

You may, Mr. President, hear some men who talk in a wild strain, say, "it is necessary to abolish slavery in Maryland to *preserve the life* of the nation." When I hear any *sensible* man make such a statement, I cannot believe he seriously means what he asserts. He is only chiming in with a popular clamor of the day. What! set a few negroes free in Maryland, and they chiefly now *women and children*, and this Union is thereby to be restored? The statement of the proposition is its own refutation! Or if the Federal Government does take away all the negroes under a claim founded on the *war* power, and thus *de facto* abolish slavery, there exists the constitutional duty and mandate to pay for them, required by article fifth of the Amendments to the Constitution of the United States. The *last* resort by which the Federal Government hoped to abolish the institution in all the States, viz: by an amendment of the Constitution, Congress has refused to submit to the States. This *paramount* policy, this cherished scheme of the North, the abolition of slavery in Maryland, will therefore fail, unless the object *sought* can be accomplished through *State* action, by a sovereign Convention. And this brings us to the inquiry: how can this Convention, acting on *just* principles, provide for carrying out the policy of emancipation in the State?

I am not one, Mr. President, who denies the power or right of a State by the action of its own people to abolish slavery on principles just to all classes of its citizens, and in a way authorized by well settled rules. And I am willing at any time to yield my views and submit to the fair, free and untrammelled expression of the popular will through the ballot box. Shall we have this when the people vote upon this Constitution?

In discussing this branch of the subject, I have nothing to conceal. I am free to avow my own opposition to emancipation, as a simple, naked proposition. I am equally willing to express my opposition to emancipation based on *State* compensation. And thirdly, I do not shrink from announcing my readiness to *accept*—not favor—but *accept* emancipation accompanied with full, fair and just compensation to the slave owners by the Federal Government, based upon the census returns of 1860.

The reasons which lead me to the first conclusion, I do not deem it necessary to the purposes of this argument to detail. My opposition to emancipation based on

State compensation, results from the following considerations: Slaves are property, worth prior to the *inimical* action of the Federal Government against slavery, over forty millions of dollars to the people of the State. Their *marketable* value may have depreciated, but their *real* value, where the slaves remain, in consequence of the scarcity of labor, and the enhanced value of the products of their labor, is worth more now than ever before. In the case of those who have left their masters, most of them are within a few hours reach of their owners, and the *title* is not destroyed, though the actual *possession* is withheld by the Federal Government. Now, has this Convention by *State* action, have the people through the ballot box, a right to destroy this right of property, without providing compensation?

Legally, equitably, morally, the power of the State Convention—aye, the power of the people, is not *omnipotent* for all purposes. Even Jehovah's omnipotence is limited by the very law of his Being, from the commission of sin, if such an expression may be permitted in all reverence. So the people's power in the sense of *right*, has this limitation imposed upon it. Thou shalt not commit a *malum in se*. The taking away of property by the State without compensation, prior or subsequent, is *robbery*, and *robbery* is a *malum in se*. To illustrate my meaning more plainly. Would this Convention, or the people of this State, have a right to divest the title of its citizens to their lands, without compensation? Would it not be robbery? Would the State have a right to enter your banks and seize all your capital, or your stores, and seize all your merchandise? Would it not be robbery? Could a majority vote of the people legalize it? It would be *none* the less *robbery*, though sanctioned by a majority of the people. It would be still *robbery*, a *malum in se*—committed by an aggregation of individuals, whereby they would secure themselves from the punishment of an act which if committed by a single individual would consign him to the penitentiary. Slaves are property. Gentlemen may try to avoid the issue as they please, but the distinction between the taking away without compensation of this property and any other species of property, is a distinction without a difference. What say the books upon this question? Rights once vested, privileges once granted or sanctioned by the law of the State cannot be