

My constituents have no other right to that property than the thief's right? When has that doctrine become the doctrine of Maryland? Our ancestors, those who held slaves all their lives, thieves and robbers?

Mr. SANDS. If the gentleman will allow me, I can answer his question.

Mr. MILLER. The gentleman will have an opportunity when I have done.

Mr. SANDS. The gentleman permitted one interruption; I thought he would another.

Mr. MILLER. This plain provision of constitutional law, that private property shall not be taken for public use without just compensation, cannot be escaped by saying that slavery is a nuisance.

Let us look now for a moment to the effect of this emancipation provision, which it is proposed to incorporate into the constitution. Let us look to its effect upon different portions of the State. To the gentlemen who represent Allegany county with 666 slaves; Carroll county with 900; Frederick county with about 3,200 in all, and Baltimore city with only about 2,200 slaves, it may not seem to be a matter of so much importance if those slaves be taken away from their constituents. But I beg gentlemen to consider what is to be the effect upon other portions of the State. Take the seven slaveholding counties upon the western shore of Maryland; Anne Arundel, Calvert, Howard, Montgomery, Prince George's, Charles and St. Mary's; what do you do there? You take away from them according to the census of 1860, 48,905 slaves. Then take the seven counties upon the eastern shore, of Kent, Dorchester, Queen Anne's, Somerset, Talbot, Worcester and Caroline, and you manumit there 24,407 slaves, according to the census of 1860. In those fourteen slaveholding counties, you manumit 72,912 slaves.

And by the section under consideration, you propose to prohibit the legislature, as far as is in your power, from ever making one cent's compensation to the owners of all those slaves. In my county, Anne Arundel, I know that my constituents had at the time of the last census, 7,332 slaves. It is a county as much interested in this matter as almost any other county in the State, except the county of Prince George's and the county of Charles. I know that many of my constituents who own those slaves are married women, children, minors, orphans and widows. I know furthermore, that among the slaveholders are men just as loyal, even in the estimation of the majority of this convention, as any one in this body. Now, what is proposed to be done with their property? I say it is their property, and it is useless to argue otherwise. You propose to take away this property, and to say to the legislature for all future time that they shall not pay one cent of compensation for it. You destroy at once nearly \$5,000,000 worth of

property, in my own county alone, or what was worth that amount at the time this rebellion commenced.

Now, one word in regard to whether the State or the general government should pay this compensation. Gentlemen say they come here instructed by their constituents, to vote against State compensation. Suppose that be so; they will not be voting for State compensation if they leave out this section. I beg gentlemen to bear that in mind. By leaving out this section, they do not vote in favor of State compensation, and therefore, they violate no pledge to their constituents. Let the future legislatures of the State determine that question. Let the people in calmer and more peaceful times determine that question, when the finances of the State will be in such a condition as will enable the State to make at least some compensation to somebody for this vast amount of property destroyed, taken for public use by this act of emancipation. I say, therefore, that gentlemen violate none of their pledges to their constituents by leaving out this section. They do not vote that the State shall compensate. They do not put in the converse proposition to that in the section now, and say that the State shall compensate. But they will leave it to future legislatures to determine the question, and they can determine it just as well as we can.

The gentleman from Washington county (Mr. Negley) says, that even if we put this section in the constitution, the people of the State have control of the constitution and can alter it. Does he remember the clogs which are put around amendments to the constitution, in the article which has been proposed upon that subject? You cannot get any change made in the constitution until fifteen or twenty years have passed away, by submitting the question to a vote of the people, unless three-fifths of all the members elected to the legislature shall propose an amendment of that kind. And according to the basis of representation which it is now proposed to adopt here, if the constituencies of Baltimore city, and the non-slaveholding counties continue of the same mind, as their representatives here would indicate they now have, the time will never come when justice can be done to the slaveholders of this State. Therefore, the clogs placed around the modes of amending the constitution are such, that if this section passes, it will be a practical denial by the State of any compensation to the owners of these slaves.

Now, why should not the State make compensation? Some think that we ought to look to the general government for compensation. I say the proper mode in which that thing is to be done is this; compensation if obtained from the general government is to be obtained by and through the State. The proper way is not for individual claimants to go