

The amendment was offered in order to meet this hardship, as I consider it, upon the city of Baltimore. But I am perfectly convinced from what I have seen and heard that there is no probability that the section will go through; but I think it will cause a great deal of debate, which I am not willing to cause in the convention.

COMPENSATION FOR SLAVES.

Mr. CLARKE submitted the following amendment as an additional section :

Section — The legislature at its first session after the adoption of this constitution shall provide by law for taking a census, at the expense of the several counties and the city of Baltimore, of all the negro slaves which were in the State on the first day of January, 1861, and at the date of the adoption of this constitution, giving the names, ages, and sex of such negro slaves, and the names of their owners, and shall provide by law for obtaining and preserving among the records of the several counties and the city of Baltimore the evidence of title of such owners.

Mr. CLARKE said : I will merely state in explanation the reasons which have induced me to offer this article. I was not at all surprised to learn, when I came to this convention that before its labors ended there might possibly be engrafted in this constitution a provision changing the relation of master and slave, or providing for the abolition of slavery in the State of Maryland. The state of the public mind, the result of the election, the interchange of views of members of this convention, prepared me for such a result. I had hoped that the house would so shape its action upon this question that on arriving at this result some provision might be made looking forward to compensation from some source for the owners of slave property thus destroyed by the action of this convention. Hence I did not wait until the article in the report on the legislative department was taken up, to express my views with reference to this question, but availed myself of that privilege when the bill of rights was under consideration.

When we reached the legislative report, this convention went a step farther. Not only had we provided for the abolition of slavery in the State of Maryland, but the convention by its vote decided to restrict the power of the legislature from passing any law in reference to the compensation of owners, and from passing any law making an appropriation. When the vote was taken on that article I suggested a doubt, and I have now a very grave doubt, whether in case Congress should make an appropriation to the State of Maryland the legislature of the State would have the power to act upon the subject so as to parcel out and provide for the distribution of the fund. I suggested further

that even supposing it was only a doubt, not plain—

Mr. SANDS. I think the gentleman was not present yesterday when this section was passed :

"The general assembly shall have power to receive from the United States any grant or donation of land, money or securities for any purpose designated by the United States, and shall administer or distribute the same according to the conditions of the said grant."

Mr. CLARKE. No, sir; I did not know that had passed. That settles the doubt then. There is not a word about slaves, but I presume that was intended to embrace that question. To a certain extent, therefore, the convention has more nearly than I supposed, adopted the line of policy in regard to this question which I think should be followed. By adopting such an article the convention contemplates, I will not say the certainty, but the possibility of such a grant being made. It is known that I offered a proposition for the appointment of a committee to wait upon the President and upon members of Congress, to learn whether such an appropriation would be made. This proposition was laid upon the table; and I then had notice from the gentleman from Baltimore county (Mr. Berry) that he would renew the proposition at the proper time. The proposition was not renewed. Congress adjourned; and I presume Congress having adjourned the gentleman thinks that this convention could not avail themselves of the proper time, and could not act at all on the subject. We have never had a renewal of the proposition.

But although this convention has not acted, we have standing upon the statute books of Congress, a resolution passed by Congress in solemn form, stating it as the duty and obligation of the federal government to make an appropriation to those States which might adopt the policy of emancipation for the purpose of enabling the State to compensate its citizens for the losses, public and private, occasioned by such a change in its domestic policy. Not only that, but we have the repeated assurance of the executive, of the justice and propriety of such a course. We have had further, cabinet ministers placing it before the country in this form, that this was an obligation on the part of the federal government to make an appropriation to a State which might adopt this policy, placing the obligation upon the same high ground which rests upon the government to pay its creditors. Therefore, although Congress has not yet made the appropriation, although Congress may not make the appropriation before slavery is abolished in the State, although in my opinion the best way to secure it was to make it a condition precedent, yet I do not concede the proposition that if the State of Maryland emancipates her slaves prior to such an appropriation, her claim against the gov-