

such results; when we see that it has worked so badly, why should we be compelled to perpetuate it? Yet we are told that we shall not take another system; that although this system is crushed into fragments, the people of this State have no right to protect themselves by the establishment of any other system. Gentlemen have spoke of novel doctrines; but I must confess that this is the most novel doctrine that I have heard, that we cannot emancipate. It has been the theory in Maryland for some years that the master could not emancipate, that the State controlled the power of emancipation; that the State could deny to the master the power to emancipate. How do you reconcile that with the denial to the State of the power to emancipate? What means the provision of the Constitution of 1776, that the Legislature shall not abolish slavery except by unanimous consent, if the State cannot abolish it at all? What means the provision in the Constitution that the Legislature of Maryland shall not abolish slavery, if it were not in their power without such a provision in the Constitution to abolish it? What means the prohibition upon the interference by the Legislature with the relation of master and slave, if they had not the power to interfere? How does slavery exist? Was not slavery ratified by law in 1715 by State authority? And if that State authority at that time had decided the other way, slavery would not now exist.

Gentlemen talk about impairing the obligation of contracts. I assert that the Constitution of the United States never meant to take away from any State the power to control its own social institutions. Slavery is a social institution. It is in its very nature a grant from the State, by which one class of the people of the State, whether citizens or merely inhabitants or subjects, are transferred to the domination of another class of the population. I assume that the inherent right of every community to govern its own people, to regulate the status of its own population, its control over the people they made masters and the people they made slaves, is necessarily above every right of property created by the State or allowed by the State between these two classes. Its right to legislate about it cannot be denied. What was decided by the Court of Appeals in relation to the right of the city of Baltimore to appoint exclusively its own police officers, was that the police power of the State could not be abandoned. How is it sovereign, if it has no power to regulate the status of its own people? I know the Courts of the United States have gone very far upon this doctrine. Judge Story particularly has gone to an extent that has not been sustained either by the Supreme Court or by the other tribunals of the country. Judge Story has carried the principle so far as to take the ground, that the legislative authority could not dissolve the marriage rela-

tion. Yet it has been distinctly decided by one of the ablest judges, whose opinion was referred to by the gentleman from Calvert (Mr. Briscoe) in the last Legislature as sanctioning the absolute right of property, as a general thing, by Chief Justice Robertson, of the Court of Appeals in Kentucky, that marriage is absolutely within the control of the legislative authority, with the consent of both parties, or without the consent, or against the consent of both parties; and because it is a social institution.

In a Government regulated by a Constitution, I say that the right to regulate the condition of persons under that Constitution, how far one man may hold dominion over another man, is an inherent and absolute right, which the sovereignty exercises without appeal. I do not deny the right to make a slave property, so far as man can be property; but the very fact that he is a man gives the Legislature control over him. The Legislature may try him and hang him. The Legislature may exercise any power over him as a person, no matter how injuriously it affects the right of property. Any man can see that if a negro slave is executed for a crime, it is not a case of taking private property for public use, while the Legislature in its discretion can provide compensation, it is not necessary, because it became property by their grant and could not have become property otherwise. It is just because a negro is a man, because he is a person, that there cannot be property in him beyond the power of that sovereign existence which controls him as a man. The right of the State to the obedience of the negro is above that of the master. If the master tells him one thing and the State another, which must he obey? Is not the negro bound as a man to obey the law of the State, no matter how much property his master may have in him? The power of the State rises above the power of the master. The position as a man is above the position as a slave.

So far as regards the question of compensation, I have but a few words to say. I say that compensation, as a right, does not exist. It does not exist for the reasons which I have just urged. There may be certain instances which justify it, and certain instances which do not justify it; cases when it is allowable, and cases when it is wrong. All I can say upon this subject is, that this is one of the cases when it is wrong. I say that the circumstances of these times are such that compensation is not due. I say that the circumstances of the future are such that compensation will come in another form; and you cannot strike the balance. This institution has struck at the vitals of the United States, and aimed its dagger at its heart; and that is the cause of the death of that institution. If it produces inconvenience to individuals, it is beyond the control of the Legislature, be-