

have gone much further and settled a far more critical question by deciding who shall be voters, entitled to approve and reject the Constitution framed by a delegated body under their direction. In the adoption of no State Constitution has the assent been asked of any but the qualified voters; and women and minors, and other persons not recognized by existing laws have been studiously excluded. And yet the Constitution has been deemed entirely obligatory upon them, as well as upon the minority who voted against it. From this it will be seen how little even in the most free of republican governments, any abstract right of suffrage, or any original or indefeasible privilege has been recognized in practice.

What may best promote the public weal and secure the public liberty, and advance the public prosperity in one age or nation, may totally fail of similar results under local, physical or moral predicaments essentially different.

“In no two of the State Constitutions will it be found that the qualifications of the voters are settled upon the same uniform basis. So that we have the most abundant proof that among a free and enlightened people convened for the establishing their own forms of government and the rights of their own voters, the question as to the due regulation of the qualifications has been deemed a matter of mere State policy, and varied to meet the wants, to suit the prejudices, and to foster the interests of the majority. The subject has been fully canvassed, as one of mere civil polity, to be arranged upon such a basis as the majority may deem expedient with reference to the moral, physical and intellectual condition of the particular State.”

The clause as it stands in the Constitution was adopted by a unanimous vote, and the Federalist remarks: “the provisions made by the Convention appear to be the best that lay within their option.” The object of this second section is unmistakable. There are fifteen States of the Union having a large negro population, most of whom have been recently set free from domestic servitude. The object is to require these States to confer upon the negro the right of suffrage, or to deprive them