

not been protected by law, and by all your courts from the very commencement of its introduction to the present time? Was it not brought into Maryland when we were a colony of Great Britain, when we were under the jurisdiction of Great Britain? Was it not brought here by the express authority of the Parliament of Great Britain? Was it not brought here by parties engaged in the African slave trade, in which the good Queen Anne was a partner, and of the profits of which she received a fourth part? Was not the institution brought here and established, and slaves introduced as an article of commerce? Were they not recognized by the British government as property? Was it not so held in the constitution? Has it not been so held down to the present time? Was not the institution considered so sacredly guarded and protected that, when the Convention met here in 1850, they solemnly adopted a provision which went to the extent of saying that the legislature should have no power of passing any law to interfere with the relation of master and slave?

These are the guarantees under which this property is held by the people of Maryland. What is the condition in which it is held? Is it not well known, especially to the gentlemen who represent the counties where the number of slaves is considerable, that for a great number of years past, it has been very general, in the distribution of estates, if a man owned land and negroes, to give his lands to his sons, and his negroes to his daughters? Is it not known that a great portion of the property of the females, of the infant, in these counties, consists of slaves? that the only property on earth that they have, in many instances, is the slaves whose hire affords them a support?

I conversed with a gentleman at the last session of the legislature, from Dorchester county, who remarked to me that in the division of his father's estate, the lands were given to his sons, and his sisters had twelve or fifteen slaves apiece—one or two sisters—and it was the sole property they had. I know instances in my own county in which under the will of their father, there are helpless and unprotected females whose sole support is the hire of the negroes left them by their father. I know instances in which helpless infants will be stripped of the only income they have, the hire perhaps of a negro man or woman. I know such instances, within my personal knowledge, where this will operate to strip individuals of every dollar of property they have under the constitution and laws, and every dollar of support, and they will be left penniless upon the cold charities of the world.

It is the proposition not only that they shall not, now, when food and clothing are so high, have one dollar of compensation, so far as you can prevent it, but that they shall not

hereafter. They shall have no hope. They shall have nothing to encourage anybody to afford them shelter, and food, and clothing, in the hope that the returning justice of the legislature will make compensation whereby they may be remunerated for their support. You close the door to hope entirely. You not only turn them out penniless, without a home, but you shut the door in their face, and say to them, the legislature shall never hereafter—whatever may be the state of our finances, although our works of internal improvement may put millions into the treasury of the State, although we may be out of debt, and have enough for our school system—have the power to make a dollar's compensation to you for this property taken from you, although you had as much right to the protection of that property as of any other.

When this question was under consideration before, I read an authority, in my place here, from Judge Story, based upon Vattel and other writers upon the fundamental principles of law and constitutions governing all civilized societies, to the effect that this principle of compensation for property taken for public purposes, not only extended to legislatures, but that it was the fundamental principle upon which society was based; that the sovereign power, in no state of government, had the right to take private property for public use without compensation; that it was in violation of the original foundation of justice and of right.

We are sent here by the people of Maryland to amend their constitution, to organize their civil government upon the principles of a government of freedom, and of justice, which have obtained and been recognized as belonging to all governments that claim to represent the wishes of a free people and a civilized community. Here is a proposition so plain, so consistent with the principles of justice, that it commends itself, as to all other property, to the consideration, and the confidence, and the adoption of this Convention. I say if you intended to exclude this species of property, you ought to have incorporated in the forty-third section of this article—which corresponds with the constitution of the United States, and lays down the fundamental principles of government, that you shall not take private property to be used without compensation—an exception. Instead of that broad and unequivocal assertion, you should have said, "unless it be slave property." You should go back and reconsider that now, and make it read, "No property unless it be slave property shall be taken for public use without compensation," in order to make it consistent. I am the more surprised at the determination which seems to be manifested to carry this proposition through without debate, because I have observed this extreme anxiety