disused. Now it will not be pretended that the legislature meant to have it inferred, that every one not a freeman within the purview should be deemed a slave; and how can a convergent intent be collected from the same word in the constitution, that every one not a slave is to be accounted an elector? Except for the word citizen, which stands in the context, also as a term of qualification, an affirmance of these propositions would extend the right of suffrage to aliens; and to admit of any exception to the argument, its force being derived from the supposed universality of the term, would destroy it. Once concede that there may be a freeman in one sense of it, who is not so in another, and the whole ground is surrendered. In what sense, then, must the convention of 1790 be supposed to have used the term? Questionless in that which it had acquired by use in public acts and legal proceedings, for the reason that a dubious statute is to be expounded by usage. "The meaning of things spoken and written, must be as hath been constantly received." *Vaugh.* 169. On this principle, it is difficult to discover how the word freeman, as used in previous public acts, could have been meant to comprehend a colored race. As well might it be supposed that the declaration of universal and unalienable freedom in both our constitutions, was meant to comprehend it. Nothing was ever more comprehensively predicated, and a practical enforcement of it would have liberated every slave in the State; yet mitigated slavery long continued to exist among us in derogation of it. Rules of interpretation demand a strictly verbal construction of nothing but a penal statute; and a constitution is to be construed still more liberally than even a remedial one, because a convention legislating for masses, can do little more than mark an outline of fundamental principles, leaving the interior gyrations and details to be filled up by ordinary legislation. Conventions intended to regulate the conduct of nations," said Chief Justice Tilghman, in the Farmers' Bank *v.* Smith 3 *Serg. & Rawle*, 69, "are not to be construed like articles of agreement at the common law. It is of little importance to the public whether a tract of land belongs to A or B. In deciding these titles, strict rules of construction may be adhered to; and it is best they should be adhered to, though sometimes at the expense of justice. But where multitudes are to be affected by the construction of an amendment, great regard is to be paid to the spirit and intention." What better key to these, than the tone of antecedent legislation discoverable in the application of the disputed terms?

But in addition to interpretation from usage, this antecedent legislation furnishes other proofs that no colored race was party to our social compact. As was justly remarked by President Fox, in the matter of the late contested election, our ancestors settled the province as a community of white men; and the blacks were introduced into it as a race of slaves; whence an unconquerable prejudice of caste, which has come down to our day, insomuch, that a suspicion of taint still has the unjust effect of sinking the subject of it below the common level. Consistently with this pre-