tleman to say that the passage of that article does not alter the present relation of the apprenticed free negroes.

Mr. SANDS. How could it?

Mr. PURNELL. That is not the question.—That is all I wanted.

Mr. RIDGELY. That question may be followed up by another question: If the act of emancipation does not disturb the relation of an apprentice, can we by this section enslave a man by making him an apprentice?

Mr. SANDS. I have no doubt about the matter. What is the section?

"It shall be the duty of the orphans' court of the several counties and the city of Baltimore to bind out, until they arrive at the age of twenty-one years for males, and eighteen years for females, all negroes emancipated by the adoption of this constitution."

You ordain the emancipation first; and as soon as that takes effect freedom attaches to them. Then after giving them freedom you propose to take it from them again, putting it back into the condition of a slave.

Mr CHAMBERS (in his seat.) Apprenticing does not take away freedom.

Mr. RIDGELY. That is not my view at all. I stated that with modifications by which the condition of apprenticeship would be put precisely in the category in which the act of assembly now puts it, I was in favor of the proposition. That is not the proposition of which you are speaking. That is not the proposition now before the house. It has been modified by the consent of the mover.

Mr. SANDS. I am speaking of the proposition before the house, the proposition to apprentice the whole class as the condition of their emancipation, although it does not bring them under the law of slavery in fact. Now as to this question asked by the gentleman from Worcester (Mr. Purnell,) how does the twenty-third article of the bill of rights at all interfere with the relation between master and apprentice? How could a man after reading this plain article ask that question?

"Article 23. That hereafter, in this State, there shall be neither slavery nor involuntary servitude, except in punishment of crime whereof the party shall have been duly convicted; and all persons held to service or labor as slaves are hereby declared free."

"Persons held to service or labor"—how? As apprentices, or indentured servants? No, sir; the plain language is "as slaves." If the article had read, "all persons held to service or labor as slaves or apprentices, are hereby declared free," I suppose in that case the gentleman's views would have been met.

Mr. PURNELL. I would like to ask one other question. What attitude will the slave now proposed to be freed under the twenty-third article occupy? Will they not occupy the same attitude or status that the free negroes now occupy?

Mr. SANDS. Unquestionably. Upon what principles is he to treat them? Just as you do the free negroes now, unquestionably; and not as the proposition offered here proposes to do. The law as it stands now allows the indenting of the children of vagrant and indigent parents. That is the difference. The proposition offered here commands the apprenticeship of the whole class. And I will tell my friends another distinction in this matter. The law as we have it requires the assent of the parent.

Mr. RIDGELY (in his seat.) Sometimes.

Mr. SANDS. The orphans' courts, now by law, is compelled to give the parent a say in the matter, and to act under that say unless there is a sufficient reason for doing otherwise. This section takes away from the parent all right to have a say in the matter whether the party is a proper person or not. Who knows so well as the parent who may have served that man thirty or forty years? He may be a good, kind master; and then he may be a bad master, a hard master, a cruel master; and yet the father and mother of the child, the persons best acquainted with the habits of the master, are not allowed to come into court, under the section as offered, and to say: "That is a hard master; do not give my child to him; he is a bad master, a cruel master; do not give my child to him."

I say again that I am perfectly willing to incorporate a section here which shall place all emancipated negroes precisely on a footing with the present free negroes, and liable to be indentured in the same way under the supervision of the orphans' court. I go further in that substitute, and provide that the master shall have the first offer of such indenture. I am willing to go that far. I am not willing to go any farther; simply because in doing that you take away from these colored people all inducements for honorable exertion, and you drive them in masses out of the State. You do them injustice in first setting them free as a class, and then as a class forcing them back into involuntary servitude; for, mark you, that is the term by which slavery is defined in the constitution of the United States, and that is the way it is defined in the twenty-third article of the bill of rights. "There shall be neither slavery nor involuntary servitude except for crime." I doubt whether, if that question were raised, in one of your courts, they would not decide that there was an entire conflict between the twenty-third article of the bill of rights and the present section proposed to be incorporated into the constitution; because you release them from involuntary servitude by the bill of rights, and then by this section you again force them into involuntary servitude.

Mr. CHAMBERS. The relation of husband and wife is an involuntary servitude.

Mr. SANDS. That is a very different thing. The great cry always is—don't white men apprentice their children? Of course they do,