

ties, and were recognized as such by the Constitution under which we now live. As communities, they are entitled to a separate and distinct representation in the Senate and House of Delegates of the State. Geographically, they are separate and distinct from each other, and have separate jurisdiction. They have also different and dissimilar interests, and the economy of the government has provided for it a representation in the legislative department of the same. Some have an agricultural interest of a grain growing nature; others, that of tobacco; and others have interests combining agriculture, mining and manufactural; and Baltimore city an interest purely manufactural and commercial. The arts and sciences are dispersed throughout the State, and like precious jewels in the hands of owners, having an intrinsic value wherever they be at, but susceptible and subject to change of location. From these different interests and sources, the State derives her revenue, and the people gain a livelihood, amass wealth, and obtain trade.

These are the interests which demand our fostering care, and therefore, should be distinctly represented in the Legislature of our State.

Mr. D said that his amendment contained a principle which had been the fixed policy of Maryland from the year 1650 up to the present moment. That principle is county representation. He was sure this was no strange theory—no heterodoxy—but a well known fact, and a principle which has been tenaciously adhered to in all times past, and should be, in all times to come. These “civil divisions,” known as counties, were carved out of the territory of the colony, and erected by “orders in council,” and of the proprietary’s Governors, and were deemed as separate and distinct communities, and entitled to a separate representation. But two counties, Allegany and Carroll, derive their existence from the present government of the State, and they were formed out of the territory of other counties, but with the free and full consent of all parties. Two others, Washington and Montgomery, were erected out of Frederick county by the Convention which formed the Constitution in 1776. All the rest derive their origin from quite a different source, and far anterior to the present government of the State. A notable fact which he would recur to, although known to all in this Convention, but which will grate hard upon the ears of some, is, that from their first introduction to about the year 1824, they lived in perfect peace, harmony and contentment, and until demagogues commenced their work of mischief among them, they were recognised as equals, regardless of the difference in territory and population which have always existed. In 1836 the Legislature of that year, whose acts in relation to a change in the Constitution will prove a curse to the counties in all future time, yielded to the principles and demands of demagogues, and stamped upon the counties of this State the abominable heresy of political inequality. That year will ever be looked upon and held in memory, as the beginning of our downfall. By the change effected then in the Constitution, the smaller counties

were robbed of their just rights in the election of Governor, and also of their just right in the lower branch of the Legislature. These invaluable rights, and that just equality which were secured to them in the compact of government entered into in 1776, are now lost and can never be regained. The apology given for this yield of power by the smaller counties was, “that it was for the sake of peace and to allay excitement.” But the receivers, having tasted of it then, are still unsatisfied and their desire for more have become insatiable. Our strength having been impaired by the loss incurred then, and party feelings and selfishness begetting in us divisions now, we are much weakened in our capacity to resist further aggression. Can we indeed successfully resist it?

Mr. D. said, this county system how extant, was introduced in our mother country as far back as the ninth century, and has for its author the same distinguished law-giver who established trial by jury. It has been well tried by the ordeal of time, and found to be substantial and invaluable. One of its great virtues was political equality; and fluctuations in population and wealth, did not disturb its equilibrium. In it there was no room for complaint, emulation and strife, and political jealousy had no existence among them. From this wholesome example, this county system was established in this country in all of the colonies, and has remained to this day; but in some States its worth has been greatly impaired, by the rash hand of innovation.

Mr. D. adverted to the situation of the counties of this State in 1774, at which time, he said, the proprietary’s government ceased to have effect. The proprietary’s Governor, although remaining in the colony, yet he was powerless, and the government had not the ability to sustain itself. The people were incensed against the mother country on account of acts of oppression, and were at that time openly engaged in making preparations for revolt. Yet, the proprietary’s governor was unable to surpress insurrection and did not dare to attempt it.

He contended that whenever a government ceased to have power to enforce itself, it had no longer existence. He said the Convention which assembled in 1774, had no authority under the government then existing; but it was the creature of the people, and the result of their sovereignty. Upon the fall of the old government, all the rights and powers of the people yielded up in its establishment, reverted back to them, and again they possessed the freedom and ability to form a new government. The counties then being separate and distinct communities, with well established lines of demarkation as to territory, and accustomed to rights and powers, separate and distinct from each other, elected, each one for itself, “a committee of observation,” to whom was intrusted the internal management of its affairs. Under this new mode of government they continued separate and distinct from each other, until called upon by the “sons of liberty,” to unite in holding a Convention on the twenty sec-