

Besides that, what right have we to tax Baltimore city, that has no interest in slavery, and take her money to pay the holders of these slaves? Has not Baltimore city already lost hundreds of thousands of dollars by this rebellion, although she had no instrumentality at all in bringing it on? If you pay these slaveholders for their negroes, you ought to go and hunt out every instance where a man has been damaged by this rebellion and make restitution to him.

And the people in our county have a better claim for remuneration, because there is no doubt about their right to their species of property. Nobody can come forward and dispute their moral and legal right to their property. But we do dispute the right of these slaveholders to what they claim as their property.

For these considerations I do think the slaveholders in Maryland are not entitled to one cent of remuneration. And there is no injustice done any man; there is no violation of moral principle in refusing to saddle upon the State of Maryland a debt in order to pay them. It is their misfortune to have had such property. And it was our misfortune in Washington county to have been invaded by the rebels and to have had our crops trampled down, and our horses stolen. That is the misfortune of war. We of Washington have no right to come upon the State of Maryland for payment for damages. If anybody is bound to pay, it is the federal government. But the slaveholders have no more right to ask the State to pay for these negroes, than we have the right to ask the State to pay for the property destroyed by the rebels.

Mr. MILLER obtained the floor, but gave no way to

Mr. JONES, of Somerset, who moved that the convention adjourn.

The motion to adjourn was not agreed to.

Mr. BROWN. When the bill of rights was under consideration, I offered an amendment in substance like the one I now hold in my hand. I now renew it, in order that we may not add inhumanity to injustice. I move to amend the section by adding the following:

"But shall by law, at the expense of the State, provide for the support and maintenance of such slaves so declared to be emancipated as may be unable to support themselves."

The question was upon agreeing to the amendment submitted by Mr. BROWN.

Mr. MILLER. I had not designed to say anything upon this question, and should not now trouble this convention but for some very extraordinary positions assumed by the gentleman from Washington county (Mr. Negley.) But for that I should have been willing, so far as I am concerned, to have left the consideration of this question to the remarks of

the gentleman from Kent (Mr. Chambers,) for I think he has said almost all that can be said upon this subject.

Now, the doctrine that private property shall not be taken for public use, except upon just compensation made to the owner, is the eighth commandment of American constitutional law. In order to get rid of the effect of the clear justice of that doctrine, the gentleman from Washington has said, has boldly declared, that property in slaves is no property at all; that slavery is a nuisance, and that the State has a right to abate the nuisance without compensation to the owner. That is the ground upon which the gentleman bases his argument. Sir, the property of the slaveholder in his slaves a nuisance, a legal nuisance? When, where, and how did it become a nuisance? Is that a nuisance which the constitution of the United States declares to be property? Is that a nuisance which the constitution of your State declares to be property—which for more than a century the State has protected as property? Is that a nuisance which, at the time of the adoption of the federal constitution, the constitutions and laws of all the States of this Union, with one exception, declared to be property? Why, sir, it seems to me that the mere statement of such a proposition as that bears upon its face its own refutation. Were the great men who framed the constitution of 1787, thieves and robbers, as the gentleman from Washington (Mr. Negley) has declared them to be, and have they given to us only a thief's title to this property?

Mr. STOCKBRIDGE. Does the gentleman state it as a fact that the constitutions of all the States but one declared slaves to be property?

Mr. MILLER. At the time of the adoption of the constitution of the United States slavery existed in every one of the colonies with the exception of Massachusetts; was recognized and protected by their statute laws, precisely as every other species of property was recognized and protected. The gentleman from Baltimore city (Mr. Stockbridge) in his argument the other day upon the emancipation clause of the bill of rights, declared that slavery had not legally existed in Massachusetts since 1641; and he quoted the old colonial statute of Massachusetts upon that subject. What was that statute? I have an extract from it here before me, which I will read:

"There shall never be any bond slavery, villeinage, nor captivity among us unless it be lawful captives taken in just wars; and such strangers as willingly sell themselves or are sold unto us, and these shall have all the liberties and christian usages which the law of God established in Israel requires."

That was the statute of Massachusetts of 1641. They dealt in slaves at that time. The slaves that were sold unto them were sold by the mother country, by British merchants