

to the general government and ask compensation for their property. The State by its act of emancipation here destroys the legal status of slavery; it is the State that does the wrong to the slaveholder. If the State does it for the public good, for the public use, and the State is benefitted by it, let the State pay the parties from whom this property is taken, and then under the resolution adopted by Congress, let the State go to the general government for compensation. The State is doing it in obedience to the wish of the general government. We have, all along through this discussion of emancipation, heard that the abolition of slavery was to benefit the State, particularly the non-slaveholding counties of the State, by virtue of the increased value of their lands. Now, if that is to be the benefit which you are to derive from this act, then common justice would require that you at least should bear your portion of the taxes to compensate the parties, the taking of whose property is to confer upon you this benefit.

I had not prepared myself to make an elaborate argument upon this question. As I have already said, I should have left what argument might be made upon this subject to what fell from the gentleman from Kent (Mr. Chambers.) I think he has said almost all that can be said upon this subject, and but for what I considered the extraordinary propositions of the gentleman from Washington county (Mr. Negley,) I should not have troubled the convention with any remarks at all upon this subject.

Mr. SANDS. I do not propose to occupy my half hour. And I should not have arisen at all to say anything about this matter, had not the gentleman from Anne Arundel (Mr. Miller) asked a question, which he would not permit me to answer during the course of his remarks. If he had then permitted me to answer the question which he asked, I should not be upon the floor now. But I must take my opportunity of answering his question now, as he would not give me an opportunity to do so when he occupied the floor.

When, where, and how did slavery become a nuisance, asked the gentleman. I wanted to have given him my answer then; and I would have told him in a few words, that it was when slavery rebelled against a free government that it became a nuisance, the vilest nuisance everywhere. That was the time. How long ago that was the gentleman can determine for himself.

Mr. CHAMBERS. Will the gentleman allow me to—

Mr. SANDS. I cannot permit any interruptions. "Mercy is for the merciful, if thou hadst been of such, it would be accorded now."

I say slavery became a nuisance when it rebelled against free government. That was the time. The gentleman asks, when was this

doctrine born, that the title to the negro slaves was a thief's title. He says it is new. I say it is older than he and I put together. It was enunciated upon this floor by one whom he and I will acknowledge to have been far our superior, long before the world knew of us; and who will be remembered when the world has forgotten both of us. I refer to William Pinckney. In a speech made in this hall, in 1789, Mr. Pinckney put forth the doctrine, and I got it from him, that the title to slavery was a thief's title. I got it from him, and from the text books which the gentleman uses whenever he goes into court. Here is the language he uses:

"By an existing law no slave can be manumitted by his master during his last sickness, or at any time by last will and testament."

And he goes on to say what this law is. "That is when liberty, (the great birth-right of every human creature,) is to be restored to—"

Now, to whom is liberty to be restored? Liberty, which is the birth-right of every human creature is to be restored to—whom? To whom does Mr. Pinckney say it is to be restored? Why, "to its plundered proprietor," the negro. Now, is it a new doctrine that the title to a slave is a thief's title? Here in this hall in 1787, William Pinckney told you that every negro was the proprietor, "the plundered proprietor" of his own liberty. It is no new doctrine. The fact is, that this whole slave doctrine, in the phase of it accepted by the gentlemen with whom my friend from Anne Arundel (Mr. Miller) is classed, this whole slave doctrine as they hold it is a new doctrine, while ours is the old doctrine of the fathers who fought the battles of the Revolution and established the liberties of this country. It is not new at all; it is old, older by far than those who call it new. And when my friend asked the origin of this new doctrine, that the title to slave property was a thief's title, I wanted in my place to answer him, and to tell him where I found this doctrine, and to say to him that it was enunciated in this hall almost a century ago, as I am very well aware my friend already knows.

And now to apply a few plain legal principles here, I would ask my friend if under the laws of this State any limitation runs against a claim for freedom, where the party was ever once entitled to it? He knows that the court that sits in the room above this hall has decided that question over and over again. It is clear law, as he knows, that a man today held in slavery here, who is the descendant of a woman once free, is in law a free man; and all that prevents his coming into court and claiming and obtaining his liberty, is the fact that the poor fellow has been deprived by circumstances of the means of