

the report, as if made upon the so-called Confederate States only, and as a punishment to them, it is in fact made upon every State in the Union. If ratified by the requisite number of States, it is to be equally obligatory upon all. Secondly, that while its practical operation would diminish very materially the representation of these States in the House of Representatives, unless they conferred suffrage upon the colored race, Maryland and other States, which stood faithfully by the Government, and met every requisition of the war, are placed in the same category with the so-called "rebel States," and subjected to the same punishment.

Let us now consider the questions involved in the ratification of the proposed amendment as presented to the Legislature of Maryland. And first, has this amendment been proposed in accordance with the requirements of the Constitution of the United States?

This is a question of the utmost gravity and importance. It is not only the right, but the duty of the Legislature to consider it. The Constitution provides that "the *Congress*, whenever two-thirds of both houses shall deem it necessary, propose amendments to this Constitution." The joint resolution says, "Be it resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, (two-thirds of both houses concurring,) that the following Article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as part of the Constitution."

The question is, did two-thirds of both houses of the Congress, within the true intent and meaning of the Constitution, concur in this proposition? The Constitution says, "the House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature." "The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof," &c.

The Constitution proceeds upon the idea that the direct interest of each State in the proceedings of Congress, will, at all times, be a sufficient guarantee of its representation therein. There was no thought of compulsory representation, and certainly none of forcible exclusion of the representatives of any State, and least of all upon any such grounds as those contained in the report.

A Congress, within the meaning of the Constitution, consists of the Senators and Representatives of all the States composing the United States, duly elected, returned and qualified, who shall present themselves for the discharge of their duties in their respective houses. "A majority of each house