

not dare to say that this was not a republican government—yet it was not founded upon the doctrine of representation according to population, absolute and unqualified—aye, not at all in any of its departments. This principle was most decidedly checked in the formation of the United States Senate, and by the executive head in whom was not only lodged the veto power, but who was after elected by a minority of the people, (wholesome checks!) A true principle needs no checks.

And furthermore, they were all aware that, but lately, a mighty excitement had shaken the foundation of this Union, to its very centre, until every patriot heart began to quake with fear that the hour of its destruction had come. Who took part in that struggle? Democrats of Virginia and South Carolina, and all over the South—Democrats as pure and sound in the faith, as any of the reform party in this hall! And what did they claim as a condition upon which they would be willing to remain in the Union. That some further check should be placed in the Constitution of the United States, to protect them from the power of the majority of the North. Some permanent provision, that could not be altered, which would guarantee to them the safety of their peculiar interests and institutions.

Aye, if the dust of Calhoun could speak from its honored resting place this day, (than whom, one of the most ultra advocates of this theory of the right of majorities to rule, on this floor, [Mr. Brown, of Carroll.] thought no greater or purer man ever lived,) if that dust could speak, sir its language would be that this should be the only condition upon which the South would maintain the Union. We find, then, sir, that this principle is not carried out in the formation of our national government, and that leading democrats wished to see it further checked and circumscribed in its Constitution.

I will now attempt to show that it is impossible to carry it out in any government whatever. What constitutes a man a representative. The mere fact that he comes from a particular portion of this State? Does this alone make him a representative of the people, from whom he comes? Certainly not—something else is necessary to make him a representative, besides the fact of his being a delegate. He must represent the opinions and sentiments of a majority of the whole people from whom he comes. Is not this a true definition of the term representative? Then, though you establish this imaginary basis of representation according to population, yet under its practical operation, a Legislature might be elected which represented a minority of the people—that though a large majority of the people of Maryland are whigs, they might very often have democratic Legislatures, about which our democratic friends would never complain. I am sure, though attained at the sacrifice of the principle they seem to love so much.

For instance, suppose the political character of the Legislature, at any particular time, should depend upon the delegates from Washington and Frederick counties. The whig ticket in Washington, should be elected by four thousand ma-

josity—the Democratic ticket in Frederick should be elected by fifty; thus making the Legislature democratic; yet if the whigs of the two counties were added together, it would be found that they were largely in the majority; thus securing the ascendancy to a minority of the people, not only in these two counties, but in the whole State.

And again. Had gentlemen ever considered the great disproportion between that part of the people—the voters—from whom the elections proceeded, and the whole people! Where is the principle, founded in right and justice, existing in the nature of things, that required that no person should vote under twenty-one years of age? Where is the principle which excludes women from voting? I know of none such. If there is, I should like to see it proved and established. Thus the representatives to the Legislature are chosen by about one-eighth of the whole people whom they profess to represent under the operation of the purely arbitrary rules which prescribe the qualifications of voters, by what right have we to say that any Legislature, thus chosen, reflects the sentiments and opinions of a majority of the whole people. If women were allowed to vote, there never would be a democratic Legislature, for they, (God bless them,) are always whigs. (Laughter.)

The very principles which lay at the foundation of government, those which prescribed the qualifications of voters, were purely arbitrary. If the foundation be arbitrary, you can raise no other than an arbitrary structure upon it. The only fixed principle which should direct the formation of government is equal protection to all the interests of every kind within the sphere of its operation. Every other must give way to this or it loses its republican character.

From what are we to gather the true principles of a republican government? From the reasons and objects for which it is established. These are the index to and the best commentary upon the character of its principles. The great end, to be accomplished in the establishment of a republican government, is the good and benefit of all upon whom it is to operate, not for any portion however great or small, but for the good of all the people, and for the equal protection of all the interests recognised by its institutions. Any government that does not secure this sacrifice the doctrine of equal rights and equal privileges, and fails to carry out the purposes for which it was established. If this can be done under the operation of representation according to population, as understood here by gentlemen who advocated it, I should have no objection to see it engrafted upon our Constitution. If this principle can be carried out, and give, at the same time, equal protection to every part of Maryland, I should vote for it with all my heart. But how can this be done by the basis of representation advocated by the Reform party in the Convention?

The rights to be protected and secured by government are of two kinds, the rights of persons and the rights of property. The rights of persons do not furnish the proper principle in ac-