

If the gentleman can discover anything disgusting in that he is welcome to do so.

Now as regards innocent persons being sent to the penitentiary. I know they have been sent to the penitentiary, although known to be innocent, as the proper place to confine them, the object being to get rid of their support. And it is the fact that almost all those cases come from a particular section of the State. The judges have the discretion to send them to a proper place of confinement, and they have designated the penitentiary as the proper place.

Mr. DENT. I am not aware of any such instances from the county which I represent.

Mr. BELT. Never any from my own official circuit.

Mr. STIRLING. I know the fact from the statements of the officers of the penitentiary; and they are in the penitentiary now.

Mr. JONES, of Somerset. None from my district.

Mr. STIRLING. I am willing to take the testimony of those connected with the penitentiary, if such is not the fact.

Mr. MILLER. I know of no such cases from our county.

Mr. ABBOTT. My object in offering this order was simply to call the attention of the governor to this subject, and to back up his disposition to relieve certain parties now in confinement for offences against laws which we are about to abolish. If this constitution is adopted, slavery will no longer exist in this State, and consequently with slavery go all the laws made to protect it. There are a large number of persons in our State who are now suffering punishment for a breach of those laws. If the law is repealed, there can no longer be any breach of it. It only reaches that class of persons who are confined for any violation of the laws made for the protection of slavery. I carefully worded it so as not to include kidnappers, and such persons. That class of persons would not properly come within the limits of this order. I intended it to reach only those persons who have offended against the laws for the protection of slavery, which laws we are about to abolish.

Mr. PUGH. In answer to the statement of the gentleman from Prince George's (Mr. Belt,) that there is a great disposition on the part of this convention to take care of the negro, I would suggest that we are peculiarly situated in that respect, having been sent here, as was pretty generally understood—and I suppose the gentleman from Prince George's had such an idea—mainly for the purpose of abolishing slavery in this State. It so happens that all the slaves are called negroes; consequently we could not very well avoid dealing with negroes, they being the persons held in slavery. The gentleman himself has, I believe, avoided all sympathy for the negro.

Mr. BELT. I have more true sympathy for the negro than the gentleman himself has.

Mr. PUGH. Very many of the party with whom the gentleman acts, were very anxious to have the negro represented in the legislature. I for one was opposed to that, and am still opposed to it. The gentleman's colleague (Mr. Clarke)—I do not hold the gentleman responsible for that at all—introduced an order here to relieve the negro from military duty. I was opposed to it. I do not think the gentleman, if he will examine the record, will find that the party with whom he has acted here, are any more wanting in their sympathy for the negro than we are.

Mr. BELT. In reply to the remarks of my friend from Cecil (Mr. Pugh,) I would say that it is not any particular philanthropy for the negro at all that that was asked. It was because it has been done from the very foundation of the government. The negro has always been represented and counted in the population, upon the theory that all classes of people, whether they were voters or not, whether they were endowed with political privileges or not, who ministered to the production and wealth of the State, ought to be included within the basis of representation. Here is one single fact, which being stated, nothing further need be said upon the subject. The very instant you free the negro slaves in Maryland, that very instant, by the very operation of law, they become represented man for man, poll for poll, in the national congress. Now if negroes are to be represented in the national congress, why not here? Under the law of federal numbers, negroes are represented in the national congress only to the extent of three-fifths. But the moment they are set free, they are represented there as fully as we are.

Mr. BERRY, of Baltimore county. I would like to make one statement in reply to the gentleman from Baltimore city (Mr. Stirling) and the gentleman from Allegany (Mr. Greene.) I understood the gentleman from Allegany to say that at the time it was supposed Cumberland was about to be invaded, this man, Harris, gathered his own children together and carried them into Pennsylvania, and that the judge, and the prosecuting attorney, and the jury had signed a petition stating these facts. If I am wrong in my statement of what the gentleman from Allegany said, I would be glad to be corrected.

The PRESIDENT. The gentleman from Allegany is not now in his seat.

Mr. BERRY, of Baltimore county. However, the facts of the case are simply these: a petition was drawn up and sent to the governor, with this simple statement, that these children were seen to be carried from the town of Cumberland some ten miles and put into a stage; and were then carried on to the next stopping place, where they were crowded out of the stage by an overplus of passengers. The petition makes no particular statement in regard to any danger of invasion; but simply states