

by that sword which those in authority have determined shall pass upon it. But if the gentleman insists upon his amendment, I will move to add to it these words—"or any one now living north of Mason's & Dixon's line," so as to get rid of both extremes, the disunionists of both sides.

Mr. JONES, of Somerset. I do not desire to enter into any argument upon this matter. I rise merely to express my amazement at the manner in which this proposition has been met here. It is to me most extraordinary that gentlemen will talk as they do concerning excluding free negroes from Maryland, as if they were profoundly ignorant of the fact that for at least a quarter of a century past, that has been the settled law and policy of this State. Why, sir, more than thirty years ago the evils of the free negro population had so grown upon the public mind that a law was passed prohibiting the increase of that population in Maryland by the manumission of the slaves then in the State. And more than a quarter of a century ago, a law was passed prohibiting the very thing which the gentleman from Prince George's (Mr. Clarke) now proposes for the Convention to consider. He proposes no new subject for consideration. It is merely the question whether the settled policy of the State for twenty-five years past shall now be abrogated, the doors be thrown wide open, and the State of Maryland be made the receptacle for all the free negroes of the North. That is the question; whether this Convention will submit to the people of Maryland a Constitution which shall take away these barriers, and notify them that it is to be their fate to be overrun by this class of persons? I was not aware, before this discussion arose, that there was any idea on the part of anybody in this State to open the doors to the admission of the negro population into this State. I have never met the first man in the section of the State where I reside, nor in my intercourse with gentlemen from other parts of the State, who proposed to open the door and let all the free negro population of the country come and settle in Maryland if they choose. I merely desired to state these facts, not to enter into any argument upon the subject.

Mr. SCHLEY. I deplore very much the character of the amendments which have been offered to this proposition. For my own part I am very willing, as I have stated before, to submit the proposition of the gentleman from Prince George's, (Mr. Clarke) or any other proposition deserving consideration, to their respective committees, and shall be happy at all times to favor such reference.

I arose, however, for the purpose of suggesting an amendment to the original proposition, which, since this debate has occurred, I supposed would not only be acceptable to the gentleman from Prince George's, but would entirely neutralize any supposed par-

tizan purpose that he or any other gentleman might be imagined to entertain upon the subject. My amendment relates to the very first section of his order, and is only meant to include what I understand he has expressed a willingness to accept. That first section now reads:

"No free negro or free mulatto shall come into or settle in this State after the adoption of this Constitution."

I propose to add to the section these words: "Unless such free negro or mulatto be a Federal soldier, engaged in the military service of the United States, or comes into this State by the authority of the same."

Now so far as the settled policy of this State is concerned, to which reference has been made by the gentleman from Somerset (Mr. Jones) that policy is not necessarily obligatory upon us here. We are here to consider, and to alter or amend as we may think best. In regard to the political questions to which this matter has given rise, I do not desire to meet them now, and do not desire at any time to refer to them. But I shall content myself with offering this amendment, which I trust the gentleman will accept.

Mr. CLARKE. I am perfectly willing to accept the amendment; but I must say I thought no such provision was necessary, or I would have put it in my own draft of the proposition. I considered that of course any person in the service of the United States would have the right to go through this State.

Mr. SCHLEY. I am aware of that, but that right might be contested.

Mr. CLARKE. I have no objection to accepting the amendment.

The original order was modified accordingly.

Mr. MARBURY. I desire to make one remark before this vote is taken. I have a single suggestion to make to the mover of this order. I approve of this order almost entirely; but I would like the gentleman to except from its operation negroes who may have left this State. There are a great many slaves who have gone off. If this Constitution shall abolish slavery in this State—if there is anything of that kind contemplated, which I trust there is not, for I cannot conceive that any sane man would ever seek to have that done—but if it should be done, I ask the gentleman to except negroes who may have left this State, and may be freed by this Constitution. I do not understand exactly whether the negroes who have left the State will be considered as having lost their residence here, or not—those for instance who are now in the District of Columbia, and there are a great many there from all parts of the State. If they are to be considered as not having lost their residence here, then there will be no necessity for the amendment I propose. Now I want to pro-