

tion as to convictions, &c., stated that it had been the customs of the courts to invite the attention of the grand jury to the subject of bribery and corruption, in relation to the elective franchise. The difficulty had not arisen in getting cases before the grand jury, nor from the fact that the offences could not be abundantly proved; but from the fact that the grand jury would not find bills, because so many persons were implicated, and it was believed that more injury would result from prosecuting any person, than from leaving him unpunished.

One word in answer to the statement of his colleague, (Mr. SELLMAN,) as to nine-tenths of his constituents being pure and unapproachable. If there was one-tenth of the voters in Anne Arundel county, who could be approached in this way, it was the duty of the Convention to adopt the most energetic measures to prevent bribery and corruption. Bribery was of modern origin. It was not yet at its maturity; but if his sources of information were to be relied upon, bribery would be committed on a much more extensive scale in a few years. He thought Anne Arundel might be as pure as she had been represented. The means of corruption were perhaps not as extensive in that county as might be required. He had heard less complaint of bribery in the city of Baltimore, than perhaps in any other portion of the State of Maryland, either on the eastern or western shore. But he did not attribute that state of things to the fact that the people of Baltimore, more than the people of any other portion of the State, were beyond the reach of corruption. He thought there was a much more natural reason; and that was that there were so many voters—the merchantable commodity was so great—(laughter)—that it would be utterly ruinous to any party to supply the means of corruption. It would be almost an evidence of insanity to attempt it; and he spoke of both parties alike, because it was known that each party was disposed to retaliate upon the other.

The same might be said of Frederick, and the larger counties. Both parties were afraid to commence the system. In the smaller counties, where there was but a comparatively small material, the system might be exercised successfully. As to Anne Arundel county, if he could credit the statements of those who were most trustworthy, frauds did exist to a considerable extent. He had heard many enquiries, both by whigs and democrats, whether this Convention was going to do any thing to prevent and punish those frauds. That was the great question which this Convention had to settle. If they did not settle that, they scarcely need do anything. Such was public opinion.

He contested the position which had been assumed, that if severe penalties were imposed they would not be enforced. He believed that if they resorted to the proper measures, these frauds could be prevented.

He read the clause of the Constitution and stated frankly that he had never known a conviction under this clause, nor of a violation of it. The

framers of that instrument had no idea that this vice would exist, as it now existed; they only provided for the case of the officers themselves, because they did not anticipate any extensive system of bribery. They proposed, therefore, a very limited remedy; in fact, no remedy at all, for the evil as it existed at the present day. So long as both parties continued this system, and until such punishments were prescribed as would deter every body from the perpetration of the crime, nothing would be expected. In his opinion, murder, arson, burglary, theft, were venial offences in comparison with this. The consequences of these crimes were comparatively nothing; and if the system was not put an end to, by the most stringent measures, it would continue so long as the government could, under such circumstances endure. And to do nothing would be equivalent to saying, that the Convention was willing that the evil should continue. He had been twenty-five years on the bench, and some fifty years at the bar; and he was satisfied that if such provisions as he had proposed were carried out, the government was safe; if not, every thing was lost.

Mr. GWINN reminded the gentleman from Anne Arundel, that the severe punishment provided for by the gentleman from Kent, (Mr. CHAMBERS,) would not, of necessity, effect the purpose for which it was designed. Formerly, in England, shoplifting and many other minor offences were punishable with death; yet, in spite of this, such crimes multiplied to an incredible extent. The peril incurred seemed to dignify the crime, and it would be the case here. It was the great glory of Sir Samuel Remilly, that he introduced provisions in which some proportion was observed between the offence and punishment. The Convention might imitate him; for although a fraud upon the elective franchise is a serious evil, yet it is certainly not as dangerous, whether occurring in few or many instances, as those crimes which imperil the peace of society and the safety of human life. Lesser penalties would accomplish the same end. A jury could not be found to convict men, who, in times of high party excitement, had ever leaped proper bounds, if the punishment was so excessive.

Mr. SPENCER offered the amendments which he had before indicated his intention to submit. He did so in order that the Convention might have the whole subject before it. They could come in at the proper place.

The amendments were read.

Mr. SPENCER resumed, expressing his belief that these amendments if adopted, by the Convention, would effect the object of reaching all those individuals who were either candidates for office, or who aspired to become candidates hereafter. He referred to his remarks of a previous day when he indicated his intention to propose these amendments, and to the reply of the gentleman from Kent, (Mr. CHAMBERS,) that the committee had come to a conclusion in accordance with the spirit of these amendments, and he was authorized to put them in the form in which they should be presented to the Convention. The proposition of the gentleman from Kent had