

mony to the negro, but it should be left to the Legislature, and this distracting issue should not be thrown into the coming canvass. What was the necessity for it? The radical judges, under the laws of Congress, were admitting negro testimony now. It was said that the new judges to be inaugurated would be embarrassed in the absence of this provision; but the new judges would only be installed a few days before the meeting of the next Legislature, which would be fresh from the people, and if the people wanted it, they would pass it.

Mr. Mitchell regretted that this issue had been brought into this Convention to distract their counsels. He was no enemy to the negro; he and his ancestors had held them from the time they were first brought here, and when he owned them, he would have suffered his right arm to drop from his body sooner than oppress them. He wanted them now to testify, if the people desired it, and wished that it should be left to the Legislature. He offered an amendment as a substitute:

“No other than a white person shall be competent as a witness, unless hereafter so declared by act of Assembly, unless in cases where the negro is now permitted to testify in courts of justice.”

Mr. Stoddert took the floor in favor of the adoption of the provision into the constitution. So far as his section was concerned, the negroes were moral, tractable and obedient, and they should be encouraged by giving to them this privilege. There was no principle of right and justice which could be urged against it. It was a natural right, and entirely different from political rights. No feature could be inserted in the constitution which would render it more acceptable to the conscience of every man in the State than this. He said to the Convention, “Do your duty, and trust the consequences to God and the good sense of the people.”

Mr. Bateman said this subject had been debated at great length, and he did not think that anything that could be said by the most distinguished member of the Convention would change the vote of any one. He and the other listeners of the Convention had given great attention to the arguments, and he hoped the talking mem-