

the gentleman stood there, not as a representative of the whole of Baltimore, but for that of the party alone. The gentleman expressly used the language that he would not withhold the patronage, but would hold on to it, as "the club of Hercules," to carry out the principles of the Democratic party.

Mr. J. again read:

"The overthrow and organization of the entire Judiciary system, to take effect so soon as practicable."

This was the programme of the distinguished Attorney General's constitutional reform; but not to take effect until he found a majority of his Democratic friends—not naturalized friends in the Legislature. They were to be considered first at the ballot box, secondary in the benefit to accrue from it.

Mr. J. said he would make no excuse for bestowing so much attention on the learned Attorney General. He was the highest officer, and he believed the only one in the Convention, who had received an appointment under the present Executive, except, perhaps, some military titles.

He had been the most active, if not the most influential, in the Gubernatorial canvass, and had well earned the laurels he was so justly entitled to.

In conclusion, Mr. J. said he would vote for the proposition of the gentleman from Kent [Mr. Chambers,] with the amendment proposed.—That defeated, he would go for the one of the gentleman of Washington, (Mr. Fiery) by bringing up the smaller counties to three; which would make the whole number in the House of Delegates eighty-two. The same as under the present Constitution. That, he considered as fair and satisfactory an apportionment as could be adopted. With that he would be content, and so he believed would be a majority of the people, because it gave no undue advantage to, or compromised the interests of, any section of the State. In doing which, he should not look to the predominance of either party in the Legislature.

Mr. Brown wished to vindicate himself against some of the imputations cast upon him by the gentleman from Somerset, (Mr. Crisfield.) Before he done that, he would say a few words in reply to the gentleman from Montgomery, (Mr. Kilgour.) He had been astonished that the complaint with reference to taxation should have come from a Potomac county. From the earliest of his recollection there had been a Potomac interest, in securing a navigation up to the mineral region of Allegany. That Potomac interest had been like an incubus which could not be shaken off. The consequence had been that a canal had been cut from Allegany to a point without the limits of the State. Where was the source of taxation? From the Chesapeake and Ohio canal. No one would deny it. It had entered into history, and was indelibly stamped upon the minds and pockets of every man in Maryland. It seemed strange for the gentleman from Montgomery to bring up that to operate

upon the making of a new Constitution. So much in reference to the remark of the gentleman from Montgomery. He would now turn to the gentleman from Somerset. If he had ever heard a statesman play the lawyer, it was the gentleman from Somerset, in his remarks upon the statistics of the gentleman from Allegany. He had not expected, however, that he should be attacked and brought into the argument. The great difference between the gentleman from Somerset and himself, was this. He, (Mr. B.,) held that the majority had a right to govern. That gentleman denied it. He, (Mr. C.,) said that the minority had a right to control, and that they would be in great danger if the majority had their own rights. It was the inherent right of man to govern himself, which could only be done by majorities.

The gentleman from Somerset had said, that this was no compromise at all, because one party yielded nothing. It was because they had nothing to yield. To be sure the people voted unitedly for Governor, but that was the result of the compromise of 1836, in which he had been not a leader but a holder-back. He held the doctrine that the world of ideas could be divided as well as the world of matter; and no man could direct all the influences brought to bear upon him, and deny the doctrine of representation according to population, who was not an aristocrat in his heart. It was as plain as any other doctrine.

The gentleman had said it could not be carried out practically. He would admit that their might be cases where circumstances would produce a deviation from that principle; but when the principle was deviated from, it became a mere rule—an arbitrary rule. Now what was the question at issue? Under peculiar circumstances, the population had been transferred from one portion of the State to another. Were not the people of the West as free as those of the East or the South. It was no compromise, it was said, because they had yielded nothing. They had yielded enough to disgrace them, for they had yielded so far as to be governed by a minority. He would ask whether the present generation had not as much right to throw off the yoke of the one-third government, as their forefathers to throw off the yoke of the one man power. The gentleman had taken two steps backwards in his *projet*. Mr. Jefferson, one of the ablest statesmen in the land, had laid down the principle that each generation had as good a right to govern itself, as the generation that preceded it. The great mistake was that the progressive change did not keep pace with the progressive improvement. It was for this reason that such frequent scenes of violence has been witnessed in Europe. The Constitution, said Mr. Jefferson, should be submitted to the people at least once in twenty years. A new generation would then be upon the stage, having as good a right to frame their own Constitution as that which had preceded them. It was not the dead, but the living who had rights and interests at stake. The proposition of the gentleman