

CHAMBERS,) to facts—to results. Here was a section setting forth that if any county or city should be divided into Congressional districts, &c. Now, there was no county divided into Congressional districts. But Baltimore city was divided. Now, supposing a man to go to the polls, and an election for members of Congress and members of the House of Delegates, came off at the same time. The man offered to give his vote for delegates, and the question arose whether he came within the terms of the Act of the General Assembly, and he was asked several questions, and among them these: Are you a citizen of the United States? Yes. Are you a free white male person, twenty-one years of age? Have you been one year a resident of this State? Have you been six months a resident of this district—of the city of Baltimore, he, (Mr. H.) meant? He answered yes to all those questions, and added, "I am entitled to vote, therefore, under this act for Delegates from the city of Baltimore. There is my signature." That being given, it must be received. Now, he, (Mr. Howard,) would ask the gentleman from Kent, whether he would dispute that point. Well, the next vote tendered by this man was, for members of Congress. "Oh! we can't take your vote," say the officers. "Why?" asks the voter. "Because you must have lived six months either in this Congressional district, or six months in the adjacent one, in the city of Baltimore." Then came the objection—conclusive and triumphant, of the gentleman from Cecil, (Mr. McLane,) that if you took one side of the Constitution, you must take the other. Now, what he, (Mr. H.) wanted the gentleman from Kent to answer was, whether, under those circumstances, the man's vote would be taken? \*

Mr. CHAMBERS observed:

That the answer to the gentleman's question was perfectly obvious. To the first, the man's vote would be taken. As to the rest, the whole was regulated in virtue of the authority given by the Constitution of the United States, which in express terms, enables us to fix the place of voting as well as the time and manner. This was to designate the place where the vote was to be taken. Did not the gentleman perceive that it was as clear as daylight, we had a right to fix the place of voting? If not, how could we say to a voter residing in one county, you shall not vote in any other—or even in another election district of the same county?

The gentleman assumed there would be no county so divided as to form parts of different districts. Why not? It had been so. Howard district had been, and was now, in one Congressional district, and the rest of Anne Arundel county in another. It would rather be strange, if such division should not become necessary, in the alterations that must occur under the census laws of the United States, and the change in the ratio of representation that must follow. When the case occurred, the argument of the gentleman would all be in favor of his (Mr. C.'s) views. A man residing now in Howard district has not the privilege of selecting which member of Con-

gress he will vote for. He must vote for the candidate in his own district, and has not the privilege to vote for the candidate in the other part of Anne Arundel county. So, said Mr. C., is the case of a man residing in a county divided from another by an imaginary line only. He cannot cross that geographical line and vote in the adjoining county until he has resided there six months. Why should a citizen of Baltimore have the exclusive privilege of casting his vote for either of two candidates for Congress in different districts as his party interests or feelings might dictate? This is not equality.

Mr. McLANE replied that it seemed to him the honorable chairman of the committee, [Mr. Chambers,] had overlooked the second point, on which he (Mr. McL.) had placed this objection. He put it mainly on what he considered it to be, a qualification to vote, because it was in the Constitution prescribing the qualification of a voter, and treating it as a qualification, he had admitted that this Convention had a right to prescribe it indirectly, the right to qualify a man to vote for members of Congress—having first qualified him to vote for members of the House of Delegates. The argument of the gentleman from Baltimore county, (Mr. Howard,) was so conclusive that it could not be controverted. He (Mr. McL.) would say that the language of the Constitution of the United States, that "the times, places and manner of holding elections for senators and representatives, shall be prescribed in each State by the Legislature thereof"—was imperative. What authority, he asked had we—the State of Maryland—to prescribe "the times, places, and manner of holding elections," except what we derived from the Constitution of the United States? None at all. We could prescribe a qualification indirectly. We could prescribe the manner of holding elections, but the Legislature only could prescribe "the times, places, and manner of holding elections." And this discrimination the Constitution of the United States had in it, was to subserve one great object—the object of preserving the Union, and keeping it out of local influences and excitements. We were desecrating a delegated power—a power not originally with us—a power conferred upon the general government, and then granted to us, and we could only use it in pursuance of that grant. When the Constitution declared that the Legislature should prescribe "the times, places, and manner of holding elections," it never meant that any other body than the Legislature could do it. It conferred no authority upon this Convention. It limited it specifically to the Legislature.

Mr. CHAMBERS said:

He was altogether misunderstood if it was supposed he had denied this to be a qualification. The Government of the United States was the work of the people of the United States. They who made it had the undoubted right to determine the qualifications and character of all who would in any way participate in its administration, either as officers, voters or in any