

I think, the true theory. The counties will have a territorial representation in the senate, which will be elected for four years, one class going out every two years, preserving the body to some extent from the effects of popular agitation, and making it the conservative body. Then when we come to apportion the representation in the lower house, we shall make the whole population the basis, so that not only the counties but the city of Baltimore will be represented according to population. In that way, it seems to me, every man will have an equal voice in the legislature, instead of giving one man in the large counties and the city of Baltimore the right to determine by his vote the character of the whole delegation, whether twenty members shall be elected or whether seven members shall be elected, dividing the city into three districts. The second section embodies that view that each man's vote shall have an equal weight in the choice of representatives throughout the State.

But inasmuch as we are not a legislative body, and it would be difficult to carry out the district system now, I thought it would be better to preserve the present basis in the coming legislature, and let that perfect the system.

And inasmuch as some might object that Baltimore city would have too much control in the election of United States senator, and other officers of this State elective by the legislature, to get rid of that difficulty I propose that elections by the legislature shall not be by joint ballot but by concurrence, which is the law in many States. United States senators are not elected in all the States by joint ballot. On the contrary, in a large number, and it may be a majority of the States, United States senators and all officers elective by the legislature are elected by concurrent and not by joint vote.

Gentlemen may remember Mr. Webster's argument, in which he takes the ground that were it a new question he should hold that United States senators under the constitution, could only be elected by concurrent vote. I adopt that view of the question. While I do not say that election by joint ballot is irregular legislation, this convention has a right to determine in which mode this election shall be had, and prescribe that these elections shall all take place by concurrent vote. In that way you make the senate to a certain extent a check upon the house. And I will guarantee that hereafter in the State of Maryland, where you have the check of one house upon the other by reason of the necessity of this concurrent vote being required in the election of United States senators and other officers, you will have better men to fill those offices; for no man, unless he was capable of approaching a high standard of excellence, would, I think, secure the concurrent vote of the two houses. It might be

that the political complexion of the two bodies might vary; and in that case you might get a man who, instead of being a partisan merely, might be to a certain extent above mere partisan views, and more nearly reflect the best interests of all classes. Pierce was a compromise man.

I throw out these views of this roughly sketched scheme. I had exchanged some views upon this question with my colleague, and it was my purpose, if there seemed to be any disposition to consider this question at all outside of mere party lines, to offer it as embodying my views. I do not propose to offer it to the house at this time unless I can understand that there is a disposition to take up this question and go into it, upon an inquiry into the true interests of the State, and not to come in here and be brought down to a party vote upon a report which proceeds upon no true theory of the representative system, which is arbitrary in its character. I should like to know of the gentlemen who constitute the committee why they have come to this conclusion rather than to any other conclusion; why they have adopted this standard rather than any other standard. Why did they fix upon 7,000 rather than 10,000? What reason is there for one number rather than the other? It is a merely arbitrary conclusion.

It has no principle except to place those gentlemen who support it in opposition to all the views which they have assumed heretofore, when the negro has been brought into view; no principle but to ostracise him, to deny him his rights, and to do it simply with the view of carrying out the political cry which has been heard all over the State. Down with the political rights of slaveholders; down with the political rights of counties which have been slaveholding; no principle but to build up in the State an antagonism of interest, by giving to a few counties and the city of Baltimore the exclusive control of the broad destiny of the State for years and years to come, upon an arbitrary theory; upon a theory which we have never yet seen carried out; a theory so inconsistent when tested by every standard of principle, when principle is brought to bear upon the determination of the true theory of a representative basis.

Mr. SANDS. I can but admire the apparent coolness and complacency of those who assume to themselves that their positions are always correct, and that the majority are simply upon all occasions acting out some party programme, utterly regardless of principles, rights or anything else. They remind me, if I may be permitted to say so, of that one jurymen who, not being able to get the rest to go his way, said they were eleven of the stubbornest men he ever came across. Now I propose to consider this subject entirely out of any party connection whatsoever. I in-