

whether the original proposition ought to be modified in the manner proposed or not.

Mr. BUCHANAN. So do I.

Mr. CHAMBERS. Concurring as he did with the gentleman from Queen Anne's, who had started this objection in his general views, thought it would be better to discuss this subject now, and it could be taken up again at some future stage of our proceedings if the Convention deemed it proper to do so. It could be again considered when the Convention comes to revise the Constitution as agreed on, and to appropriate the various powers among the several departments. If we were to adopt the suggestion of the gentleman from Queen Anne's, the effect would be to bring up again this whole discussion when the report on the Executive shall be called up for consideration.

Mr. GRASON said we had been discussing the subject of the elective franchise four or five weeks. And now a proposition is introduced which brings up the question of the pardoning power. It is a new question and must lead to a new discussion. He intended to take a part in that discussion, but he would not do it at this time, and on this report. There may be other crimes in reference to which we may think it wise to restrict the pardoning power in the hands of the Executive, and we can then embrace the whole subject in one discussion. It appeared to him that this would be a much better course than to have all these propositions, connected as they are in their character, separated in different reports.

Mr. NEILL stated that, as the limitation of the disfranchisement to five years had been rejected by the Convention, he should feel himself constrained to vote against the original proposition, although he was in favor of inflicting some punishment for bribery. All human tribunals are liable to error; by an unjust verdict an innocent man might be convicted; and if this provision should be inserted in the Constitution, the punishment would be irrevocable. He must therefore vote against it. The innocent may make their innocence clear after the conviction and punishment may have taken place, yet it would be impossible to revoke the sentence, and the innocent would be disfranchised forever.

Mr. JOHN DENNIS said that he had voted throughout, from Alpha to Omega, for every measure calculated to throw guards round the ballot box, to preserve it in its purity. In favor of every proposition of that character he had voted, and he had been assailed by those around him, and told of the dire and certain responsibility which awaited him at the bar of public opinion. All this, however, he regarded as the idle wind which passeth by. Because he had voted that a naturalized foreigner in the State of Maryland, should reside in the State twelve months after naturalization before he could be entitled to vote, he had been charged with being an oppressor, a restrictionist, a usurper, &c. He looked into his conduct to discover what, if there could be any, analogy between his course and that of Oliver Cromwell. From the gentlemen

from Baltimore county and Queen Anne's, charges of oppression and usurpation had been thundered against him. Against such charges he would always be prepared to defend himself, while he would carefully abstain from assailing others. Regarding the elective franchise as of inestimable value, he would watch over it and protect it as he would virgin chastity. All his votes had been given with that view. He had no aspirations after public station, and when he was called from his private pursuits to become a member of this body, he obeyed with reluctance. He intimated that the gentleman from Baltimore county, (Mr. BUCHANAN,) after vouching the purity of his own county, had spoken of the frauds on the Eastern Shore. He did a wrong to this part of the State which was as pure as the infirmities of human nature would permit; and had always stood high in its reputation for hospitality. He did not wish to disturb the self-complacency of his friend, but was ready to compare constituents at any moment. In reference to the Irish character, he stated, that he would not yield even to that gentleman in his admiration of the noble traits which had given to her heroes the love and sympathy of all lovers of freedom, and his estimation of the valuable services which the Irish people, who have settled among us, have rendered to our country. No one could admire more than he did the greatness of that oppressed country. He felt gratitude and admiration also for the good and generous Lafayette. But, with all these feelings, he could not conscientiously vote to admit a naturalized foreigner to the right of suffrage until he completed a subsequent residence of twelve months in the State—while the citizens of Pennsylvania, Delaware, Virginia, and all the other States of the Union must submit to that restriction. The foreigner is not compelled to bear arms, or to contribute to the defence of the country, while our own citizen must take his share of the danger. He was for even-handed justice and would put all on an equality.

Mr. DORSEY said, he would move to amend the amendment as follows:

"But it shall at all times be competent for the court before which such conviction may have been had, upon being satisfied by testimony, offered for the purpose, of its being malicious and unfounded in fact, to set aside the judgment rendered on the verdict of the jury, and *nolle prosequi*."

Mr. SPENCER said he was inclined to adopt the suggestion of his colleague, (Mr. GRASON,) and not proceed further in the discussion of this subject now. Had it occurred to him earlier, he would not have proposed the amendments at this time. He would prefer waiting the action of the Committee on the Executive department. He intended no disrespect to the courts of justice. But judges were men, and as likely to be influenced by party as well as jurors. The amendment of the gentleman from Anne Arundel, proposed to confer a power on the courts, which they have already in their hands. He hoped, therefore, that the Convention would not agree to the amendment, but would adopt the suggestion of