

to the conduct and opinions of members from the Eastern shore on the subject of representation? Why, sir, it proves just the opposite of that which the gentleman assumed. It proves that four counties out of the eight cast their entire vote for an increase of representation on the Western and a diminution in the proportionate representation on the Eastern shore.

Again, the gentleman has said, that since the "first day of the organization of the government to the present time, there has been gross abuse of their obligations by the appointing power." Sir, I have personally known the gentlemen who for the last forty years have occupied the chair of State in Maryland; several of them intimately, and amongst them I have known as upright and conscientious men as have lived in any country on earth.

Mr. BOWIE. The gentleman entirely mistakes my argument. I said expressly, that when the people of 1776 granted to their subordinate agents the right to appoint judges, they never supposed that they would be governed by mere partisan feelings. I went on to say, that the whole experience of the State had shown, and I supposed that every body would admit it, that the appointing power of Maryland had been influenced by considerations of party feeling. I did not suppose that there was a man on this floor who would deny this fact.

Mr. CHAMBERS. The gentleman seems to have forgotten that in reference to the appointing power he used the strong expression, "covered with foulness and filth."

Mr. BOWIE. I said this and say it now. That the appointing power being influenced by mere party motive, was a base and filthy thing in my judgment.

Mr. CHAMBERS. The Convention have heard the original remarks of the gentleman and his explanation. There I leave them.

Mr. President:—My sole purpose, in reviewing those allegations, is to show that the argument of the important question, upon which we are called to act, should be based upon other grounds than such statements of opinions—that they, in fact, prove nothing. The gentleman, indeed, after alluding to them, admits this; and properly enough says, we ought to give tone to popular sentiment. We are here not as the mere creatures of a particular party or class of men, to be driven against our convictions by a supposed current of public sentiment running in this direction, or in that. We are placed here to perform high and solemn duties—duties which are to affect the interests, the security, the well-being of society, in all respects and for all time. In discharging these duties, the most sacred obligations demand that we exercise our grave and deliberate judgments. The responsibility we owe to the community cannot be met by adopting a course approved by others; if it be not commended to our own judgments by a conviction of its propriety.

My object then, in alluding to the remarks I have noticed, is to express my humble opinion, that such considerations ought not to disturb the

operation of our minds, in coming to conclusions upon this subject. There are, in my view, far higher, greater and more important considerations. According to my judgment there has not been, there is not, nor will there be, any question before this body, which can in any degree be compared with this, in the magnitude, in the extent, in the duration of its results and consequences, for good or for evil. I wish I could flatter myself with the expectation of drawing the attention of the House, to the views I would present. I am sensible that very strong impressions have been indulged by many, and equally sensible that these deep-seated and long indulged opinions are hardly to be changed. Still I feel it my duty to give the result of my best and most anxious reflections.

In the discussion of this subject, I am quite willing to follow the lead of the gentleman, who has opened the debate, and commence with the original, elementary, universally acknowledged principle, recognized by the declaration of rights as the doctrine of our fathers, and worthy of acceptance, for all time, as the foundation of a republican creed. The first article of that instrument declares, and the whole Constitution assumes, "that all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole." The second declares, that the people ought to have the sole and exclusive right of "regulating" and controlling the government. No man in this State, no one in this body, or ought of it, will avow, as his own or propose to another, any other political creed. All, every where, admit the sovereign power of the people to control their own government. Now what is the government which the people can thus regulate? What are its objects—what its designs? The error of the gentleman's argument—a very common error—is that the government is designed solely to protect the rights of the majority of the people, at any given period. That is not the spirit of our declaration of rights, nor is it consistent with the true theory of government. The doctrine of the declaration—and the sound doctrine—is that government is designed for the good of the "WHOLE," not of a "majority." Government is a system of restraints, not of indulgences. Man, without its restraints, is thrown for protection upon his own strength; with no arbiter of his rights but his own will and his own passions; and no means to enforce them, but violence. Of course, in proportion to his physical ability, there is peril to the rights of those who are unable to protect themselves. The prejudices and passions of men, excited and operated upon by motives of interest, ever have, ever will, and necessarily must occasion conflicting opinions, with regard to their rights and claims. Without government, these conflicts must be determined by force; there is no other appeal. The object of government is to substitute, for this force, a system of rules or laws by which all such conflicts may be determined; to establish an authority before such a fair investigation can be had; and by which means are devised to give effect to the decisions