounds of pork fat, 600 pounds of bread, and 100 pounds of Bordous meat biscuit, which we found to be an invaluable article of food, we transported over the ice, a distance of 350 miles, to open water. We took farewell of the ship in her ice bound prison on the 20th of May, 1855. We gained open water near Cape Alexander, and turned our bows southward and for home, our chances being desperate and against us; but with stout hearts and full of hope, we never for a moment thought of despairing. On the 21st of June we were afloat, and giving three cheers for home, every oar did its duty for the south. During this journey we were in constant battle with the ice until we reached Upernivik, the most northern Danish colony on the western coast of Greenland. We were many times compelled to carry our boats across the ice from one pool of water to the other. We traveled a distance of 1,300 miles to reach Upernivik, subsisting most of the time on game, such as birds and seal, procured by our trusty fowling pieces. We reached Upernivik on the 6th of August, when our hardships were over, and we all for the first time, dared to feel that we were perfectly safe.—In the mean time we had heard nothing of the expedition sent in search of us, which must have passed or escaped us in Melville Bay. We often discussed among ourselves the probability of an expedition being sent for us, and it was generally believed that Uncle Sam would extend to us this succor, and consequently a watch was always kept up for friends, but our expectations were never sufficiently strong to justify us in remaining by the ship in waiting for this relief. Our separation from our ship was an act of desperation, and our last stake for life.

At Upernivik we took passage in the Danish ship Mariana, Capt. Amondson, for Copenhagen. To Capt. Amondson we are much obliged for many civilities, and for his generous succor. In this ship we reached Disco, or Godhaven, and in 24 hours more would have been on our voyage to Europe, when we first learned that our friends from home in search for us were near at hand. Godhaven is known as Leavely also, and here I have remained until the 18th of September last, receiving while we stayed the kind and generous hospitality of the Danes. To Inspector Olvie, of North Greenland, and to Governor Anderson, we are greatly indebted for their kindness to us.

It may here be added, that on the way to Upernivik from our ship, our carpenter, Khristian Ohlsen, who was much respected and beloved by all his company, died from a strain occasioned by too hard labor at the boats in getting through the heavy ice. He was buried on Littleton Island, where, perhaps, he will ever repose.

### Efforts to Discover a Northwest Passage.

The attempt to discover a northwest passage was made by a Portuguese named Cortereal, about A. D. 1500. It was attempted by the English in 1553; and the project was greatly encouraged by Queen Elizabeth in 1585, in which year a company was associated in London, and was called the "Fellowship for the Discovery of the Northwest Passage." The following voyages with this design were undertaken, under British and American navigators, in the years respectively stated:—

Sir Hugh Willoughby's expedition to find a northwest passage to China, sailed from the Thames, May 20. 1553.  
Sir Martin Frobisher's attempt to find a northwest passage to China..... 1576  
Captain Davis's expedition to find a northwest passage..... 1585  
Brentz's expedition..... 1594  
Weymouth and Knight's..... 1602  
Hudson's voyages; the last undertaken..... 1610  
Sir Thomas Buttant's..... 1612  
Baffin's..... 1616  
Foxe's expedition..... 1631  
[A number of enterprises undertaken by various countries, followed.]  
Middleton's expedition..... 1742  
Moore's and Smith's..... 1746  
Hearne's land expedition..... 1769  
Captain Phipps, afterwards Lord Mulgrave, his expedition..... 1773

Captain Cook in the Resolution and Discovery..... July, 1776  
Mackenzie's expedition..... 1789  
Captain Duncan's voyage..... 1790  
The Discovery, Captain Vancouver, returned from a voyage of survey and discovery on the northwest coast of America..... Sept. 24, 1795  
Lieut. Kotzebue's expedition..... Oct. 1815  
Captain Buchan's and Lieut. Franklin's expedition in the Dorothea and Trent..... 1818  
Captain Ross and Lieut. Parry, in the Isabella and Alexander..... 1818  
Lieutenants Parry and Liddon in the Hecla and Griper..... May 4, 1819  
They return to Leith..... Nov. 3, 1820  
Capts. Parry and Lyon, in the Fury and Hecla..... May 8, 1821  
Capt. Parry's third expedition with the Hecla..... May 8, 1824  
Capts. Franklin and Lyon, after having attempted a land expedition, again sail from Liverpool..... Feb. 16, 1825  
Captain Parry, again in the Hecla, sails from Deptford..... March 25, 1827  
And returns..... Oct. 6, 1827  
Captain Ross arrived at Hull, on his return from his arctic expedition, after an absence of four years, and when all hope of his return had been nearly abandoned..... Oct. 18, 1833  
Captain Back and his companions arrived at Liverpool from their perilous arctic land expedition, after having visited the Great Fish river, and examined its course to the Polar seas..... Sept. 8, 1835  
Captain Back sailed from Chatham in command of his Majesty's ship Terror, on an exploring adventure to Wager river. Captain Back, in the month of December, 1835, was awarded, by the Geographical Society, the King's annual premium for his polar discoveries and enterprise..... June 21, 1836  
Dease and Simpson traverse the intervening space between the discoveries of Ross and Parry, and establish that there is a northwest passage..... Oct., 1839  
Sir John Franklin and Captain Crozier, in the Erebus and Terror, leave England..... May 24, 1845  
Captain Ross returned from an unsuccessful expedition in search of Franklin..... 1849  
Another expedition (one sent out by lady Franklin) in search of Sir John Franklin, consisting of two vessels, sailed from England..... April-May, 1850  
Another, under Capt. McClure, who succeeded in effecting a transit over ice from ocean to ocean; and another under Sir Edward Belcher..... 1851  
Another, consisting of two vessels, the Advance and rescue, liberally purchased for the purpose by Henry Grinnell, a New York merchant, and manned at government cost from the United States navy, under command of Lieut. de Haven, sailed from New York..... May, 1850  
The expedition of Dr. Kane, in the Advance..... May 31, 1853  
The last expedition, consisting of the Release and Active, under Lieut. Hartstein..... June, 1855  
And returns..... Oct. 11, 1855  
There may be some omissions in the above, but it will be found generally correct.

### "DIRT!"

"Dirt? Jacob, what is dirt?"—SOUTHEY.

The Dictionary tells us that dirt is "whatever, adhering to anything, renders it foul or unclean." Our eyes tell us that it takes away the beauty of whatever it touches. Our noses tell us that it is extremely disgusting. And our feelings tell us that it is repugnant to health and comfort, and purity and social enjoyment.

Dirt is not part of our nature: it is a parasite thriving on our heart's blood, like a vampire.

They say the vampire sucks away the life, without the poor patient's knowing anything about it. It is just the same with dirt. Four-fifths of mankind live in dirt, and lose a large part of their health and comfort in consequence. What is it that robs the working classes, in many of our large towns, of nearly half their natural term of life? Dirt; dirt on the person, in the houses, in the streets, and in the air. What is it that makes the children fretful, impatient, and bad tempered? DIRT, again. What is it that keeps rich people from associating with the poor, from sitting by them at meetings, or letting them come to their houses? Often, not so much pride, as DIRT. What is it that destroys self-respect, makes men careless and degraded, and weakens the natural restraints of modesty? Dirt, again. What is it that makes the prettiest face ugly, the finest clothes tawdry, the cleverest man disagreeable, and the most splendid house uninhabitable? DIRT, again.

### AWAY THEN WITH DIRT!

Welcome water and Air, Sand and Soap, even Besoms and Scrubbing Brushes! The child who fetches a pail of water into the house is an angel of mercy; while the man that brings in a jug of ale, is beginning the work of a demon. The man who takes the nourishing food that God sends for our support, turns it into poisonous spirit, and (after mixing it with corrupted water) offers it his brother to drink, gives pleasure to fiends. But the poor mechanic who takes the putrid tallow and the dirty ashes, and changes them into dirt-destroying soap, is doing a noble work. It is like what the Divine Being does in nature. HE takes the filthy particles that nauseate us, and the bad air that robs us of our health; and with this he nourishes the plants, and forms a new store of food, to support, and of herbage and flowers that delight us.

### LOATH DIRT!

You cannot help it at work; but when work is over, taste no food till you have cleaned yourself. Wash your whole body over every morning; and put on clean clothes as often as ever you can. You could soon afford plenty of clean shirts and sheets, if the publican gave you back your money, and you gave him back his ale. Don't take those