

ages for the property thus taken from me, I could not recover one dollar. So I might go on and enumerate cases of this kind, if my time would allow.

And if gentlemen will turn to page 125 of the first volume of the debates of the convention of 1850, they will find that even in that convention, in which there was so much talk about the injustice and iniquity of emancipation, the very first report upon the subject which was brought in by Mr. Jenifer, was in these words:

"The relation of master and slave in this State shall not be abolished, unless a bill to abolish the same shall be passed by a unanimous vote of the members of each branch of the general assembly, and shall be published at least three months before a new election of delegates, and shall be confirmed by a unanimous vote of the members of each branch of the general assembly, at the next regular constitutional session, not then without full compensation to the master for the property of which he shall be thereby deprived."

And there was a great fuss made about that, because Mr. Jenifer was so very liberal as to intimate that slavery could be abolished by the general assembly if compensation was made to the owners. And that proves another thing, that this is nothing new, in the State of Maryland. And if gentlemen will turn back to the pages of Niles' Register, they will find that one who had been a distinguished senator of Maryland in the United States Senate, now dead, Mr. Kent, I think was his name, introduced a resolution in the senate of Maryland, somewhere in 1826 or 1827, providing for the abolition of slavery in this State. And I think there was nothing said in his resolution about compensation; but as I am not clear in my recollection of that, I will not assert it as the fact.

The PRESIDENT announced that the gentleman's time under the rule had expired.

Mr. EDELEN. Like the gentleman (Mr. Thomas) who has just taken his seat, I can say with truth that it was very foreign to my intention to have occupied one moment of the valuable time of this body, by obtruding my views upon this subject upon the consideration of this convention. When the 23d article of the declaration of rights was before this body, I took occasion very fully to express my views in reference to this matter, and I would not now weary the convention with my impromptu and undigested remarks, particularly after the exhibition which we had here this morning, for I should feel that I would be doing violence to the wishes of a large party in this body, who were so anxious this morning to stifle debate and cut off all discussion upon this question. But the same reasons which have induced the gentleman from Baltimore city (Mr. Thomas) to occupy the time of this convention, are the reasons which now actuate and prompt me.

I have, during this discussion, heard propositions of law stated here that have fallen strangely and harshly upon my ears. The gentleman who has just resumed his seat (Mr. Thomas) has announced doctrines here which to me are novel, strange and startling. He has assumed a position that would falsify the entire legislative and judicial history of this State. The gentleman from Washington (Mr. Negley) pursued the same track upon this subject. But to them and to any other gentleman who rises upon the floor and attempts to prove that slaves are not property under the laws of Maryland, sanctioned by the legislature and by the court that sits above us—I say to each and all of them, in the words of Junius—"cease, viper; you bite against a file."

The learned gentleman from Baltimore city (Mr. Thomas) attempts to disprove the position assumed by my learned friend from Anne Arundel (Mr. Miller) upon this point. In the brief time allowed me I will not undertake to follow that investigation. But I will stop here to point to but one assertion of the gentleman which strikes me as strange, passing strange. He read to you the charter given to Lord Baltimore. He attempted first to prove that slavery was not recognized by the common law of England. And then said, with a great deal of earnestness of manner, that if that was so, a statute of Maryland could not disturb it, but that it must stand for all future time in its fullness and integrity. Now, I submit to my friend from Baltimore city (Mr. Thomas) if he ever before heard the proposition announced, that it was not competent for the legislative power of Maryland to repeal a principle of the common law of England? Then how does he escape the language of the code from which he read an ancient act of assembly? Will he tell me as a lawyer if he has never in his practice instituted a suit of replevin to recover a slave?

Mr. THOMAS. No, sir.

Mr. EDELEN. Will he tell me if he never instituted a suit for trover, or to recover damages for wrong and injury inflicted upon a slave? I do not know whether the gentleman has had such a practice or not. I could refer him to decisions of the Court of Appeals; but I will not follow him in all the views he has taken. He has read the celebrated case which originated in 1840. I leave him to settle that point with the learned court that sate in judgment upon that case.

My friend from Washington (Mr. Negley) made a very strange argument upon this subject this morning; as did also the learned gentleman from Howard (Mr. Sands.) But for the life of me, I cannot see but that those learned gentlemen in what they say to-day and in what they have said upon this floor on former occasions, have cut the throats of their own arguments. What is their argu-