

maintain a system of general and universal education. And because, in my judgment, it may and will happen that the Legislature will so regard this matter, that is, that there is no way of maintaining Maryland as a free State but by educating all the people. I desire that they shall not be fettered in this regard; and if they shall think it better for the interests of the whole State to impose this or any other tax to make the system of education enduring and self-sustaining, there shall be nothing in this Constitution to prevent their doing so. These are the reasons, and the only reasons why I support the amendment of my colleague (Mr. Scott) to strike out the first clause of this article as reported by the committee.

Now, in saying that, I do not take back one jot of my original statement, that it is not true that taxes by the poll, are, in themselves, necessarily grievous and oppressive. And the reason why a large number of the citizens of Maryland are to-day under that disabuse of judgment is because demagogues all over the State are constantly trying to make them believe that such is the case. I believe this question has never been used for any other purpose than to accomplish some party end. And I believe that the vote here, in the last Convention, upon that subject—although I do not know all the members—was given with a view to party purposes; and that members of either side favored or opposed the proposition because they could thereby pander to the prejudices of the people whom they represented, and tell them that in so doing they had been protecting certain rights of theirs, when their rights had never been in danger of being interfered with. Now a poll tax is not necessarily an interference with any of the rights of the people. There is nothing in the proposition of my colleague (Mr. Scott) which says that such a tax, if imposed, shall be a tax upon the elective franchise; and all that talk, therefore, to which we have listened in this Convention, amounts to just nothing at all. A man can vote just as well if a poll tax is imposed upon him, as if it was not.

Now I believe the proper course for the members of this Convention to pursue, is to go home and tell their constituents that it is not true that a poll tax is oppressive and grievous; that that is only the statement of the demagogue. I do not pretend to answer for the constituents of other gentlemen; but I know this, that such white men are extremely scarce in the section of the State from which I came. I have never heard of one of the people there who was not willing to do what little he could for sustaining a universal system of education.

Mr. HEBB. I move to amend the amendment, by adding after the word "poll," in the first line, the words "as a qualification for the exercise of the right of suffrage."

The question was upon the amendment to the amendment.

Mr. STIRLING. I do not rise for the purpose of discussing this question, but merely to explain my reasons for voting against the amendment to the amendment, and to allude to one or two remarks of the gentleman from Cecil (Mr. Pugh.) I have never said, never supposed, that the objection to striking out the first clause of this article as reported by the Committee on the Declaration of Rights, was because it had anything to do with the right of suffrage; and if that has been said, it has been said as much by the one side as the other upon this question. The gentleman from Allegany (Mr. Hebb) moves to insert the words "as a qualification for the exercise of the right of suffrage," when everybody knows that the Constitution fixes the qualifications for the right of suffrage, and there is no use in putting those words in.

Now if there is any kind of tax that can be levied for the purpose of equalizing the burdens of taxation, and, as the gentleman from Cecil (Mr. Pugh) urges, to support a system of public schools, let it be levied; there is no prohibition of that in the article as reported by the committee. But what is taxation by the poll? It is a tax laid on every head, irrespective of the brains, body or property belonging to that head. There can be no doubt that taxation by the poll is simply taxation by the head, irrespective of any other circumstances; that is the necessary meaning of it. Gentlemen urge that there should be some system devised by which a particular class of people, the young men of the State, may be taxed. Now that may or may not be taxation by the poll. If the Legislature believes that there is a certain class of people in the State of Maryland who receive benefits from the government, and ought to contribute something for its support, it may or may not reach them by taxation by the poll.

But the proposition that taxation by the poll, or support of the government by tax as levied on everybody, irrespective of what they are worth, is grievous and oppressive, is as true a proposition as can be announced; is as plain as the sun in the heavens at noon-day. Now if a tax can be levied, not by the poll, not on everybody, irrespective of all considerations and circumstances, then that is not taxation by the poll. But I say the imposition of a tax at so much a head on everybody, is grievous and oppressive. Suppose you say that each person in this State shall pay a tax of one dollar. One man is confined to his room with a broken leg, or is sick and has laid upon his back for ten years, is a bed-ridden man. If you make him pay the same tax as a hearty strong man shall pay, then that tax is grievous and oppressive, and necessarily so. If it is levied utterly irrespective of the circumstances of the man,