

Mr. BARRON, (who had voted in the negative,) when his name was called, said: I would state that I voted "no," because I could not help thinking that a man in Baltimore city was just as good as a man in any county, if he was a man at all. But upon reflection, and from what I have heard hummed about the house here, I think it is best to take just what I can get. We get little enough, God knows; but as it is the best I can get, I will change my vote from "no" to "aye."

The question then recurred upon the motion of Mr. CLARKE to amend section three by striking out all after the first word "The" in the first line and insert the following:

"Legislature, at its first session after the adoption of this Constitution, and at its first session after the returns of each national census are published under the authority of Congress shall apportion the members of the house of delegates among the several counties of the State, and the city of Baltimore according to the population of each, provided the whole number of delegates shall never exceed eighty-five members, and provided that each county and said city shall be divided into separate election districts of compact contiguous territory, the qualified voters in each of which districts shall at the time and in the manner in which delegates are chosen, elect one delegate, who has for one year next before his election been a resident of the district from which he shall be elected. The apportionment of the delegates among the several counties and the city of Baltimore shall remain the same as provided by the present Constitution, until the second election held for members of the house of delegates after the adoption of this Constitution; and

The general assembly shall hereafter elect United States senators and all officers who are elected by the legislature, by a concurrent vote of the two houses, and not by joint ballot."

Mr. CLARKE. I desire to explain this proposition in a very few words. I took occasion, this morning, to advocate the principle, that by preserving the senate upon its present basis of territorial representation, and by adopting the true theory of representation according to population in the lower house; and districting the State, not only the counties, but the city of Baltimore; and allowing each electoral district to elect one member to the lower house, you will give all the people the same right in the choice of representatives in the lower house. Several gentlemen have upon the floor of this house expressed a desire to have in one branch of the legislature representation according to population. According to the present system, of voting on a general ticket, one man in Prince George's county deciding by his vote the election of two members, according to the basis here given; a voter in Baltimore county deciding

the election of six members, whereas a man in St. Mary's, or in Charles, can determine the election of but one member.

Now the proposition I submit presents the true basis of representation, because it comes nearer to the true democratic theory. It carries out the true representative basis, making population the basis of representation. Therefore this will give to the gentlemen what they have expressed a desire to have, representation according to population.

Mr. THOMAS. I would ask the gentleman if his plan is based upon population?

Mr. CLARKE. I say it is carrying out the principle of equality everywhere: the great doctrine that every man, not only white but black, should be represented as they are now represented.

Mr. CUSHING. Does the gentleman intend blacks to vote?

Mr. CLARKE. No, sir. I make the same distinction with regard to them that is now made in regard to others. According to your own basis of representation women and infants in arms are calculated but not represented. My proposition only puts the black population upon the same footing that you propose to put women and children. The question of elective franchise is a very different thing from the basis of representation. When gentlemen are discussing one question and showing how a particular theory works upon one question, it is hardly a fair argument for gentlemen to get up and ask questions in relation to an entirely different subject.

Mr. BARRON. I would merely suggest that the other day the gentleman called blacks property; to-day he calls them population.

Mr. CLARKE. I call them the same as they are called in the present constitution—population. Now you have a property in your apprentices, a property which is valuable. You sell the services of your white apprentices. A white apprentice is property for certain purposes and for certain objects. When I speak of a matter in reference to one subject, I speak of it in that connection. When I speak of it in reference to another subject, I speak of it in that connection, and designate it by another appellation.

I will simply say in closing my explanation of this proposition, that for myself I am willing to adopt this principle and inaugurate it as the true theory of representation upon which the lower house of the general assembly in this State shall be constituted.

Mr. THOMAS moved to amend the amendment by inserting the word "white" before the word "population."

Mr. JONES, of Somerset. It is very difficult in the face of such votes as have been given here to discuss this question of the basis of representation. The plan which the committee have reported is a novelty in this country; it certainly is a novelty in this