

fourth section of the report, by inserting, at the end of the seventh line the following: "provided, that in no case shall any Senator be placed in a class which should entitle him to serve for a longer term than that for which he was elected."

Mr. SHRIVER moved the previous question, which was seconded, and the main question ordered, viz. on the adoption of the amendment of Mr. DONALDSON.

And the question being put, it was determined in the affirmative.

So the amendment was adopted.

The said fourth section was then adopted as amended.

Mr. JOHNSON offered as an additional section to the report, the following:

"After the ratification of this Constitution no note, bond, contract, debt or obligation of any kind whatsoever shall be enforced in any court of law or equity in this State against the security for the same, except it be against securities upon executors, administrators and guardians bond or bonds entered into by public officers for the performance of duties therein contained, or bonds for the performance of some trust or recognizance or bail entered into before some competent tribunal of this State, or appeals on writs of error or bills of exceptions from some inferior to a superior court, or of other public officers; provided, that it shall not effect any contract or obligation entered into previous to the adoption of this Constitution."

Mr. JOHNSON. I would prefer resting this question upon its intrinsic worth, before an assemblage like this; but I feel it due to myself, having proposed it, to give briefly a few of the reasons why I have introduced such a proposition. I have often seen—and is there no man in this Convention who has not seen—friends, and perhaps relatives, desolated by their own good nature, in signing the paper of knaves, who never expected to pay the money? And what has been the gratitude in such cases? I appeal now to the human heart. What is the reward of the man who has been innocently decoyed into ruin by the knavery of another? Does he not find an enemy for life in the man who has rendered him bankrupt? Says the old maxim, "If you do a man a favor beyond his power to repay you, he is sure to become your enemy, in order to cancel the obligation." I speak practically upon this point. I ask aged men; I ask young men, here, if that is not in accordance with the principles of human nature. There may be here and there an exception, but that exception, in the language of the lawyers, only proves the truth of the general rule. Even in the height of barbarism you may find a Damon putting himself in the place of a Pythius, and other cases of individual devotion; but the rule in contracts between man and man, is to make them with the expectation of profit. If when I deal with a man, he expects me to fail, we would better not bargain. But he may induce me to decoy some innocent man to place his name upon my paper; and then this Shylock says—I knew you never would pay, and that your security never expect-

ted to pay; but I knew that your security would be obliged to pay, and therefore I bargained with you, and I now hold him responsible. If men have character, morals, and integrity, they will meet with confidence everywhere. If they have not, they ought not to find it anywhere. But the idea of bringing in the innocent, in the contracts between two men, each wishing to make good profits out of the other, and decoying them to become victims of their good nature, should no longer be countenanced. How many men have been sacrificed upon the altar of kindness, and have desolated their families and their friends. I ask this Convention to stand here in old Maryland, for a high tone of moral sentiment. If this thing is right, let us say so openly. But if not, let us in our social relations require each man to depend upon his own qualities, and his own conduct, and not to inveigle and enslave others. I say that this proposition does not go far enough; but let us set that example here, and all business operations will go on harmoniously. I know that much may be said about poor men; that the banks will not loan them money. If the banks cannot trust an individual, let them loan no money. If they can trust him, then that is a business between him and them. Every honest man who needs money, can always find friends. Man with his two hands, his head, and his feet, can always make a living; and if he is in want of money a friend will trust him to a moderate amount. As for all this sky-scraping speculation that is going on, upon a venture, if it is to involve others as well as lose the capital of the individual embarking in it, he would better remain at his cart, and attend to his daily toil; he would better make his daily bread by regular profits, and be content with thriving well. The maxim is a good one. Let well enough alone. I trust that this proposition will meet with favor; but if not, I wish it to go upon the journal that if any antiquarian, or man of curiosity, should hereafter look over the book, he may know that there was one man who made such a proposition.

Mr. MICHAEL NEWCOMER. I agree precisely with the gentleman; and I suggest the following amendment, "that the principle must not pay either." (Laughter.)

Mr. BROWN concurred with the gentleman from Frederick. (Mr. Johnson.) The whole principle of security was wrong. He illustrated it by supposing the case of these individuals; one of whom wishing to speculate, borrows his capital from the second, while the third is the security. The lender makes his 6 per cent., whether the speculation succeeds or fails. If it succeeds, the borrower gets all the profits; and if it fails the security loses the money.

Mr. STEWART, of Baltimore city moved the previous question, which was seconded, and the main question order, viz.

On the adoption of the proposition of Mr. JOHNSON.

Mr. JOHNSON moved that the question be taken by yeas and nays,

Which being ordered,