

State. I do not think that gentlemen, in examining the book of constitutions, which has been furnished by the liberality of the convention to its members, can find any such basis of representation in any State in the Union.

Mr. STIRLING. If the gentleman will allow me, I will say that I examined the volume of constitutions this morning, and find that at least one-half of the States, if not two-thirds have this basis of representation.

Mr. HENN. I have made out a list of the States, and with the permission of the gentleman I will read them. The following States have a white basis: Indiana, Mississippi, Illinois, Alabama, Missouri, Michigan, Arkansas, Texas, Iowa, California, Oregon and West Virginia.

Mr. JONES, of Somerset. I do not recognize that as a State.

Mr. HENN. Kentucky has a basis of qualified voters; Tennessee the same.

Mr. JONES, of Somerset. So far as Indiana is concerned, she does not allow negroes to live in her territory at all; therefore her's is necessarily a white basis. Most of the other States were slave States, and there the white basis represented the holders of property. There are very few, if any, free negroes in those States. But in our State representation has always been based upon population.

Now, if this constitution goes into effect, there is to be no slavery in Maryland. All the people of Maryland then are to be freemen, and I presume, from the estimates of the census, there will be 180,000 free blacks in Maryland after this constitution shall have gone into operation. And those gentlemen who base the action of the convention in abolishing slavery upon the equality in rights of all men, who go to the extent of declaring that the relation of master and slave shall no longer exist; that negroes are so far capable of exercising the rights of free and independent men and women, that they shall not be in subjection to any one, but shall go free in the community to work or to play just as they may please—there these advocates of the rights of man stop. They say that this race is oppressed, and that they come to bring them the year of jubilee, and to put them upon the platform of their natural rights, and to restore them that of which they have so long been deprived. And there they propose to leave them, without one solitary political right of any sort or description; to leave them utterly ignored in the constitution as if no such population existed in the State, having neither actually, potentially, or in any other mode, a recognition as persons to be protected in any way whatever.

Now no such exclusion is attempted by this convention to be made in respect to any other class. It is true there are a majority of white persons excluded from the right of

voting, as well as all these colored freemen. There can be no question that in the State of Maryland the white women, and infants, and minors constitute a majority of the white population; and they are excluded from voting. Therefore it is not the right of voting that forms the basis of representation. You exclude them as much as you exclude the blacks from voting; and yet you make them the basis of representation. Why? Because it helps to carry out the purposes which the majority of this convention has of oppressing and disfranchizing of their political rights the white population that inhabits that portion of the State where the black population lives and where when they become free they will continue to live for many years, until they die out, or shall be driven out by the introduction of white labor. Now, sir, what consistency is there in that? If these men who have, according to the theory of these gentlemen, been so long deprived of their rights, are sufficiently elevated in the scale of political being as to be set free from the control of owners of their labor, how is it that these gentlemen stop there, and say that these freemen are not fit to be represented upon this floor, even by those living in their midst who have the intelligence to cast a ballot, whose interests are identified with those who live among them, who occupy the same territory, and who will ultimately have no protection whatever?

The gentleman from Cecil (Mr. Pugh)—I am sorry he is not now in his seat—in reply to a question, said that the reason of this exclusion of that population from the basis of representation, was because they would be put in the power of their enemies; that the white population in the counties where they exist are in antagonism to the black. Sir, is that so? Is there a conflict of interests when they are all set free; when there is no control whatever over them by any one; when they may work or play as they please; when they may steal if they are not caught at it, and if they were caught your penitentiaries will not contain them? What is to be done with them? Heretofore for offences of that sort they have been sold into slavery. But when they are set free and become demoralized, what are you to do with them? Will they work any better than now? What are you to do with them? Where is the remedy? You give them no political rights whatever; you declare by your action here that they are not fit to be trusted with the exercise of any political rights. You do not propose to give them the right to vote, to sit upon juries, or to hold any office. You do not propose to give them any rights whatever, not even the right of testifying, except for one another, and then not against a white person. And what is the boon that is con-