

rights before we attempted the formation of a new constitution. It strikes me that action otherwise is inappropriate and opposed to the best interests of the State and of the country, and sacrificial to the rights of a large portion of the citizens of the State.

I propose by the amendment to leave this section out of the new constitution, that the legislature which may be called to assemble hereafter, may be at liberty, according to the instructions which they may receive from the people who shall send them here, to provide compensation, or not to provide it, for those who have been deprived of their property. Does it not seem to be more feasible, more practicable, more just, that that should be left to the people of the State who shall elect succeeding legislatures, than that we should tie up their hands by this prohibitory clause? It appears to me so manifest, so plain, so self-evident a truth, that such should be our action, if it be determined by the convention that slavery shall be abolished in the State, that I could scarcely have supposed that there would be a hesitating voice in the convention. The people of the State are as good judges as we as to their capacity, as to their duty upon this subject. Although I cannot hope for any manifestation that I have seen exhibited in the convention that the amendment will prevail, or that the people of the State will have such an opportunity, still I feel it my duty to press it upon the consideration of the convention. I should feel highly gratified, and that the convention at last had redeemed itself to a great extent in my view from the imputation of a desire or intent expressly to inflict an irreparable injury and loss upon some people of the State, whether they are a minority or a majority, if they would adopt my motion.

Minorities are entitled to protection, it should be recollected, as well as majorities. Majorities, it has been conceded, can protect themselves. The minority then is the very party which needs the protection of law.

Let the decision of the matter go before the people again. Let them say whether they will insist upon the course indicated by the present convention to be pursued by ensuing legislatures.

Another objection to the section is in its prohibiting the passage of any law by which compensation shall be received. I submit that even though the legislature may be restricted from making any appropriation from the treasury of the State for the purpose of compensation, they might nevertheless pass some law providing for the compensation of persons who have lost the use of their property or been deprived of their property. Another source has been referred to by the people of the State for compensation, besides the State treasury. If my motion to strike out fails, I propose to offer an amendment to strip the section of that prohibitory clause. I would

be glad, however, I could not do otherwise than rejoice at the sense of justice which this convention would manifest by striking out this section altogether, and leave the whole subject to be settled by the people when sober reason may prevail, when a disposition to do justice to all may return, when we may be free from the shackles which are now on public sentiment and on the public mind now that, it seems to me, public virtue is dethroned.

I had not intended to say anything in relation to this subject. Indeed I was not prepared for its coming up. And with these impromptu remarks I yield the floor.

Mr. JONES, of Somerset. Mr. President—

Mr. PUGH. I rise to a point of order. The motion was made by the gentleman from Alleghany for the previous question.

Mr. JONES, of Somerset. He could not make that motion while the gentleman from St. Mary's (Mr. Dent) was upon the floor.

Mr. HERR. The gentleman from St. Mary's (Mr. Dent) moved to strike out the section. That motion was seconded by the gentleman from Somerset, which he could not have done unless the gentleman from St. Mary's had yielded the floor. I immediately moved the previous question, but when I learned that the gentleman from St. Mary's wished to speak, as he has not spoken upon this question, I did not raise the question of order.

The PRESIDENT overruled the point of order.

Mr. JONES, of Somerset. I confess my amazement at the seeming anxiety manifested by certain gentlemen upon this floor to cut off debate by the previous question upon this most important of all the questions which we have had under consideration during the sessions of this convention, in my estimation. If the minority of this convention upon a question of such vital importance as this, are to be silenced in the debate, and reduced to the humiliating necessity of merely recording yea or nay upon such propositions, for one, I take it upon myself to say that from that moment I shall cease to be a member of this convention. The poor privilege of opposing in argument the propositions we disapprove of, is all that we can hope to entertain. I say, therefore, that I was amazed that upon this proposition, upon which there has been no vote, and no intimation of the sense of this convention by any vote that has been taken, notwithstanding what has been said by the gentleman from Howard (Mr. Sands,) that there should be a desire to cut off debate.

The proposition to emancipate the slaves of Maryland is one thing. The proposition to make immediate compensation for that emancipation is another question. And the proposition that the legislature shall never hereafter have the power to pass a law to make compensation is a totally different question, and God forbid that this convention should ever stigmatize itself by putting such a pro-