

so much veneration for the old Constitution as to be reluctant to lay his hands upon it, although he was fully aware that whatever we do here would be in part to change its character in some degree. He looked with great respect on some of the clauses in that instrument, and thought they had worked well. Abuses, it is true, have crept in, and he was ready to co-operate with gentlemen around him in their correction where they existed. But in this article he saw no necessity for any change. He knew there had been a good deal of difference of opinion on the distinction between citizens of the State and citizens of the United States. Although he could not concur in all the views which had been thrown out in these discussions, there were some to which he gave his assent. And for the principle of obviating all difficulties he now proposed, in lieu of the amendment of the gentlemen from Kent, to insert the clause as it stood in the old Constitution, without alteration, and which he would now read.

"Every free, white, male citizen of this State above twenty-one years of age, and no other, having resided twelve months within this State and six months in the county, or in the city of Annapolis or Baltimore, next preceding the election at which he offers to vote, shall have a right of suffrage, and shall vote by ballot, in the election of such county or city, or either of them, for Electors of the President and Vice President of the United States, for representatives in this State or the Congress of the United States for Delegates to the General Assembly of this State * * * and sheriffs.

Judge CHAMBERS reminded the Convention that the instrument from which the gentleman from Cecil had read his amendment was not the original Constitution of 1776, but was comparatively a late affair, (1809.) The language of the old Constitution was very different as may be seen by a reference to the proceedings on its adoption. The language of the old Constitution runs thus :

"All freemen, above twenty-one years of age, having a free-hold of fifty acres of land in the county in which they offer to vote and residing therein, and all free men having property in this State above the value of £30 current money, and having resided in the county in which they offer to vote one whole year next preceding the election, shall have a right of suffrage in the election of delegates for such county."

He supposed that when the amendment was made which had just been submitted, it was because we required citizenship, which was not required in the old Constitution. That instrument only required that persons should be residents of the State—it also used only the word "free," not "free white." Conceive the phraseology altered in the slightest possible degree, what would be the effect? We have citizens of the State certainly; as nothing is more common than to pass laws to enable foreigners to hold estates. Now he did not desire to insert any language which does not convey the precise idea intended to be conveyed. He wished it to be distinctly indicated what a citizen of the State is. He hoped the gentleman from Cecil would see the

propriety of reinstating the words in the original instrument which a subsequent Convention struck out. Because that Convention had thought it expedient to introduce this amendment, it was by no means necessary that we should follow in their steps. It appears to me, as it did to the Committee, that these citizens are entitled by their residence to the enjoyment of the elective franchise at all the elections.

Mr. McLANE did not think that the fact of an individual holding land should constitute him a citizen. But he would not press his amendment now, as he would have the opportunity to offer it when the report was made to the House.

Mr. PRENT, of Baltimore, asked for the reading of the section.

The section was accordingly read.

Mr. McHENRY moved to amend by striking out the words from the word "election" in the third line to the word "and" in the fifth line, being as follows, "at which he offers to vote shall have a right of suffrage," and inserting in lieu thereof the words following :

"Shall, unless excluded by other provisions of the Constitution, be entitled to vote at every public election in the election district where his residence may have been established days preceding such election, and not elsewhere."

The Chair suggested that that amendment would be in order after the one now pending shall have been disposed of.

The CHAIR stated the question.

Mr. DONALDSON proposed to insert the time, and moved to fill the blank with sixty days.

Mr. McHENRY suggested that a vote should first be taken on the principle.

Mr. DONALDSON. No, Sir—it is a practical matter as to the length of time.

After some conversation, Mr. McHENRY moved to fill the blank with ten days.

Mr. PHELPS moved thirty days.

The question was taken on inserting sixty days, and was rejected.

And the question was taken on inserting thirty days, and rejected.

And the question was taken on inserting ten days and rejected.

Mr. BROWN enquired of the Chair, whether it would now be in order to move an amendment to the proposition of the gentleman from Kent, (Mr. CHAMBERS.)

The Chairman said it was not now in order. The pending proposition had not yet been disposed of.

Mr. McHENRY enforced the propriety of the adoption of his amendment, by reference to the changes which were proposed to be made in the new Constitution, and the elections which would grow out of them; and he defended it against the supposition that there was anything in it which would interpose new restrictions upon voters.

Mr. PHELPS said the object of the amendment he had proposed was to put the wards of the City of Baltimore, on a footing with the counties. We have been told that the frauds do not usually grow out of fraudulent naturalization papers, but from the same individuals casting their votes at different places. He wished to reach this