to them, and Defendants maintaining that the questions of law must first be disposed of by the Court, and it was their right to be heard first on the demurrers—the Court decided in favor of Defendants. Issue was then joined on the Pleas in bar to the action. Here one of the Defendants read a paper of some length before the Court referring to the origin of the College enterprise—to the proceedings of the Trustees in determining the location of the College —to the motives which he believed had prompted this action against them &c. [We insert the speech entire—ED.]

MAY it please the Court.

The action now pending before your Honor is one involving many important interests connected with the future welfare of our infant State, and one in which the whole people of this Republic are deeply concerned. Therefore, in view of its importance, and with a view that I shall not be misrepresented, and that the world shall know and judge of the character of the proceedings instituted in this case—I have deemed it proper to commit to paper what I propose to say here in defence of the Trustees of Liberia College.

Certain individuals, styling themselves Commissioners, and purporting to be acting in the name, and on behalf of the Township of Clay-Ashland, having sued out before your Honor a writ of injunction against the President and Trustees of Liberia College, we now appear before you, sir, in obedience to your command to show cause why the said injunction should be dissolved.

It is matter of regret, however, that the Trustees do appear before your Honor under some little disadvantage, inasmuch as the proceedings instituted against them seem to be shrouded in great mystery: The Action they are called upon to answer is without name or precedent—entirely irregular—founded on some fiction unknown to the law, or to any principle of law within my reading or experience of law matters.

The Plaintiffs in this action, sir, seem to have discovered some great secret in legal proceedings which no body else has discovered, and which I venture to assert—except themselves—the most astute lawyer of the Monrovia bar cannot fathom.

However, I am happy to say, that the Trustees of Liberia College appear before this court with full reliance on the legal knowledge of your Honor, and under the consoling reflection that your sir, will be fully able to discriminate between right and wrong, and between truth and falsehood: and that notwithstanding the mysterious labyrinths through which Plaintiffs would lead us, we shall not be lost in the dubious and dark windings of their irregular judicial proceedings—nor compelled to consent to their notion of imaginary wrong—nor submit to their dictum of the legal course of redress:—nor sir, that you will suffer us to remain in this bewildered maze, infested as it is, to be devoured by merciless wolves. No, sir, gentlemen on the other side must not suppose that the Court is



ignorant of its duty, and of the weight of responsibility resting upon it at all times—not only in this case, but in all cases submitted to it for judicial hearing.

And yet, may it please your Honor, though I have referred to the apparent confusion of the preliminary proceedings on the part of Plaintiffs in this action, I doubt not we shall be able to show very satisfactorily and conclusively, that there need be no difficulty with the Court in arriving at a just and legal conclusion in regard to the merits of this whole matter:—and especially, sir, if we are to regard law as being uniform, and not unsettled and fluctuating. If this were to be the case, it would be to disorganize the whole judicial system—to confound all legal proceedings—to banish all certainty and stability from the law—and to destroy at once all uniformity of decision. I would ask, sir, can it be supposed that this court is prepared to rush into such wild disorder and confusion?—No, never—never for all time to come; much less now in the very infancy of the Judiciary of this Republic. The Courts of Liberia are just now establishing a character which will reflect honor or discredit upon our national escutcheon for ages to come:—they are now establishing precedents which will be referred to when you and I, sir, shall be no more, though our names possibly will not be forgotten in connexion with the transactions of this very day. How important then that the character of our courts be founded on the broad basis of impartial justice; and that we commit no judicial error which might have been avoided by the simple application of common sense to the ordinary rules of legal proceedings. It is inviolably true, sir,—as I have heard our distinguished Attorney General often remark—that "we should keep the scales of justice well dusted and properly balanced." I say Amen; and I pray God that the Judges of all Courts in Liberia, as hitherto, will continue to exercise the right committed to, and enjoined on them of overlooking and maintaining in their purity the streams of justice, in all their branches, throughout the length and breadth of our land. For should these become corrupt, what security have we for the protection of life, liberty, or property?—none whatever: and in this condition we will be left to the caprice and cupidity of ambitious and designing men. But, sir, I cannot, I will not believe that the Courts of this Republic will so degenerate. No, Heaven forbid that the time shall ever come when the Judges of our Courts will abandon regard for their own reputation—for the reputation of the courts over which they preside—for the reputation of Liberia—and above all will abandon regard for the reputation and protection of the citizens at large of our common country.

I beg to observe, may it please your Honor, that I do not make these remarks instructively nor cautionary to the Court—the Court, as I have stated, understands its duties and responsibilities;—neither would I be understood as indulging any doubts in respect to the integrity of the Court. But, sir, they are prompted by a desire to

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XIII. Colonization Pamphlets

9. Injunction Case
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