

hearts or feelings, of course they will not come into this hall as members of the legislature to redress the wrongs of these blacks, or to pass laws which they may require as a separate population. Then are they truly in a bad condition. Their friends in Baltimore city; their friends in the upper counties will not take the trouble to go down into the lower counties and inquire what legislation this class may need as a class, and thus they will be left to the mercy of their enemies, the slaveholders, according to the arguments upon this floor.

Now if the slaves are to remain among us as freemen, if they are to have any rights under the laws of the State of Maryland, if they are to be heard upon the floors of this capitol at any future time, is it not just, is it not right to accord to them a representation here? I can see no injustice in it; nothing whatever but what is fair and right and honest. And any man here who voted that these slaves should be free, and who now votes that they shall not have representation here, does not vote or act with what I consider to be consistency.

The gentleman then argues that the basis of representation in the United States senate is a matter rather of compromise upon the fiction of States rights. I thought that subject had been fully discussed here, and that at last all writers upon that subject did admit State rights. And I am not willing to admit that it is a mere fiction.

Mr. STOCKBRIDGE. I said nothing whatever about State rights; I said State sovereignty.

Mr. PETER. Senates have certainly been considered conservative bodies, from the time of the oldest writers on government. Let me take the government of England. She at this time, I believe, stands paramount to all others. And although as an American and a native of the United States, I prize our government above all others, I am almost ready to say to-day—would that we had the English government over us. But this matter of the senate being a conservative element is beyond all doubt. Because it is the only body having a territorial representation; it is the only check and safeguard which is thrown around bodies which may be selected on some spur of the moment, when from excitement from causes arising suddenly throughout the land, may carry them away with the passion of the hour. Then it is that this great conservative element, which has blessed us as a nation and a people, can be called in to properly consider and weigh matters. This matter has been established so that the little States of Rhode Island, Delaware and Maryland may have the same share in the national councils with the large States of New York, Pennsylvania and Virginia.

Mr. BARRON. There has been a great deal of debate upon this subject; and I now call for the previous question.

Mr. BRISCOE. I hope the gentleman will withdraw that call. I wish to offer an amendment, not to the proposition of the gentleman from Prince George's (Mr. Clarke) but to the section of the report. The operation of the previous question will be to cut off all opportunity to offer amendments to the original section. I am perfectly willing the vote should be now taken upon the proposition of the gentleman from Prince George's, and then I shall ask leave to offer an amendment.

Mr. BARRON. If the vote is to be taken now, I will withdraw my call for the previous question.

The question recurred upon the motion of Mr. THOMAS to amend the proposition of Mr. CLARKE by inserting the word "white" before the word "population" so that it would read:

"The legislature, at its first session after the adoption of this constitution, and at its first session after the returns of each national census are published under the authority of Congress, shall apportion the members of the house of delegates among the several counties of the State and the city of Baltimore according to the white population of each," &c.

Upon this question, Mr. BERRY, of Prince George's, called for the yeas and nays, and they were ordered.

The question was then taken, by yeas and nays, and resulted—yeas 44, nays 30—as follows:

*Yeas*—Messrs. Goldsborough, President; Abbott, Annan, Audoun, Baker, Barron, Cunningham, Cushing, Daniel, Davis, of Washington, Dellinger, Earle, Ecker, Farrow, Galloway, Greene, Hatch, Hebb, Hopkins, Hopper, Keefer, Kennard, King, Larsh, Mullikin, Murray, Negley, Parker, Pugh, Purnell, Ridgely, Robinette, Russell, Sands, Schley, Smith, of Carroll, Sneary, Stirling, Sykes, Thomas, Todd, Valliant, Wickard, Wooden—44.

*Nays*—Messrs. Berry, of Prince George's, Blackiston, Bond, Briscoe, Brown, Chambers, Clarke, Crawford, Dail, Davis, of Charles, Dennis, Duval, Edelen, Harwood, Henkle, Hollyday, Horsey, Johnson, Jones, of Cecil, Jones, of Somerset, Lansdale, Lee, Marbury, Mitchell, Miller, Morgan, Peter, Smith, of Dorchester, Stockbridge, Wilmer—30.

The amendment was accordingly adopted.

The question then recurred upon the substitute as amended for the third section, submitted by Mr. CLARKE.

Mr. BLACKISTON moved to amend the third section by striking out the word "one" after the word "Kent," and inserting the word "two," so as to give Kent county two delegates.

The PRESIDENT. As the proposition of the gentleman from Prince George's (Mr. Clarke) is in the nature of a substitute for the entire