

bia, Maryland being slaveholding, in violation of the *implied faith* arising from the cession of the District. Time does not permit me to express fully my own views in maintenance of this proposition. I shall leave its verity to rest upon what has been more ably said by Mr. Clay, than I could hope to utter, in his great speech on the compromise measures of 1850, and a reference to the resolutions of the General Assembly of Maryland, 1849, No. 37.

Mr. Clay on this point says: "While I admitted the power to exist in Congress, and exclusively in Congress, to legislate in all cases whatsoever, and consequently in the case of the abolition of slavery within this District, if it deemed it proper to do so, I admitted upon that occasion as I contend now, that it was a power which Congress cannot, in *conscience* and *good faith*, exercise while the institution of slavery continues within the State of Maryland." Again: "This implied faith, this honorable allegation, this honesty and propriety of keeping in constant view the object of the cession, these were the considerations which in 1838, urged me, as they now influence me, in the preparation of the resolution which I have submitted for your consideration. Now, as then, I do think that Congress, as an honorable body, acting in good faith, according to the nature, and purpose, and objects of the cession at the time it was made, and looking at the condition of the ceding States at that time—Congress cannot, without forfeiture of all those obligations of honor, which men of honor and nations of honor will respect as much as if they were found literally, in so many words, in the bond itself, interfere with the institution of slavery in this District, without a violation of those obligations, not, in my opinion, less sacred or less binding, than if they had been inserted in the constitutional instrument itself." Cong. Globe, vol. 22, part 1, page 121. And that the State of Maryland, the party ceding the District—the grantor—so understood the grant as involving the plighted faith of the government not to abolish slavery in the District without her consent, and to the overthrow of her institutions, I read the resolutions of the General Assembly passed February 26th, 1850.

"Resolved unanimously by the General Assembly of Maryland, That the State of Maryland ceded to the United States that part of the District of Columbia, originally embraced within her territorial limits, in

good faith, for a permanent seat of government of the Union, relying upon the integrity of purpose, on the part of the General Government, and upon its strict compliance with the terms of cession, in their letter and in their spirit.

"Resolved unanimously, That the State of Maryland never designed, nor did the General Government at the time of the cession, contemplate the using of the sovereignty over the District of Columbia, to the detriment of the local institutions of the State of Maryland.

"Resolved unanimously, That any attempt by Congress to abolish slavery in the District of Columbia, would be a violation of the *implied* conditions of the cession, a just cause of alarm to the slaveholding States, and have a direct and inevitable tendency to disturb and endanger the Union."

The destruction of the value of slave property in Maryland has been caused, secondly, by the legislation of Congress, violative of the Constitution, prohibiting any military officer in the service of the Government from delivering up or returning slaves.

3. By practically, through officers of the Government and orders, refusing to permit the execution of the Fugitive Slave Law in Washington city.

4. By a system of military impressment carried on by officers of the Government, and by actually taking away by Federal authority, large numbers of negroes not fit for military duty, and by arresting *white* men in the State while attempting to prevent their negroes from going to Washington.

5. By protecting the slaves on their arrival in Washington city, in contraband establishments, and now in the freedmen village and other negro settlements on the south side of the Potomac.

To one or the other of these causes may be traced the present status of the institution of slavery in this State. It has been produced in some shape or form by the *direct* action of the Federal Government.

The question therefore is not whether beforehand—while the institution of slavery is intact—Congress has a constitutional power to make appropriations to carry out general and universal schemes of Emancipation, but whether, where *practically*, and by the *direct* action of the Federal Government, property has been destroyed, or taken away, or has been depreciated in value by insecurity of tenure, resulting from a breach