

effect the separation of the National and State politics, then he would be himself its warmest advocate. But experience had shown this to be impossible. They had always been connected, in fact, however wide apart the elections were. He had only risen to remind the gentleman from Queen Anne's of the amendment he had introduced to a section informally passed over, and which yet remained unacted upon.

Mr. BUCHANAN said he had listened with some attention to this debate, and he could not help being amused at the remarks of his friend from Kent, (Mr. Mitchell.) That gentleman, (said Mr. B.) known to be one of the most liberal members of the Convention, has suddenly become marvelously economical. He thinks it altogether useless to have two elections, when by having one only half the expense might be saved to the State. This is true enough, (said Mr. B.;) but if economy be the only object of the gentleman, does he not perceive that the *whole expense* may be saved by having no election at all? But I suppose there are other considerations operating on my friend—laudable, of course—besides those of economy.

As to himself, he was altogether opposed to the commingling of National and State elections. He belonged to the old State Rights party, and had no idea of surrendering the privilege which belonged to Maryland to legislate for herself on a matter of so great importance to her as this is. What is the proposition here made? It is that we shall forego the right to fix a day for ourselves, for our most important State elections, and submit the whole matter to the discretion or caprice of the Congress of the United States. To this, I, for one, will never consent.

The Constitution of the United States provides that Congress may determine the time of choosing the Electors, and the day on which they shall give their votes, which day shall be the same throughout the United States. In pursuance of this provision of the Constitution, the act of 1792 was passed, which act provided for the appointment of Electors within thirty-four days preceding the first Wednesday in December, and within the same time in every fourth year succeeding. Under this law inconveniences were found to arise, and further legislation became necessary.

In 1845 Congress passed a law making the elections of Electors uniform throughout the United States; that is to say, on the Tuesday next after the first Monday in the month of November of the year in which they are to be appointed. Now, I would beg to know of the honorable members of this Convention—the representatives of the sovereignty of this proud old State—what might not be the extent of the inconvenience and wrong to us, if we were to submit to this innovation? Do we not know that the legislation of Congress is often fluctuating? and what guarantee have we that at the very next session they may not pass a law changing altogether the day of the Presidential election? What alternative, in that event, would we have if we adopt the amendment now proposed, as part of our Constitution? None. We would be constrained to follow whithersoever Congress might lead. It is the policy as

well as the duty of this State to establish fixed days, by her own Legislature, for her own local elections.

Suppose you adopt the proposition to have the State and National elections on the same day, and that the question should be put to the gentleman from Kent, "When does your gubernatorial election take place?" what would be his reply?" The time was, he would doubtless say, when I could have answered that question with precision and certainty, but now I cannot—we have surrendered ourselves to the legislation of Congress. He would continue: our election, I think, will take place on the first Tuesday after the first Monday of November, in the year 1852; but I am not sure—it *depends upon Congress*. Congress may change the day, and if the day of the national election is changed, we must change with it. This state of things (said Mr. B.) is a reflection upon ourselves—it is an abandonment of our State pride and a surrender of our independence of action. Do gentlemen remember that the Delegates from Maryland to the Continental Congress were *unanimously* instructed from this very spot to go hand-and-heart for the Declaration of Independence—but, at the same time, to take care to reserve to the State complete internal sovereignty? Can they remember this, and surrender that sovereignty now? I cannot believe it.

Again: if the two elections, State and Federal, are to be commingled, what is to become of the State elections and of State concerns? National topics will engross the public mind, and State affairs be wholly overlooked. Is it possible that our State concerns are of so little worth that we cannot give to their consideration a single day?

A word to my friend from Anne Arundel, (Mr. Dorsey.) He believed that gentleman was really anxious to form a good Republican Constitution. The liberal remarks of the gentleman a few days ago in reference to the rights of naturalized citizens had convinced him of that fact.

In the debate now pending, the honorable gentleman from Anne Arundel wishes to know why it is that the Governor is to remain in office during his whole term, whilst others are to be immediately displaced?—why the Judges, for instance, are to be required to surrender their ermine, and the Governor to remain untouched?

By *what authority*, asks the honorable gentleman with emphasis, do you demand that the Governor shall remain? By *what authority*? I answer as did Mirabeau in the Assembly of France, to the emissary of the king: By the authority of the people! They placed him where he is by a triumphant majority proclaimed from the ballot-boxes, long after this Convention came into being. His warrant, I repeat, is direct from the sovereign authority, and against that authority who can rebel?

Mr. B. said he had gone further than he had intended. His main object in rising was to implore the Convention not to surrender any part of the "inherent sovereignty of the State."

Mr. WARE demanded the yeas and nays, which were ordered, and being taken, resulted, yeas, 37; noes, 29; as follows: