

And they went, under the strong hand of the Lord, who is the God of the slave as well as the master. Now, you would have thought that these slaveowners, these Egyptian masters, had had enough of slavery. But no; the caravans of the Hebrews had hardly started on their way to liberty before Pharaoh ordered out his hosts and followed them. I do not know whether they had a fugitive slave law there or not, but they started out on the hunt, and just there at the Red Sea they overtook the fugitives. There were the mountains on either hand, the slave hunters behind them, and the Red Sea before them, and the people became disheartened. What said the great abolitionist, Moses? "Stand still and see the glory of God." And he smote the waters, and they parted and rolled up into a wall on either side, and the fugitive slaves passed over on dry land, but Pharaoh's host following hard after, were buried in the refluxing waves, never more to rise. And but a little while afterwards you heard Miriam, the sister of Moses, leading her sisters in the grand chorus—

"Sing! for the pride of the tyrant is broken;
His horsemen, his chariots, all splendid and
brave;

How vain was their boasting, the Lord hath
but spoken,

And chariots and horsemen are sunk in the
wave!

Shout the glad tidings o'er Egypt's dark
sea,

Jehovah has triumphed! His people are free!"

I wonder whether Pharaoh, when apprised of his losses, did not start the inquiry whether he was not going to be "compensated" for his lost slaves, and his chariots and horses. I do not know whether he ever set up such a claim, but if he did, I do not believe he ever got it.

And now I come to the legal aspect of the question, the Constitution and the laws of the State. And now I am going to surprise some of my friends and get up what the gentleman from Kent sometimes calls "a very disagreeable atmosphere" here, as I have done on one or two occasions before.

The PRESIDENT. The gentleman's time has expired.

On motion of Mr. PURNELL, the time was extended.

Mr. SANDS. Now for the constitutional and legal aspect of the question. All I have to say about that is this: that the Constitution nowhere contains the word "slave," or "slavery," or admits that slavery exists by virtue of its provisions. But it in express terms declares that it does not exist by it, but by the laws of the State. Mr. Madison said that the words "slave" and "slavery" were expressly excluded from the Constitution of the United States, because the convention that framed that Constitution, re-

fused to acknowledge or sanction the doctrine of property in human beings; and Mr. Madison is good authority for gentlemen of the South-side view of this question. He says that nowhere in the Constitution does the word "slave" or "slavery" occur, and it was expressly excluded, in secret session of the secret debate, because the Convention refused to acknowledge the right of *property in man*. Mark the words of the Constitution. "*Persons held to service or labor in any State.*" How? This is the express language: "*Under the laws thereof.*" Not "*under this Constitution,*" not "*under this provision,*" not "*by virtue of this Constitution,*" because, Mr. President, once admit the doctrine that slavery exists by virtue of the Constitution of the United States, and then you must go further, and admit that wherever the United States Government acquires one foot of territory there slavery is at once and forever planted, because slavery is the creature of the Constitution, and, of course, it must live wherever that Constitution is. Now that is not true. Slavery does not exist by virtue of the Constitution of the United States. It exists under the laws of the State, and is acknowledged in the Constitution as having its existence under those laws.

Now, what is the law of this State on that subject? I am going to give it a little consideration. I do assert, in my place here, as my candid conviction, that there is not a valid title—now, mind you, I mean a legal title under the law, as construed by southern courts—there is not a valid legal title to a single slave in Maryland this day. That is novel doctrine, is it not? Now, if you were to get up here and gnash your teeth on me, or hang me for sedition, I would not be the first man served that way for teaching novel doctrines, though they were ever so true. Then what is the foundation for slavery in Maryland, so far as the law is concerned? What is this relationship of master and slave? Does it rest upon any sound principle? Is there any element of *contract* in it? I challenge you to show it to me.

Mr. BERRY, of Prince George's. I would ask the gentleman whether the court of Pennsylvania did not determine, a year or two ago, that all negroes are presumed to be slaves, and the onus of proof is on those who maintain his freedom?

Mr. SANDS. I will satisfy the gentleman on that point. I want to know now of any man here, whether in this relation of master and slave, there subsists a single element of contract? What is necessary to every legal contract? First and foremost, the plain, common text books tell you that there must be two or more parties to a contract. Now you may have that as between master and slave; there are two parties. But the law goes on to say—they must be *free* to contract, *willing* to contract; and that if they do thus