

a country where the slave-trade was not practiced and carried on, and brought here and sold, such a person is not a slave according to the laws of this State. Cites 6 vol. *World Displayed*, 273, 290. The act of 1715 related only to slaves brought in according to the regular course of the slave-trade. Madagascar was not a place from whence slaves were usually brought.

"*Key*, for the defendant. Slavery is derived either from villeinage in England, or it was thought necessary to introduce it at the time of colonization, for political reasons, to cultivate the land. *Guthrie's Geography*, 679. In Madagascar the petty princes make war on each other for slaves and plunder.—*Abbe Raynol*, vol. 2, 227 Slavery in Madagascar.—*Isle's Voyage*, 5. They carry on the slave-trade with Europeans.

"*The Court*. Madagascar being a country where the slave-trade is practiced, and this being a country where slavery is tolerated, it is incumbent on the petitioner to show her ancestor was free in her own country, to entitle her to freedom."

Intimating that if she could go away over to Madagascar and find out her ancestors that were free, then she was entitled to her freedom. I say that according to that decision of the Court of Appeals every negro in Maryland was free long ago. For, if their ancestors were free, then, as my friend from Howard (Mr. Sands) announced here to-day, they are free; and that upon the express decision of this Court of Appeals.

Mr. MILLER. Will the gentleman allow me to interrupt him for a moment?

Mr. THOMAS. Not now; I have not time. And in this connection I would ask gentlemen what element of contract is there in this relation of master and slave? Where is the contract? The gentleman from Kent (Mr. Chambers) told us to-day, in a lugubrious tone that was calculated to excite the deepest sympathies of every man in this convention, that he had a letter from a friend who told him that all the property she had on earth was in negro slaves. That is a hard case; I am sorry she has no other property. But I know people in my own community who have no negro property; but who before this war had their little all invested in something else, and now it is all gone. And how is it gone? and where did it go? and what made it go? Nothing but slavery and rebellion was the cause. The natural effect of this war has been not only to take away from the old lady, referred to by the gentleman from Kent, her little property, but last Sunday two weeks I thought it would take away from me my little property. As I was running up street trying to carry a musket, a secesh woman said to me—"They are coming, and you will get it now; your house is marked." I told her I would not give them the trouble to mark my house, and I went

home and put out the United States flag. I know that my house is gone, if they ever get hold of it; and I am not the only man who will lose everything if they ever get into Baltimore. I know that as well as other gentlemen do. I have no horses for them to steal, thank the Lord; but they can destroy my house. I am sorry for the old lady, and for everybody that loses their property. But do gentlemen remember, or have they forgotten, that it was only last winter that the men of Washington county, who had been utterly ruined by these raids into Maryland, had their representatives introduce a resolution into the senate of Maryland to indemnify them and compensate them for the losses they had sustained on account of this war. And the gentlemen on the other side of the house turned a deaf ear to their entreaties, simply because they would not put the negro into the resolution; they would not give these poor Washington county and Frederick county men a dollar. Now, are not the horses and crops of those men just as much property as is the negro? And if the slaveholder is entitled to compensation for his negro man, why should not the man in Washington county be entitled to compensation for his property which is not negro? And if we begin to compensate men in this way for all the losses sustained in this war, we can hardly know how it is to end. This great and magnificent sale of our public works which is advocated here, even should it bring millions to the State of Maryland, would not begin to compensate for the losses sustained. We would have to go to work and build other great public improvements, take stock in them, and then again sell out.

I would ask gentlemen this: Has not the State of Maryland the right to pass a law changing the relation between parent and child? The father is now entitled to the services of his son until he is twenty-one years of age. Suppose the State of Maryland should pass a law that the son should be considered of age for himself at seventeen or eighteen, thus depriving the father of the services of his son for three or four years. Has not the State of Maryland a perfect right to do that? Still it would be passing a law depriving a man of his property. If gentlemen will look back to the old act of 1796, they will find a law of Maryland by which if a man from another State brought a slave into this State, and did not comply with certain conditions mentioned in that act, his slave property became free. Was not that taking private property for public use, just as much as this is? If I, living in another State, came here and brought my slave with me, and did not comply with the terms of that act of assembly, then my slave became free, although he was my property. And if I brought an action against the State of Maryland, or any one else, to recover dam-