piency, and it is bad now. I do not intend to show at length the inconsistency of that argument.

But inasmuch as my learned friend in his argument upon the twenty-third article of the bill of rights, and also in his argument of this morning, could not let the occasion pass without making a great flourish of this speech of Mr. Pinckney upon the subject about which he read, I will also read some of the sentiments of that distinguished man. I will not, however, read from the speech which he made in these halls when, in the full fervor and glow of his youth, he was arguing in the house of delegates, and bringing to bear all his youthful eloquence in behalf of the proposition to repeal the law of Maryland against the manumission of negroes in this State. But I will read from a speech which he made in the years of his manhood, in the full blaze and splendor of his meridian glory, when in the Senate chamber in Washington he enchained listening Senators and admiring audiences. I will read what he said upon this question in his speech upon the Missouri compromise. I read from the same book from which my friend read, and which he has kindly furnished me.

"Sir, if we too closely look to the rise and progress of long sanctioned establishments and unquestioned rights, we may discover other subjects than that of slavery, with which fraud and violence may claim a fearful connexion, and over which it may be our interest to throw the mantle of oblivion. What was the settlement of our ancestors in this country but an invasion of the rights of the barbarians who inhabited it? That settlement, with slight exceptions, was effected by the slaugher of those who did no more than defend their native land against the intruders of Europe, or by unequal compacts and purchases, in which feebleness and ignorance had to deal with power and cunning. The savages who once built their huts where this proud capital, rising from its recent ashes, exemplifies the sovereignty of the American people, were swept away by the injustice of our fathers, and their domain usurped by force, or obtained by artifices yet more criminal. Our continent was full of those aboriginal inhabitants. Where are they or their descendants? Either "with years beyond the flood," or driven back by the swelling tide of our population from the borders of the Atlantic to the deserts of the west. You follow still the miserable remnants, and make *contracts* with them that seal their ruin. You purchase their lands, of which they know not the value, in order that you may sell them to advantage, increase your treasure, and enlarge your empire. Yet further—you pursue as they retire; and they must continue to retire until the Pacific shall stay their retreat, and compel them to pass away as a dream. Will you recur to these scenes of various iniquity for any other purpose than to regret and lament them? Will you pry into them with a view to shape and impair your rights of property and dominion?"

Thus it will be seen that this able and eloquent lawyer and statesman put the right to hold slaves in Maryland, upon the very same ground, and upon the very same title by which the country now holds the land upon which stands the Capitol at Washington. Now upon this question of thief's title, Mr. Pinckney in the Senate of the United States, is answering arguments such as those that have been advanced in this hall. Mr. King, of New York, had made a speech somewhat of that character. Said Mr. Pinckney:

"The honorable gentleman on the other side (Mr. King, of New York,) has told us as a proof of his great position (that man cannot enslave his fellow-man, in which is implied that all laws upholding slavery are absolutely nullities,) that the nations of antiquity as well as of modern times have concurred in laying down that position as incontrovertible.

"He refers us in the first place to the Roman law, in which he finds it laid down as a maxim; *jure naturali omnes homines ab initio libero nascebantur*. From the manner in which the maxim was pressed upon us, it would not readily have been conjectured that the honorable gentleman who used it had burrowed it from a slaveholding empire, and still less from a book of the Institutes of Justinian, which treats of slavery, and justifies and regulates it. Had he given us the context, we should have had the modifications of which the abstract doctrine was, in the judgment of the Roman law, susceptible. We should have had an explanation of the competency of that law, to convert, whether justly or unjustly, freedom into servitude, and to maintain the right of the master to the service and obedience of his slave."

The convention will pardon me if I read further upon this subject, and I will commend one portion of it to my friend from Washington (Mr. Negley,) as an answer to that part of his argument upon the subject of nuisance—that slavery was a nuisance and ought to be abated.

"He next refers us to magna charta. I am somewhat familiar with magna charta, and I am confident that it contains no such maxim as the honorable gentleman thinks he has discovered in it. The great charter was extorted from John and his feeble son and successor, by haughty slaveholding barons, who thought only of themselves and the commons of England, (then inconsiderable,) whom they wished to enlist in their efforts against the crown. There is not a single word which condemns civil slavery. Freemen only are the objects of its protecting care, "*nullus liber homo*," is its phraseology. The serfs, who were chained to the soil—the villeins regardant and in gross, were left as it found