

twenty years, and yet not be a citizen of this State. He wished to confine the right of suffrage to the citizens of the State. When any foreigner resident among us is naturalized, he becomes, *eo instanti*, a citizen of the State. There was no ground then for the new born sympathy of the gentleman from Anne Arundel, for naturalized foreigners, which he confessed himself unable to comprehend. He did not wish to open the door for the admission of voters from other States who had no right to political privileges here. He would therefore oppose the insertion of the words "citizens of the United States." He thought the term "citizens of this State" preferable.

Mr. RIDGELY repeated that an alien might by Act of Assembly be authorized to hold real estate, he, *eo instanti*, becomes a citizen of the State, except as regards the right of voting.

Mr. SPENCER inquired if a person in that position could be called on to serve in the militia.

Mr. RIDGELY supposed not. It was idle however, to waste time in describing these distinctions. The amendment of the gentleman from Anne Arundel would cover the whole ground.

Mr. GWINN put a case by way of analogy.

Mr. CRISFIELD asked by what rule a "citizen of this State" is defined? Who is a citizen of the State of Maryland? The term is indefinite. Unless defined by the Constitution, the Legislature will have power to declare who are citizens. The power of the Legislature in this respect should be limited. Unless restrained by express provision of the Constitution, the Legislature might declare that persons not naturalized should be citizens of this State. Was the gentleman from Prince Georges prepared to entrust this power to the Legislature without restraint?

Mr. BOWIE thought that his friend, who had put this question, might have learned from the elementary books what was meant by the term citizen. As soon as allegiance to a government begins, citizenship also begins. It begins with birth, in the case of the native; with naturalization, in the case of an alien. Allegiance to the United States was citizenship of the United States. He was of opinion that no unnaturalized foreigner could be a citizen of Maryland. Any law which should admit such, would be unconstitutional. He had no doubt of it.

Mr. CRISFIELD thanked his friend, for his reference to the elementary books, but he was not satisfied with the answer. It is admitted that neither this Convention, nor the Legislature, could confer any of the rights of a citizen of the United States. But Maryland is a sovereign State, and can apportion political power at discretion, to any or all classes of her inhabitants, to be exercised within her limits. She may grant to an alien all the privileges of a citizen of the State; and allegiance will begin when the grant is accepted.

Mr. SPENCER referred to the language "free white citizen" used in the amendment of the gentleman from Kent, and also in the Constitution, and asked whether a foreigner could be a

citizen of the United States? Could any law of the State make him so? The power of passing naturalization laws was ceded by the States to the General Government, and Congress alone has the power to declare who shall be citizens of the United States. No man then, who is not a native of the United States, can be made a citizen of the United States except by the United States. Then, as the gentleman from Prince Georges says, allegiance and citizenship begin together. So common sense tells us that a citizen of the State must have been born in the State, or must come in by process of laws. Every naturalized foreigner is a citizen of the United States, and of every State of the Union, and after a proper residence in Maryland would be entitled to the privileges of a citizen of Maryland. He saw no difficulty in the thing. In case of invasion, could not the United States summon these persons to the field to defend the United States?

Mr. CRISFIELD. Naturalization confers only civil and not political rights. Political rights are the fruits of State sovereignty. The arguments of the gentleman from Prince George's and Queen Anne's had failed to convince him. The States alone could apportion political power and declare what classes of persons shall enjoy it, and on what terms. In Illinois aliens are permitted to vote; and is Illinois more sovereign than Maryland? The power exists in the State, and unless restrained by the Constitution, the Legislature may exercise it.

Mr. BRENT, of Baltimore city, made a few remarks, in which he stated that it had been decided that as soon as a naturalized citizen of the United States enters any State of the Union to settle and fix his residence there, he becomes *ipso facto*, a citizen of the State, and if he conform to the terms of the law fixing the term of residence required for a qualification to vote, gains a right to vote. The course of Illinois and her construction of her power constitute no rule for our action.

Mr. RIDGELY, read from the Constitutions of six of the States, extracts to show what constructions were put on the term citizen. In these extracts the word was used in a broad sense.

Mr. JENIFER referred to the Constitution of the United States, and asked if any gentleman supposed that any question could ever arise to bring this question into dispute. He, himself, felt very clear on the subject, until the arguments he had now heard from the distinguished lawyers round him, had instilled a doubt into his breast.

Mr. DORSEY said a few words in reply to the gentleman from Prince George's, re-stated what he had before urged in defence of the amendment, and said, although he was guilty of pertinacity, as was asserted by the gentleman from Prince George's, in adhering to his opinion after its emphatic contradiction by the gentleman from Prince George's, who says, there can be no doubt on the subject. Yet, having formed his opinion on the subject, after mature deliberation, he could not be induced lightly to abandon it; and hoped he would be excused for adhering to it, after a charge of pertinacity for venturing to differ