

the gentleman. I merely said that unless they had a Constitution later than that of 1834, they are still voting under a property qualification. If they are, then it is all right. But I want gentlemen to keep in mind the idea that you can make a man feel very badly by taxing him one dollar when he cannot pay it.

Now as to the phraseology of this article. It now reads, "that the levying of taxes by the poll, is grievous and oppressive, and ought to be abolished." Now I think those words "ought to be abolished" ought to be abolished from this article. They were put in there at a time when there was a poll tax to be abolished. I suppose they were put in the Constitution of 1850, by being copied verbatim from the Constitution of 1776, long after the poll tax had ceased to exist. Section 13 of the Constitution of 1776 did abolish the pre-existing poll tax, which those who had borne it said was grievous and oppressive. But the language of the article in the Constitution departs from that of 1776, in the latter clause, by putting in the word "persons," where the old Constitution had a much clearer provision. The old Constitution reads thus:

"Yet fines, duties and taxes may properly and justly be imposed or laid with a political view for the good government and benefit of the community."

The words "on persons or property" are interpolated into the provision of the old Constitution, doubtless looking towards Judge Dorsey's idea of a poll tax. Now I will go as far as any man to devise a scheme for taxing those who have made fortunes and are now enjoying them without contributing to the support of the Government in the proportion they should. And if you make the man who has made a fortune of one, two, three or five hundred thousand dollars pay a tax of one or five hundred dollars, it will not be so oppressive to him as the tax of one dollar would be to the poor man. Mr. Stewart, the millionaire of New York city, or Mr. Astor, or any of those very wealthy men, would not feel a tax of a thousand or five thousand dollars as much as the poor man would the tax of the one dollar which he needs to buy the bread and meat for the day for his family.

Mr. Scott. A great deal of the argument here to-day, it seems to me, proceeds upon the conception that we are now providing a poll tax, instead of leaving it to the Legislature to exercise their discretion upon the subject. The gentleman who last addressed this House, and the gentleman from Carroll, (Mr. Smith,) speak of the misery of the poor man under this tax, which he cannot pay. And the gentleman from Carroll suggests a very singular way for relieving this so much oppressed poor man from the odium which will attach to the non-payment of this tax. He says the poor men would relieve themselves

by selling their votes to any politician who would pay their taxes for them. A beautiful way that would be of relieving themselves from odium!

Now, sir, the young men upon whom this proposition would operate are in favor of a poll tax. They are men without families, without the necessity of providing for house-keeping expenses—the most of whom board, and many of them in the families of their employers. And they say they are in favor of a poll tax, that they want to be elevated at least to the condition of a dog, who pays a tax of a dollar—or at least his owner does for him—that they feel degraded by not contributing so much to the support of the government as a dog does, and they want to be relieved from that degradation.

The question was stated to be upon the motion of Mr. DANIEL to strike out the 14th article and insert the following:

"That every person in this State, or person holding property therein, ought to contribute his proportion of public taxes for the support of Government, according to his actual worth in real or personal property; and that fines, duties or taxes may properly and justly be imposed or laid on persons or property for the good government and benefit of the community."

Upon that question Mr. DANIEL called for the yeas and nays, which were ordered.

The question being then taken, by yeas and nays, it resulted, yeas 35, nays 48, as follows:

*Yeas*—Messrs. Goldborough, President; Annan, Belt, Bond, Brown, Carter, Clarke, Cushing, Dall, Daniel, Dellinger, Earle, Greene, Hebb, Henkle, Hodson, Hopper, Horsely, Johnson, Jones of Cecil, Jones of Somerset, Lee, Miller, Noble, Parker, Pugh, Robinette, Scott, Smith of Dorchester, Sneary, Sykes, Todd, Valliant, Wickard, Wilmer—35.

*Nays*—Messrs. Abbott, Audoun, Baker, Barron, Berry of Prince George's, Billingsley, Blackiston, Briscoe, Brooks, Crawford, Cunningham, Davis of Charles, Davis of Washington, Ecker, Edelen, Farrow, Galloway, Harwood, Hatch, Hoffman, Hopkins, Keefer, Kennard, King, Marbury, Markey, McComas, Mitchell, Morgan, Mullikin, Murray, Negley, Nyman, Parran, Peter, Purnell, Ridgeley, Russell, Sands, Schley, Schlosser, Smith of Carroll, Smith of Worcester, Stirling, Stockbridge, Swope, Thomas, Wooden—48.

So the motion to strike out and insert was rejected.

Pending the call of the yeas and nays upon this question, the following gentlemen explained their votes as their names were called.

Mr. ABBOTT said: By way of explaining my vote, I will say that I vote "no" for the purpose of voting for the article as it stands reported.

Mr. BELT. I vote "aye," but I wish to place myself distinctly upon the record, by saying