

the effort has been to establish the proper parties to receive the compensation. So this will be postponed from one year to another, and at last the real parties who ought to receive it will not receive it. But if the counties preserve the evidence of the original owners it will enable the legislature hereafter to distribute the fund, for they will know the parties and can make a just distribution of the losses.

As I stated, I offer this amendment as the best thing I can do for my constituents in the existing condition of things.

Mr. SANDS. I would suggest to my friend that under the rules, with regard to the perpetuation of evidence, they can go on and make out the claims against the United States or whomsoever they please, and go to the proper sources and take the testimony necessary to prove their claims and put it on record.

Mr. CLARKE. I will say as to that, that I do not know whether the general government would accept the proof. There is one class that has run away, taken into the military service, for whom no compensation has been received. There is a large class of women and children set free in the State. On what ground could the evidence of title of these owners at this time be carried and placed in the department at Washington? There is no officer there to receive and perpetuate the testimony if offered. The officers would say they had no power, that there was no bureau constituted for that purpose, and in fact there is no law of Congress recognizing our right to preserve this evidence.

Mr. SANDS. There is a law providing for commissions to take testimony.

Mr. CLARKE. Those enlisted in many cases cannot be covered. Those set free by the action of the State convention would be only a small class. Filing proof would only reach a small class of the cases which have gone into the army. I will take the case of my own county, one of the largest slaveholding counties in the State, and yet I believe we have only credit from the general government for sixteen recruits.

Mr. STIRLING. Will the gentleman allow me to suggest an amendment to his proposition? It is to add:

"And the general assembly shall also provide for the registration of all the horses, mules and cattle that were held in this State on the 1st of January, 1861, and from that day to the end of the war, and the title to the same, so as to enable the owners of all such horses, mules or cattle stolen, seized, or impressed, to recover the same if any appropriation shall be made for that purpose."

Mr. NEGLEY. Will the gentleman add "fences and crops?" We of Washington county have lost a great deal in fences and crops, agricultural products, wood, &c.

Mr. BERRY, of Prince George's. I would

suggest also a statement of the names of all the members of this convention who voted for the odious proposition—who voted to take the negroes without pay, and their pedigree, that it may be handed down to posterity.

Mr. BARRON. I want to ask the gentleman a question about what he says is property. I want to know if he did not go into Virginia and get a negro slave and put him into the army as a substitute?

Mr. CLARKE. No, sir. I never did.

Mr. DAVIS, of Charles. I wish to ask the gentleman from Baltimore city whether he supposes that this constitution abolishes the right of property as it abolishes the right of slaves, that he proposes to have a record of it.

Mr. STIRLING. Certainly not.

Mr. SANDS. I am in favor of the addition proposed by my friend from Prince George's (Mr. Berry.) If there is one thing remembered of me in the future, I want it remembered that I was a member of this convention and voted for the article of emancipation.

Mr. CLARKE resumed. I will state to the gentleman from Baltimore city (Mr. Stirling,) that I have really no objection to accepting his proposition. It carries out very much the idea embraced in the proposition I offered. I do not accept it now, but when he shall offer it as a substitute I have no objection to accepting it.

I will only say in reply to the gentleman from Howard (Mr. Sands,) that the mode he suggests of providing for claims would not cover the whole case. I was about to say when I was interrupted, that in my county thousands of slaves are gone away, able-bodied men, and only sixteen are placed to our credit. Why is it? Because we are just upon the confines of the city of Washington, and if a negro wants to go away he does not go into the army but into the city of Washington; so that most of these negroes are there now and scarcely any of them in the army. A gentleman states that the reason is that the county commissioners have not paid the bounty. That will not help the matter. These negroes are not in the army; they will not go into the army. The masters cannot help that. So there is a very large class of able-bodied men loitering around, and the government does not search for them but drafts white men in our county to supply the place when they might reach these people. There they are, and we can never in any shape or form make any claim against the government for that. The question might arise hereafter whether we shall claim compensation for them as set free by the State.

I wish to say a few words about the property spoken of by the gentleman from Washington county (Mr. Negley,) and embraced in the amendment read by the gentleman from Baltimore city (Mr. Stirling.) I do not