

The report of the committee on the free negro population was never considered by the convention; though there were several attempts made for its consideration. The question was considered when the twenty-first article of the Declaration of Rights was under discussion. This article declared: "That no freeman ought to be taken or imprisoned, or disseized of his freehold, liberty or privileges, or outlawed, or exiled, or in any manner destroyed, or deprived of his life, liberty or property, but by the judgment of his peers, or by the law of the land."⁶⁹

Mr. Brent, of Baltimore City, moved an amendment to the article by substituting the word "citizen" for "freeman."⁷⁰ Mr. Brent said that the object of the amendment was to provide for a contingency, which might arise, in which it would be necessary to banish the free negro population of the State. He considered that without his amendment the Declaration of Rights would prohibit the legislature from removing this class. Several members of the convention expressed their belief that the time was not far distant when the State would be compelled to take serious measures for the removal of the free colored population from its borders. Mr. Merrick, of Charles county, said that the time must come when a separation, peaceably or forcibly, must take place between the free blacks and the whites. No two distinct races could, or ever would, inhabit the same country, except in the relative condition of master and slave—of the ruler and the ruled. Sooner or later they must separate or the extermination of the one or the other must take place. The black race could not remain; they were multiplying too fast.⁷¹

Under the original constitution there was no difference in the character of citizenship between freemen of whatever color. In 1802 the political power of the State was vested in free white male citizens only.⁷² Since that time

⁶⁹ Compare Magna Charta, art. 39.

⁷⁰ Debates, vol. i, p. 194.

⁷¹ Debates, vol. i, p. 197-198.

⁷² Act 1802, ch. 20.