

1. No free negro or free mulatto shall come into or settle in this State after the adoption of this Constitution.

2. All contracts made with any free negro or free mulatto coming into the State contrary to the provisions of the foregoing section, shall be null and void; and any person who shall employ such free negro or free mulatto, or otherwise encourage him or her to remain in the State, shall be fined in a sum not less than fifty dollars, nor more than five hundred dollars for each offence.

3. All fines which may be collected for a violation of the provisions of this article, or any law which may hereafter be passed for the purpose of carrying the same into execution, shall be set apart and appropriated for the colonization or removal beyond the limits of the State of such negroes and mulattoes and their descendants as may be in the State at the adoption of this Constitution, and may be willing to emigrate.

4. The General Assembly shall have full power, and it is hereby made the duty of the same to pass all laws necessary to carry out effectually the provisions of this article.

Mr. DANIEL demanded the yeas and nays, and they were ordered.

Mr. CLARKE. This is a mere order of inquiry. It is a matter of deep importance to the State. It is a matter in which, I am free to state, my own constituents are divided. I do not know that my own delegation are entirely agreed upon it. But I have endeavored to present my views, plain, clear and distinct, in reference to it.

Mr. BERRY of Prince George's. We have a precedent for legislation of this sort in several of the free States of the Union. Some years ago Indiana and Illinois, by their Legislatures, passed laws to prevent the immigration of free negroes into these States. Ohio has passed such a law, and it is now a law of that State. A bill of that character was introduced in the Legislature of Pennsylvania some 12 or 18 months ago. I do not know the fate of that bill, but I humbly apprehend that the same law now prevails there. The policy of the Northern States, the Non-Slaveholding States, has always been to get rid of their free negro population, for the evident purpose of encouraging the poor white people of the State, the laboring classes of those States; for if the free negroes are allowed to remain in the State their work comes in competition with that of the white laborer. I should suppose it would be a very popular measure in all free States, or in any State, to get rid of them; if they are free, to allow them to emigrate and form societies of their own.

Mr. SANDS. If I understand the order it is simply to refer to a committee. I shall not object to its reference; but I desire to take this opportunity to express my views upon the subject matter of this order. We are here

under peculiar circumstances. Our country is in peculiar circumstances. Right or wrong a vast majority of the people of Maryland consider the terrible national calamity upon us to-day as springing out of the slavery question—out of slavery itself. I do not choose to stop now to argue whether it is so or not; but that is the judgment of the large majority of the people of Maryland. What then ought we to do as white men of the State of Maryland? We see that society, communities and States, have been tossed as if by an earthquake. The negro has had his share of the tossing, and it has been a very hard share, although but little in fault. He has never been in your primary meetings, in your representative assemblages or elsewhere, to agitate for himself or about himself. He has been quiet, docile, obedient, and in many cases a willing servant for many long years.

What do we propose to do? We were the superior and governing race. We have brought matters to the position they occupy to-day. While the poor negro with the white man has been thrown up in the air by these civil convulsions, he is to have no resting place for his foot when he lodges. I shall never give a vote here or elsewhere, never utter a word here or elsewhere, which puts any man in the position of saying that I dread for the white man the competition of the negro. I think the events of the last few months have totally exploded the doctrine of negro labor coming in competition with white labor, which used to be the great popular doctrine and cry before the people a year or two ago, when wages were but half what they are to-day when Maryland is virtually a free State. It is a homely adage that "the proof of the pudding is the chewing," and it is often the case that these homely adages contain a great deal of truth. What is the condition of things to-day? An honest white man willing to labor can get all he can do, and more, and get such wages as were never paid him before. I do not choose to consider this further, for the idea of such a competition of wages is scarcely worthy of a working man.

But here is the position in which we are called upon to act to-day. We have brought about the existing condition of things. It is not the negro. I am sorry to observe on too many sides, where I go, among those who have heretofore enjoyed the benefit of negro labor, and among those who never had it, that there is too much of a disposition utterly to ignore the humanity of the poor negro. As to the cry of negro equality, and as to adopting any Constitution or law or regulation which will put the negro upon an equality with the white man, politically or socially, I will fight it as long and as fiercely as any one. Because I am willing to say that a negro's rights are not those of a white man, I am not willing to say that he has no rights