

think I am talking any new doctrine; because you may say it is as novel as you please. I say it is not novel. I say it has been talked here before, long ago; and by a man—I say it with all due deference for this Convention, from its President down—if we were all cut up and moulded into one man, we would not make his intellectual peer. (He was a Marylander, who in this very Hall said things about this institution that I am not capable of saying; I have not the talent to say them. And above all, I have not the withering sarcasm with which he scorched the institution of slavery upon this floor, as long ago as 1789.) And I will tell you who he was gentlemen; you are fond of quoting him. His name was William Pinckney; perhaps you know him by reputation. What said he of this institution, on this floor, at the first session of the Legislature of Maryland, after the formation of the Constitution of the United States?

“Sir, iniquitous and most dishonorable to Maryland, is that dreary system of partial bondage, which her laws have hitherto supported with a solicitude worthy of a better object, and her citizens by their practice countenanced.”

Well, this is a very good speech, and I advise gentlemen to read it *in extenso*. Mind you, now, it is fifty, yes, seventy-five years, since in this Hall this noble, generous, glowing, eloquent language fell from the lips of that man you all profess so much to honor.

“Founded in a disgraceful traffic; to which the parent country lent her fostering aid, from motives of interest, but which even she would have disdained to encourage; had England been the destined mart of such inhuman merchandise, its continuance is as shameful as its origin.”

“Eternal infamy await the abandoned miscreants, whose selfish souls could ever prompt them to rob unhappy Africa of her sons, and freight them hither by thousands, to poison the fair Eden of liberty with the rank weed of individual bondage. Nor is it more to the credit of our ancestors, that they did not command those savage spoilers to bear their hateful cargo to another shore, where the shrine of freedom knew no votaries, and every purchaser would at once be both a master and a slave.”

Now mark you gentlemen, there, according to William Pinckney, is where your right to hold your slaves begins, in that disgraceful traffic.

And I will pause here to make one further legal suggestion. Did you ever hear this principle contradicted in a court of law—that no property, general or special, could ever be created in a stolen thing? Did you ever read such a principle as that in your text-books? Did you ever hear it in your courts? That no property, general or special, could ever be acquired in a stolen thing?

Now, if you will follow that doctrine out, and follow out the rules and practices of your southern courts, you will find that I was not so far from the truth, when I said there is not a legal title to a single slave in Maryland. Grant that gentlemen here got their slaves from their fathers; grant that their fathers got them from their grandfathers. Follow them back, and you will find that the man who bought them on board the slave-ship bought but a thief's title after all.

Mr. BEARY, of Prince George's. Is not possession *prima facie* evidence of title? Can any other person set up a higher title, and gain it in a court of law?

Mr. SANDS. If the gentleman is satisfied with the *prima facie* evidence of his title, I am, so far as he is concerned. I am now enunciating a principle, and I am following it to its inevitable conclusion.

And I will tell you another principle upon which your courts have acted, and another rule which they have laid down. It is, that no statute of limitation runs against the claim of a party to freedom; for freedom is a dearer right than any right of property. Your Maryland courts have decided that no statute can run against a claim to freedom. In the matter of your farm, a party holding it for twenty years in peaceable possession, holds it against you; there the statute of limitation operates. In a claim not sooner presented to the debtor, the statute bars the recovery of the claim after three years. But a negro's right to freedom—so your courts have said, and you can find your books full of it—is above all statutes of limitations, and none can run against it. If he can show that his mother, or grandmother, or great-grandmother, or any maternal ancestor, even twenty, or fifty, or a hundred generations back, was a free woman, he is entitled to his freedom. Now, what hinders every negro, held as a slave in Maryland, from going into your courts, and claiming and demanding his freedom, except that your possession is *prima facie* evidence of your title, and he is required to furnish proof to overcome it? But you all know the fact that he is the descendant of a woman, *once free*.

Mr. BRISCON. Will the gentleman permit me to ask him one question?

Mr. SANDS. I would sooner finish without interruption, as it is now late.

Mr. BRISCON. Just one question. Mr. Pinckney said that by the eternal principles of justice, the aboriginal inhabitants of this country were entitled to the soil. Now, I want the gentleman to tell me what title the State of Maryland has to the very land upon which this capitol now stands? Mr. SANDS. Well, upon that point I am not going to disagree with Mr. Pinckney. I think the Indian has a natural right to this soil. And if the party entitled to it ever