

politicians, more frequently and generally control their action. When the question of the measurement of grain, weight of tobacco, question of tobacco houses and inspection, measurement of wood, counting of staves—the measurement of all the products that go to Baltimore city—when these questions come up to be regulated by future legislatures, the small counties will be at the mercy of the large representation given to those more immediately interested in controlling that trade in the city of Baltimore; and those small counties will have to take, as the gentleman from Baltimore city (Mr. Barron) said to-night, what they can get.

Now, what I have to say to the small counties is this: They have this night the power to protect themselves. If they give up their representation, if they yield on this question of basis, they will give up the rights of those they represent, and they must take the responsibility. And if I am not greatly mistaken they will give a vote against this constitution, growing out of this very question, more numerous than on any other question before this body. And whatever the effect of party lines and party discipline may accomplish here, it cannot have the effect in the counties to which I allude which I have reason to suppose it has upon this floor.

Sir, I regret to see what I must consider the illiberal spirit manifested towards us at this time, and under these circumstances. This is not the way to preserve that harmony, good order, and civil liberty which ought to be preserved under free governments. The blessings of liberty cannot be preserved to any people but by a firm adherence to justice, moderation, temperance, frugality and virtue, and by frequent recurrence to fundamental principles. If you go to fundamental principles, to any of the theories of government, you will not find any to sustain the proposition now pending here. You have asserted that all government originates in compact, in agreement. There is no natural right in a majority to rule over a minority. That rule arises from the necessities of the social state when government comes to be instituted; it arises from consent, upon the principle that their interests are identical, and that the majority will represent the majority of interests. That is the theory upon which all government is instituted. There is nothing in natural laws that can justify you in assuming to yourselves the entire political control of all the property and all the people in the State. There is nothing in the law of nature that excludes a man twenty years of age from voting, or excludes a woman from voting and exercising her natural political rights. But when society comes to be established that matter is regulated by agreement. In the formation of the social compact it has been assumed, and acquiesced in by those who have been excluded from

the exercise of those rights, that the white men of the State are the only safe depositories of political power and the elective franchise. That has been assumed, and therefore it is that in the majority of the people of the State resides all the political power of the State.

Now, I think there is much to be said in favor of the proposition of the gentleman from Prince George's (Mr. Clarke) in regard to districting the State. If that cannot be done, there is much to be said in favor of having population form the basis of representation in the lower branch of the legislature, so far as the counties are concerned; though I believe that has nowhere been made the basis of representation where very large cities are concerned, like Boston, New York, Philadelphia and Baltimore. A different basis has been adopted where people are so closely and compactly associated together with such identity of interests; something like twice the usual ratio has been given to large cities. I would be willing to give to the counties a ratio based upon population, and to Baltimore city a representation fully equal to all her wants, and all her rights as a large city. Rather than see adopted the scheme reported by the committee fixing representation upon the white population only, I would agree to the proposition of the gentleman from Prince George's (Mr. Clarke,) to have the State districted into separate delegate districts, and have representation in the house of delegates based solely upon population. If that were done, then each district would have its own representative, representing its own immediate interests; and each section of a county would be represented. Then the views of the gentlemen from Baltimore city, who think they are entitled to representation in the house of delegates equal to their population, would be gratified; while by continuing the senate upon the present basis there would be some protection to the counties against hasty, sudden and unequal legislation, which will sometimes take place where those who have one interest hold a power which can be exercised over those who have a different interest.

I am very much disposed at present to favor the proposition of the gentleman from Prince George's (Mr. Clarke.) It is a new thing in this State, but it has been tried elsewhere with success. It is more near the theory of our republican form of government; it is more democratic in its operation; it is more nearly allied to the theory of the federal government, of representation based upon population in the lower house of Congress, while the equality of the States is preserved in the senate.

I am sorry that our friends insist so strenuously upon adhering to the basis which has been reported here, as the exclusive rule to be observed in fixing the ratio of representa-