

Congress to legislate on the same subject? His friend (Mr. Randall) admitted that the States had the right to district in regard to the lower House, but denied it as to the Senate. He (Mr. B.) would like to be shown the distinction. Separate the powers if you can—the power of Congress in reference to the election of Representatives from its power as to the election of the Senators. The object of Congress was to secure, in the one case, a representation of the people in the lower House, and in the other a representation of the States, in their sovereign capacity as States, in the Senate. The power could not be separated, in his opinion, in either case.

Mr. CHAMBERS said the Constitution of the United States had given to Congress the same power precisely in this particular it had given to a State. So far as relates to the time, place and manner of election, the power of Congress and the State is delegated in the same words exactly—they have the same power to legislate. What the State may do, that Congress can do—no more and no less. He supposed that much would be conceded.

Mr. BOWEN. Precisely.

Mr. CHAMBERS. Well let us start with this proposition. The motion is now to designate certain counties from one of which alone the selection of a Senator can be made. It will scarcely be doubted, certainly it cannot successfully be denied, that if the selection may be limited to eight counties, it may be to seven, to six, five or one; if to one county, then to a particular district of a county, to a particular town, or street or house. Now, sir, said Mr. C., suppose the case of a law of Congress, naming a particular county, town or house, from which and from which alone one of your Senators should be selected, would the States submit to it? would they regard it as a fair interpretation of the power conferred by the Constitution? I do not mean to intimate that Congress ever could be induced to pass such a law; but it is a question of power, a question whether they cannot, whether they will do so. Those who differed from him must take the extreme to which their argument necessarily must lead, and the extravagance of the conclusion ought to prove its fallacy. What, sir, the Congress to prescribe that one Senator should come from Baltimore, and the other from Kent? Why not as well say one shall be a merchant, the other a farmer, a lawyer or mechanic? Why not then prescribe the political character of the person to be selected? There is just as much authority to do one of these things as the other. They can do none of them. The Constitution had defined the qualifications of Senators and members of the House of Representatives, and there was no authority in Congress or the States to add to or subtract from those qualifications in the most minute respect. He repeated his regret that the subject had been moved at all. He had felt bound to express the opinion which must determine his vote. His object in rising now was not to go into a further argument on the legal question—he should leave that upon what he had already said.

He much regretted the temper in which that argument had been received—he regretted the tone and temper of the remarks made by the gentleman from Dorchester, (Mr. Hicks,) and which seemed to be designed for his especial benefit.—He wished to disabuse himself of influences and motives which it had been intimated governed some persons.

The gentleman from Dorchester had allowed himself to use an expression as to what might be done by those *who e- pride of opinion* induced them to stand along side of Philip Barton Key, and other distinguished lawyers! What did such language mean? Did any gentleman on this floor for one instant believe, or expect to make any other member believe, that he (Mr. C.) could be induced to desert the interest of the Eastern Shore, for the pitiful motive of “gratifying his pride of opinion?”

Mr. HICKS explained.

Mr. C. As I understood the gentleman from Dorchester, (Mr. Hicks,) he said he rose for the purpose of expressing his satisfaction at what he termed “the learned and conclusive argument of the gentleman from Prince George’s, upon the question of constitutional law. I take no exception to that. Nobody knows better than I do that the gentleman from Prince George’s is capable of making an able legal argument; no one acknowledges it more cheerfully than myself. But if the gentleman rose for that purpose, he did not confine himself to it, if as he now says he did not mean to intimate any thing offensive or unkind, I fear his language has unfortunately a meaning not intended by him. As to the words he had alluded to, they were used in pursuing what appeared to be a prominent part of speech, as certainly it occupied a large proportion of his remarks. His leading effort was to show that this question was pursuing the same current which had set so uniformly and destructively against the Eastern Shore, that the claim of the Eastern Shore was to be established or defeated by the success or defeat of this measure, and above all that he was the champion of Eastern rights, and with the strange alliance of the gentleman from Baltimore city, (Mr. Brent,) who had introduced this motion, and others who had not before signalized their extreme devotion to these interests, was resisting attacks made by old adversaries, amongst whom I am included. Now, sir, this is all fancy work. The rights of the Eastern Shore are likely to be much more compromised by not moving this question at all. Those rights have never been assailed, nor was there any prospect of an assault upon them. In the absence of any such provision, we have uniformly, without any exception, enjoyed this privilege. If any thing interrupts this usage, it will be the ill-judged and unsuccessful effort to fly in the face of the Constitution of the United States, on the mistaken notion that it was best to make that practice obligatory by the Constitution of this State. Yet the gentleman from Dorchester had repeated over and over and over again, his acting “in self defence,” “defending the rights of his section of the State,” as