

any general grant of legislative authority, or ought to be implied from any *general expressions* of the will of the people. The people ought not to be presumed to part with rights so vital to their security and well-being, without very strong and direct expressions of such intention. We know of no case where a legislative act can transfer the property of A to B, has ever been held a constitutional exercise of legislative power in any State of this Union. On the contrary, it has been constantly resisted as inconsistent with just principles by every judicial tribunal in which it has been attempted to be enforced.

"Judge Story (3 Com. 267) says, it seems to be the general opinion, fortified by a strong current of judicial authority, that since the *American Revolution*, no State Government can be presumed to possess the transcendental sovereignty, to take away vested rights of property."

Mr. CUSHING. I rise to speak upon this subject, inasmuch as it is important in the minds of the constituency which sent me here, not claiming more than the gentleman from St. Mary's, (Mr. Billingsley,) that my lips have been touched by any coal from the altar, but knowing that my voice, however weak individually it may be, is but the distant echo of the murmur of the thousands that are behind me in the city which sent me here; knowing that however elevated, however pure, however educated may be the constituency which sent the gentlemen here, the one that I have the honor to represent is at least equal to it. However those who rise upon this floor to advocate the immediate emancipation of the negroes in the State of Maryland may be said by the gentleman to introduce here new doctrines; however they may be said to be the doctrines of men not born upon the soil of Maryland, which I do not see is any argument against the views that may be advanced by them, I take issue with him upon the statement as a question of fact.

Luther Martin protested strongly before the Legislature of Maryland, against the adoption of the present Federal Constitution because it allowed slavery; perhaps the strongest remonstrance that has ever been made against the passage of any law, in terms so strong that I much doubt if any gentleman upon the floor of this Convention advocating similar views will say anything nearly so strong. And Mr. Jefferson has used language which, if uttered three years ago, at the time to which the gentleman from St. Mary's county alluded, would have sent him from the city of Annapolis with a coat of tar and feathers, and possibly would have sent his soul to his God.

From the first settlement of Maryland until now she has travailed and groaned under this social, political, and moral curse of slavery; and to-day the representatives of her people have assembled in Convention to

utter a voice of freedom, to echo the tones of the Almighty, to bid the oppressed go free. In the first days of our history there were many warning voices uttered with reference to the very question which is before us to-day. When America broke the bonds with which the oppressor beyond the sea had bound her, when she sang the song of liberty and declared that all people were born free and equal, because that out of one blood God did make all nations of men for to dwell upon the face of the whole earth, when she made that Declaration of Independence, there was in the minds of the framers of that instrument a firm conviction that the generation in which they lived would see the end of slavery. They acted up to the best light of the age in which they lived. The Constitution of the country is due to them, and in my mind is a monument more lasting than brass; for though it has stood for so many years we here to-day can find but two or three things wherein we differ from it, after an experience of the working of the government under that Constitution for some seventy-four years.

Their ideas of the extinction of slavery have not been realized. Contrary to all their expectations slavery became first profitable, then respectable, then powerful, until finally it became the fundamental article in our political and religious creeds. It progressed until in politics there was no voice, in religion there was no church, in society there was no recognition for that monstrosity of God's creation, an anti-slavery man, an abolitionist. All terms of shame, all terms of blame, all anathemas of reproach, divine and human, paled before that pre-eminent epithet of scorn and contempt—an abolitionist.

It finally destroyed even free speech in this State. Men no longer dared utter the sentiments boldly maintained by their fathers. Men no longer dared utter forth the words of the Revolution, unless they made sure as Holy Writ that slavery was not meant in the words they used. Slavery produced its legitimate effects in every sphere of life. The soil was worn out by careless, unwilling culture. Manufactures were neglected; for under slavery, labor was a thing of reproach. Education was neglected, for learning made abolitionists. The fact that under the influence of the institution of slavery labor has been a disgrace cannot be denied. The very term that we find to-day, the favorite term of contempt, throughout the slaveholding States, is the "mudsills" of the North, referring to our laboring men, one of whom to-day occupies the position of Chief Magistrate of the United States. I have not known, with all the boasted aid to poor men in the South, of one laboring man in all the Presidents that the South has given to our country—not one who was originally a laboring man.