

movement for apprenticeship, although prominent in the minds of the members during a large part of the debate, particularly during the consideration of the questions of emancipation and compensation and of the legislative department,⁸¹ did not assume final form till August 26, when Mr. Todd submitted his proposition in the form of an amendment to the report of the Committee on the Judiciary Department, providing an additional section which made it the duty of the Orphan's Courts of the state to bind out till they became of age "all negroes emancipated by the adoption of this Constitution, who are minors, incapable of supporting themselves, and whose parents are unable to maintain them," with the addition that "in all cases the preference shall be given to their former masters, when in the judgment of said courts they are suitable persons to have charge of them." Amendments offered by Mr. Schley of Frederick and Mr. Stockbridge, respectively, requiring the consent of the "parents or next friend of the minor," and that masters should be bound to have their apprentices taught to read and write, were both lost. The section was divided for the vote, the first part allowing apprenticeship being carried by the vote of 51 yeas (including 28 majority votes) and 20 nays, and the second part, giving preference to the former owners, by 45 yeas (21 majority votes) to 27 nays.⁸² On the next day (August 27) the Union men, who were evidently rallying their forces, introduced and carried by large majorities on a strict party vote two new sections, the first requiring that masters should take a stringent oath of allegiance before negro apprentices were bound to them, and the second prescribing heavy fines or punishment for those who detained in slavery any persons emancipated by the Constitution.⁸³ This latter section was incorporated in the new Constitution,⁸⁴ but the former one, as well as Mr. Todd's

⁸¹ Proc., 311-2.

⁸³ Proc., 604-7.

⁸² Proc., 593-8.

⁸⁴ Art. iv, sec. 12.