

that my State should take any action whatever in the premises. You, my people, you who have lived under the government of the State of Maryland, your ancestors from 1776, as a free, sovereign and independent State, not only tolerating but sustaining the institution, causing many of us to invest our money in slaves—do you turn round now and deprive me of my property? And for what, when it is practically dead? What do you propose to accomplish by it? To put yourselves right on the record to blot out the foul stain of slavery from the statute book? To cast a shade of obliquity upon your fathers.

Who are these that are foremost in the proposition to deprive me and Southern Maryland of this species of property? Do you owe us nothing? I ask you again, in all seriousness, do you owe us nothing? Who were the men who consummated your great works of internal improvement, for which, to this day the lower counties of Maryland have been taxed without receiving the benefit of one dollar. Unfortunately for you, the very men who inaugurated or rather who consummated this system—this grand system of internal improvement, most of them were located in Charles and St. Mary's counties; Colonel Wm. D. Merrick, of Charles county, Governor James Thomas, of St. Mary's, Richard Thomas, of St. Mary's, and Colonel Howard. I know very well the clamor that was excited against the measure; and but for their popularity, it never could have been carried through in those counties. Here is Baltimore city built up, carrying not only our own productions but the productions of the mighty West, brought over these works of internal improvement, permeating through every channel and making her the third city in the United States. Yet, Baltimore city is foremost this day in inaugurating a policy to bankrupt these very people who have been the means of consummating that system.

Look at Allegany. What would Allegany have been with her barren rocks, her mountain ridges, her forest wilds, but for the development of her mineral resources? Who did it? Why, sir, the people of St. Mary's county and Charles county contributed more to the development of your wealth than any other counties in the State.

Will you under these circumstances, can you under these circumstances undertake to deprive me of my property and my people of their property, when the property is already destroyed by the action of the government, and we believe it will constitute a just claim for appropriation hereafter? Will you deprive me of that poor little pittance by legislating upon this subject, by passing a bill for universal emancipation? What do you do it for?

I have shown that so far as the moral obligation or the religious obligation to take this step are concerned, the authorities, which

you cannot controvert, are opposed to it. I have shown that it is not needed by the necessities of the hour. I must hasten to a close by taking up the constitutional question; and I hope to be as strongly fortified upon that subject as upon the others.

I will conclude by reading some quotations upon the powers of a State Convention from "Nicholas's Conservative Essays, legal and political."

"It may be taken then as proved that the powers of a Convention are not unlimited as to matters without the scope of the Federal Constitution, but are necessarily limited to objects within the purpose of its own institution. Then comes what are those objects. We need not look far to find them—they are developed in the Constitution—they are to form a government which shall better secure the rights and promote the ends for which men enter into society and voluntarily organize a government over themselves. Those rights and ends are well defined by the preamble to the Constitution to be the enjoyment of the right of life, liberty and property, and of pursuing happiness. With this view, all conventions are convened in free States. Existing rights of persons and property are a supposed pre-existing status. Conventions are only used to secure them, they are none of them derived by grant, express or implied, from either the conventions or the great body of society at large. Conventions and written constitutions are means used by the people, not to confer those rights—for each man brought them with him into society—but the better to secure their enjoyment under a properly organized government, adequate to their protection. If a convention under such commission to provide for the protection of the right of property, were to attempt arbitrarily to abolish the right altogether, they would as clearly transcend their power and attempt to usurp a power not given as a physician who wilfully kills a patient whom he has only power to heal. The proposition is not therefore true, is not at all tenable, that we hold our property by the good will and pleasure of the present Convention. We hold it by a right anterior to the institution of government—a right above their reach and what they cannot abolish.

"In *Wilkison vs. Leland*, (2 Peters, 657,) that court also said: That government can scarcely be deemed to be free when the rights of property are left solely dependent upon the will of a legislative body without any restraint.

"The fundamental maxims of free government seem to require that the 'rights of private property and personal liberty should be held sacred,' at least no court of justice in this country will be warranted in assuming that a power to violate and disregard them—a power so repugnant to the principles of justice and civil liberty—lurked under