

and accounted a FREEMAN of the said province; and every such person shall be capable of electing or being elected representatives of the people in provincial council or general assembly of the said province." Now why this minute and elaborate detail? Had it been intended that all but servants and slaves should be freemen to every intent, it had been easier and more natural to say so. But it was not intended. It was foreseen that there would be inhabitants, neither planters nor taxable, who, though free as the winds, might be unsafe depositories of popular power; and the design was to admit no man to the freedom of the province who had not a stake in it. That the clause which relates to freedom by service, was not intended for manumitted slaves, is evident from the fact that there were none, and it regarded not slavery, but limited servitude expired by efflux of time. At that time, certainly, the case of a manumitted slave, or of his freeborn progeny, was not contemplated as one to be provided for in the founder's scheme of policy. I have quoted the passage, however, to show that the word freeman was applied in a peculiar sense to the political compact of our ancestors, resting, like a corporation, on a charter from the crown; and exactly as it was applied to bodies politic at home. In entire consonance, it was declared in the act of union, given at Chester in the same year, that strangers and foreigners holding land, "according to the law of a freeman," and promising obedience to the proprietary as well as allegiance to the crown, "shall be held and reputed freemen of the province and counties aforesaid; and it was further declared, that when a foreigner "shall make his request to the governor of the province for the aforesaid freedom, the same person shall be admitted on the conditions herein expressed, paying twenty shillings sterling and no more;" modes of expression peculiarly appropriate to corporate fellowship. The word in the same sense pervades the charter of privileges, the act of settlement, and the act of naturalization, in the preamble, to the last of which, it was said that some of the inhabitants were "foreigners and not freemen according to the acceptance of the laws of England."

It held its place also in the legislative style of enactment, down to the adoption of the present constitution; after which, the words "by and with the advice and consent of the freemen," were left out and the present style substituted. Thus, till the instant when the phrase on which the question turns, was penned, the term freeman had a peculiar and specific sense, being used like the term citizen, which supplanted it, to denote one who had a voice in public affairs. The citizens were denominated freemen even in the constitution of 1776; and under the present constitution, the word, though dropped in the style, was used in legislative acts convertibly with electors, so late as the year 1798, when it grew into disuse.

In an act, passed on the 4th of April in that year, for the establishment of certain election districts, it was, for the first time, used indiscriminately with that word; since when, it has been entirely