

as well, or seen its enormity as clearly as the Legislature had. It seemed to him that these acts, if they were evidence of any thing, were evidence sufficient to satisfy this Convention that there must have been a progressive vice of fraud and corruption upon the ballot-box, which required correction and punishment. And he insisted upon the necessity of restrictive provisions, irrespective of party acts in the past or party consideration in the future.

No member taking the floor, the Chairman stated the question.

Mr. BRENT, of Baltimore city, moved that there be a call of the Convention.

The CHAIRMAN said that the motion was not in order. The committee had no right to a call. But the gentleman could move that the committee rise, in order to make the motion in Convention.

Messrs. SHRIVER and BUCHANAN asked the yeas and nays on the pending amendment of Mr. PHELPS; which, after some conversation, were taken and resulted as follows:

*Affirmative*—Messrs. Chapman, President, Morgan, Blakistone, Dent, Hopewell, Lee, Chambers of Kent, Mitchell, Donaldson, Dorsey, Randall, Kent, Weems, Dalrymple, Bond, Brent of Chas., Merrick, Jenifer, John Dennis, James U. Dennis, Crisfield, Dashiell, Williams, Hodson Goldsborough, Eccleston, Phelps, Tuck, Sprigg, Dirickson, McMaster, Hearn, Fooks, Jacobs, Annan, McHenry, Davis, Kilgour, and Smith—39.

*Negative*—Messrs. Ricaud, Buchanan, Chandler, Ridgely, Lloyd, Sherwood of Talbot, Chambers of Cecil, Miller, McLane, Bowie, McCubbin, Spencer, Grason, George, Wright, Shriver, Biser, Sappington, Stephenson, Magraw, McHenry, Carter, Nelson, Thawley, Stewart of Caroline, Hardcastle, Gwinn, Stewart of Baltimore city, Brent of Baltimore city, Presstman, Ware, Schley, Neill, John Newcomer, Harbine, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Parke, Shower, Cockey and Brown—43.

So the amendment was rejected.

Mr. JENIFER expressed his gratification that the committee had at least progressed so far in its action to-day. And he sent up to the Secretary's table an amendment which he desired to offer, (providing for a Registry Law.)

Mr. DORSEY indicated his desire to offer an amendment.

Mr. JENIFER said, if it would not give rise to debate, he would waive his motion in favor of the gentleman (Mr. DORSEY.)

Mr. DORSEY said, he desired only to say a few words.

Mr. JENIFER withdrew his proposition for the moment.

Mr. DORSEY then moved to amend the amendment—by striking out in the first line, the words "this State," and inserting in lieu thereof, the words "the United States."

Mr. DORSEY briefly gave his reasons for moving the amendment, which was intended to make clear what might otherwise be regarded as a matter of doubt, as it was contended by some that naturalization merely gave civil rights within

the State of the citizen's residence, whilst others insisted that it conferred political, as well as civil rights.

Mr. GWINN here raised the question that this amendment had been disposed of a few days ago. But it appeared on reference to the journal, that the proposition was adopted by Mr. WEEMS as a modification of an amendment offered by him and rejected, without a distinct vote being taken on this amendment, it was again entertained.

Mr. DORSEY said he regarded it as the settled opinion of this Convention, that it has the right to preclude naturalized citizens from the exercise of the elective franchise within the State, because, by the act of naturalization, no political, but civil rights only are given. If the act of Congress, passed pursuant to the Constitution of the United States, conferred political rights, we have no power to restrict these rights. If the naturalized citizen possesses the right to vote, we cannot limit his eligibility to fill any office in the State; and by assuming the right to restrict him, we concede to him civil rights only acquired by naturalization. His object now was to remove all existing doubts on the subject. His object was not to deprive him of any right, civil or political, which he before possessed, but to secure to him the elective franchise of a native born citizen.

Mr. RIDGELY said the amendment proposed by the honorable gentleman from Anne Arundel, takes, in his judgment, a proper distinction, and he hoped will be adopted. A man may be a citizen of the State, and yet not a citizen of the United States. The act of naturalization confers only civil rights—political rights arise out of the compact of State government and its legislation. An alien may, by State legislation, be authorised to exercise citizenship for State purposes, or within the limits of the State, and yet not being naturalized is not a citizen of the United States, entitled to the immunities of citizens of other States. The State may relieve a foreigner from the disabilities, which its laws impose, but cannot make him a citizen of the United States. The amendment, therefore, is broad and comprehensive; covers the whole ground; inasmuch as if the person be a citizen of the United States, and has the residence and other qualifications prescribed in the section, he is citizen necessarily of the State.

Mr. BOWIE said no foreigner could be a citizen of Maryland who had not been naturalized. No foreigner can vote here. He may, by an act of the Legislature, be permitted to hold real estate in Maryland. But this does not make him a citizen. He cannot be a citizen of the State until he has been naturalized; when he is naturalized he then becomes a citizen of the State in which he has been naturalized, and also a citizen of the United States. We are engaged in making an organic law, not so much for citizens of the United States as for citizens of our own State. A man might be a citizen of the United States, and yet not a citizen of this State notwithstanding his residence of twelve months within the State. He might in fact reside here