

tion as to Governor? He was quite willing to impose reasonable restrictions, sufficient to give an opportunity for candidates to learn all of a local character, that it is necessary for them to know, wisely and faithfully to discharge their duties.

He was afraid the gentleman from Kent, in his unwillingness to change any of the features in the old Constitution, may be looking beyond the present question, and may desire hereafter to retain what, in this progressive age, we may not think it necessary to retain. He referred to the Constitutions of different States, on the subject of qualifications for office, commenting on them as he proceeded, and stating that although he had referred to them, he should disregard their local prejudices, the causes for them not existing in Maryland. This body should not be controlled by what has been done by other States, dissimilarly situated, but act independently, and solely with reference to the feelings and interests of our own State. He would not consent to impose any unreasonable unnecessary restrictions on the popular will.

Mr. GRASON said he had already suggested that the restriction ought to be limited. The people were not likely to elect a Governor who had not been a resident of the State for seven years. In reply to the gentleman from Anne Arundel, (Mr. Dorsey,) that no such restriction was provided for in the legislative branch, he would suggest that there will probably be some discrimination of the same kind, in reference to the Legislature. But he would remind the gentleman from Anne Arundel, that the executive powers were confided to a single person, while the powers of legislation were distributed among a considerable number. In time of war the Governor is invested with important powers, and is at all times commander of the land and naval forces of the State. Without some such restriction as was proposed, the Governor might be a recently naturalized citizen, and commanding our forces while we were waging a war with the country that gave him birth. He referred to the provisions of the federal Constitution, which required the President to be native citizen; and Senators of the United States to be citizens for nine years. Our naturalized citizens had never complained of these discriminations. They wished to be admitted to the general rights of citizenship, but were not unreasonable enough to expect, as soon as they landed on our shores, to fill the highest offices of government. He was not disposed to require a very long residence, and had fixed the time according to what he supposed to be the general sentiment of the people.

Mr. DORSEY said:

This could not properly be considered as a constitutional restriction, because the legislature has the power to control it. The legislature can pass an act authorising a foreigner to hold real estate; so that the fact of an individual being by the constitution recognised as holding real estate does not of necessity, prove him not to be a foreigner. There ought to be a discrimination. He

wished that all persons who were citizens of the United States, and residents of Maryland, should participate in the honors of the State, if the people desired so to elevate them.

He was not opposed to the provisions of the Constitution of the United States, in regard to the qualifications of a President of the United States. What would be the population settling our immense Western wilds could not be foreseen, and where danger may be rationally apprehended, it ought to be against. But, in reference to Maryland, there are no grounds of apprehension, and therefore, no such restrictions should be imposed on the rights of the people.

As to the remark of the gentleman from Queen Anne's, (Mr. Grason,) that danger might occur in case the gubernatorial chair should be filled by a foreigner against the country of whose birth a war might be waged, he replied, that if this was a good objection, it was not provided against by the amendment of the gentleman from Queen Anne's. The Governor cannot take the command of the army and navy, without the authority of an act of the legislature.

He did not believe that if such a case occurred, the Governor would turn traitor. There have been traitors among natives, as well as adopted citizens, and our revolutionary war shows they were more frequently among the former than the latter, and there would be no greater danger of treason, if a naturalized foreigner filled the Chair. He hoped the amendment of the gentleman from Baltimore county, would be adopted.

The question was then taken first on striking out "ten" years;

And by ayes 36, noes 22,

It was agreed to.

The question was then put first, on the motion of Mr. GRASON, to insert "seven," in place of the word "ten" stricken out.

Mr. DORSEY called the yeas and nays,

Which were ordered, and

Being taken, resulted as follows:

*Affirmative*—Messrs. Blakistone, Pres't *pro tem.*, Dent, Hopewell, Ricard, Lee, Chambers of Kent, Donaldsan, Randall, Kent, Dalrymple, Bond, Brent of Charles, Jenifer, Colston, Crisfield, Dashiell, Hicks, Hodson, Goldsborough, Eccleston, Sprigg, McCubbin, Grason, Dirickson, McMaster, Fooks, Stephenson, Ware and Davis—29.

*Negative*—Messrs. Dorsey, Wells, Sollers, Buchanan, Bell, Welch, Lloyd, Dickinson, Chambers of Cecil, Miller, McLane, Spencer, Shriver, Gaither, Biser, Annan, Sappington, McHenry, Nelson, Harcastle, Gwinn, Stewart of Baltimore city, Sherwood of Baltimore city, Schley, Fiery, Neill, John Newcomer, Michael Newcomer, Kilgour, Weber, Hollyday, Slicer, Parke, Cockey and Brown—35.

So the Convention refused to insert "seven."

The question recurred on the amendment of Mr. BUCHANAN to insert "five."

Mr. BROWN gave notice that he would, at the proper time, offer a substitute, which was taken *pro batim* from the Legislature of the State of New York.