

The amendment was accordingly adopted. The question recurred upon the adoption of the article as amended.

Upon this question, Mr. JONES, of Somerset, called the yeas and nays, which were ordered.

The question being then taken, by yeas and nays, upon the adoption of the article as amended, it resulted—yeas 33, nays 20—as follows:

*Yeas*—Messrs. Brown, Clarke, Cunningham, Daniel, Duvall, Farrow, Galloway, Greene, Harwood, Henkle, Hodson, Hopper, Horsey, Jones of Somerset, Larsh, McComas, Mitchell, Miller, Morgan, Negley, Parran, Robinette, Russell, Schlosser, Scott, Smith of Carroll, Smith, of Worcester, Stirling, Stockbridge, Thomas, Todd, Valliant, Wickard—33.

*Nays*—Messrs. Abbott, Annan, Baker, Cushing, Davis of Washington, Ecker, Hebb, Hopkins, Jones of Cecil, Keefer, King, Markey, Mullikie, Murray, Nyman, Parker, Sneary, Swope, Sykes, Wooden—20.

The following explanations were made by members as their names were called:

Mr. ABBOTT. I voted for the amendment; but I am opposed to the adoption of the article for the reason given by my friend from Baltimore county (Mr. King) that we have this already in the bill of rights, and it is unnecessary to multiply the articles, unless some new matter or principle is embraced. I therefore vote "no."

Mr. KING. For the same reason that I voted "no" on the amendment I shall vote "no" on this article. I think this is the same that we already have; and I do not consider it necessary to cumber the bill of rights with another article on the same subject. I vote "no."

The article as amended was accordingly adopted.

Mr. ABBOTT. I desire to offer an additional article, to come in as the first article of this bill of rights. I do not desire to have it argued now, as it contains subjects which will come up more properly for discussion after the 23d article is adopted. I offer it now in order that it may go upon the journal, so that every member can read it. I submit the following as article one.

"Article 1. Truths to be held as self-evident are, that all men are created equally free; that they are endowed by their Creator with certain inalienable rights, among which are life, liberty, the enjoyment of the proceeds of their own labor, and the pursuit of happiness."

Mr. CLARKE. There are convicts in the penitentiary who do not get the proceeds of their own labor.

Mr. ABBOTT. There are very few people born in the penitentiary; they are born outside.

Mr. CLARKE. I never heard of a baby undertaking to labor, and receiving the fruits of

its labor. However, I will not enter into discussion of this question now.

Mr. STIRLING. The Declaration of Independence says the same.

Mr. DANIEL. And it is found in the Constitutions of most of the free States.

The further consideration was postponed for the present.

#### ALLEGIANCE.

On motion of Mr. THOMAS—

The Convention then resumed the consideration of the fourth article of the bill of rights, which declares that "every citizen owes paramount allegiance to the Constitution and Government of the United States," &c.

The pending question was upon the motion of Mr. BRISCOE to strike out the word "paramount."

Mr. THOMAS. Mr. Chairman: When the discussion upon this article was begun in this Convention, I did not propose to say anything upon the subject. I had intended, when I allowed my name to be presented to the people as a candidate in this body, to come here merely as a listener and a voter. But representing, as I do in part, one of the most loyal constituencies in the State of Maryland, and believing as I do that the doctrine enunciated by the fourth article of this bill of rights contains the very pith and marrow of our State, to say nothing of our national existence, I would be doing violence to my own view of what was right, and be recreant to my duty to my constituency, did I not at least attempt to meet the challenge which has been thrown out by the minority, upon the other side of this question, who ask the majority to show the faith which they have in this proposition, and to give the reasons which they have for entertaining that faith.

The minority of the Committee on the Declaration of Rights say:

"That with regard to the proposed 4th article of the Declaration of Rights, as reported by the majority, they are of opinion that however true is the proposition that the Constitution of the United States, and the laws made in pursuance thereof, are the supreme law of the land, yet it has never been deemed necessary by the statesmen who framed that Constitution, or by those who framed the Constitution of this State, or, in so far as the undersigned have learned, by the framers of any one of the numerous Constitutions of the other States, to insert amongst the rights and prerogatives of their citizens any language enforcing the obligation of allegiance to the Government of the United States."

The gentlemen who signed that minority report, admit, as they must, that the Constitution of the United States, and the laws passed in pursuance thereof, are the supreme law of the land. It is true that one of those gentlemen—the gentleman from Prince George's, who last addressed the House on this subject, (Mr. Belt)—denied that proposi-