

stitution in which every interest of the State will be sufficiently protected and guarded, and to this I shall adhere, so far as my own judgment, always open to be convinced by the wisdom and experience of the able and distinguished men here assembled, can direct me.

I have heard it stated that a basis of representation has already been arranged in "caucus," and a debate has been had in this body regarding the propriety of settling this most important question in such a preliminary meeting, where voice of less than a majority may be so exerted as to obtain the control in this Hall, and have its views engrafted upon the Constitution.

It is not for me to act the part of a censor over gentlemen who choose to be bound upon this question by meetings of this kind. I will not charge them with having acted improperly. Their responsibility is to their constituency, and it is for them to judge whether they have acted right or not. So far as I am concerned, I owe no allegiance and have made no pledges to any caucus movement upon this question of representation. I have always been ready to meet informally in consultation upon this subject, but not to go so far as to consent to be bound up against my own judgment, by a majority of those present, so that I could not when I came into this body, make even an effort in behalf of my own views and the wishes of those who have confided their interests to my keeping as one of their delegates. Enough of this; but of the proposition offered by the gentleman from Washington, (Mr. Fiery,) I will speak hereafter.

I hope that I may be pardoned for referring to the history of representation in Maryland.—The gentleman from Baltimore city, (Mr. Brent,) who first addressed you yesterday, has claimed that representation according to population was recognised by the Maryland colony, as far back as 1638. Is he correct in this position? The very law from which he read does not sustain his view. It authorizes the freemen to vote for burgesses, who shall meet in the fort of St. Mary's city, to take into consideration the interests of the colony, and to those freemen, who do not choose to vote, is reserved the right to be present in person. Is this representation according to population? Is there here any provision that every fifty, or one hundred, or any other number of freemen, shall be entitled to a certain number of representatives? The great principle, which is here taught, is not representation according to population, but it is that the voice of the people must be heard in their legislative assembly. Conceding, however, that the fact was, as has been supposed by the very learned and able gentleman, what would it prove? Why the system so soon, as the condition of the colony in size and extent became changed, was abandoned. At that period of time our Pilgrim fathers had but just landed upon the shores of the St. Mary's. But a few years before they had left the home of their childhood, and had dared the dangers of the ocean, that

they might find in a strange and unexplored land an asylum from intolerance and oppression.— Their number was small. The very dangers and storms and trials through which they had passed, had only served to entwine more closely their feelings and affections. Among them there could as yet be no diversity of interest, and there were no sectional or political differences; but as time rolled on, their numbers increased, local divisions were had, and in 1658, the time of the restoration of the government to the proprietary, we find the Legislature organized into two separate houses, and representation in the "lower House" uniform. From that period the two Houses continued separate, and the number of delegates from each division or county, sometimes varied, "but whatever the number was, whether two, three or four," we are told, in Mc Mahon's history, "it was equal and uniform." In 1692, the Legislature by law fixed the representation from each county at four. Several subsequent laws re-enacted this provision, and when our ancestors in 1776 met in Convention to form a Constitution for Maryland then emerging from her colonial vassalage into a free and independent State, they engrafted upon it this same system of uniformity in representation, and gave to each county four delegates.

This equal representation in the counties remained unaltered until 1836. It was not adopted and could not have been adopted in reference to population. The learning of gentlemen here has not been successful in finding any historian of Maryland, who has ventured the assertion, that it was; and it can safely be assumed that there is none. Need reference be made to the first census taken of the inhabitants of this State?

In 1790 a wide difference existed in the population of many of the counties. In Charles county the population exceeded twenty thousand, while in Allegany it was but a little over four thousand. Yet Allegany, now so clamorous, (if we are permitted to judge from the views of some of her delegates here,) for representation according to population in the counties, was entitled to the same number of delegates, as was any one of the other counties. This system of equal representation has been recognised in Maryland, in all the vicissitudes and changes through which she has passed from 1658 down to 1836—a period of more than a century and a half.

How then, I would ask, can it be claimed that representation according to numbers is recognized as one of the earliest principles in the legislative history of Maryland? Upon what authority is it possible to rest the claim? If any doctrine may be considered as interwoven with the early government of the State, it is the doctrine of equal representation. The convulsions of the proprietary and colonial governments left it untouched—the struggles of a long and tedious revolution harmed it not, and the patriot who had dashed from him the yoke of bondage, was willing to leave it unchanged. Yet it was altered and the basis of 1836 adopted.

I will not stop to inquire into the circumstan-