

Mr. TODD. I have no objection to that amendment. I will accept it.

The section was modified accordingly.

Mr. TODD. Would it not be well to leave in the words "to labor?"

Mr. STOCKBRIDGE. I think you can trust the masters for that part of it. I move to amend by adding to the section the words "and said court shall bind all masters to whom any such apprentice shall be indentured, to cause said apprentice to be taught to read and write; and any violation of which obligation on the part of any master shall cancel the indenture of apprenticeship."

Mr. RIDGELY. I hope that amendment will not prevail. That is the existing law of the State of Maryland, and why should you put in the constitution a provision that belongs to the legislature, and which has been in operation for years? These covenants between apprentices and masters are all designed to protect the apprentice, and to obligate the master to perform his portion of the contract under existing laws. If we go on in this way we shall be codifying instead of making a constitution.

Mr. STOCKBRIDGE. I have proposed this amendment in good faith. I believe there is no necessity at all for incorporating this section in the constitution. I think the code already abundantly provides for this subject. But if it is to be incorporated in the constitution and an obligation imposed upon the courts to bind this class by wholesale in this manner, whether vagrants or not, whether the parents are able to maintain and educate them or not, bind them in ignorance and to ignorance—why we cannot take such a step without inflicting a severe blow upon the State. I thought it was conceded on all sides, when the article in reference to education was under consideration, that it was necessary for the State to make some provision that these persons now to be freed should not be freed in ignorance.

And in reply to the gentleman from Baltimore county (Mr. Ridgely,) I would say that I am not aware that where an uneducated colored person is bound out there is any obligation to teach that person to read or write. I know that even where white persons are bound out, if they are bound out without any instructions, there is not considered to be any such obligation. I think the amendment is an important one in reference to the future welfare of the State, and I hope it will be adopted.

Mr. STIRLING. I do not wish to debate this question. I shall certainly vote against this section as proposed by the gentleman from Caroline (Mr. Todd.) If the convention chooses to adopt it, it can do so. I have no doubt whatever that my friend from Caroline (Mr. Todd) thinks this provision will accomplish some good. And I know there are considerations which can be urged in its sup-

port. But the necessary effect of it will be to perpetuate slavery in Maryland for ten years longer. And holding the views I do upon that subject I cannot vote for it under any conceivable state of circumstances.

Now what does this section propose? It provides absolutely for the binding out of an entire class of persons, without any reference to the condition of the emancipated parents of these children, without any regard to the age of the children, whether they are eight or eighteen years of age, whether they are competent to earn a livelihood or not, even if the orphans' court thinks that they are able to support themselves, and will do so, they are as a class to be bound out. Now this section in its effect is not so much to provide for the custody of these people as it is to some extent to compensate the masters by giving them an additional furlough upon the time of their slaves.

I know the views of gentlemen who represent some of the counties upon the eastern shore, who are on my side of the house, have a great deal of force in them in regard to this matter. I do not wish to express my views upon that. They can exercise their own judgment about it. But I am perfectly willing to stand upon the existing system. And at the proper time I shall offer this substitute for the section:

"The orphans' court in the several counties, in apprenticing under the existing provisions of law any freed minors who shall have been slaves, shall give the preference in so apprenticing to those who were the masters of such minors at the time of the adoption of this constitution, where in the judgment of the court such masters shall be the proper persons to whom to apprentice such minors."

Mr. PUGH. I wish to move to strike out that portion of the section giving the preference to former masters.

The PRESIDENT. That is not now in order. The amendment of the gentleman from Baltimore city (Mr. Stockbridge) is now before the house.

Mr. SCHLEY. I hope the convention will in the first instance adopt the amendment offered by the gentleman from Baltimore city (Mr. Stockbridge,) which is very proper and needs no argument from me, it is so self-evident. But I do hope that this convention will pause long before they will accept any portion of the section of the gentleman from Caroline (Mr. Todd) to be incorporated into the organic law of the State. View it as you may, with every allowance for the humane motives of the proposer, it is nothing more nor less than modified slavery. It is nothing more nor less than undoing to a certain extent what we have already resolved to do—the abolition of slavery in the State of Maryland. It is nothing more nor less than to return to servitude and domestic slavery the