

almost every argument that was made upon the subject of striking out this provision in regard to taxing by the poll; that the poll tax mentioned in the bill of rights, and comprehended in the denunciation as being grievous and oppressive, was a tax in restriction of the right of suffrage. Now, sir, that is a total misconception of the purpose and object of the Convention of 1776 in framing this article. It had no reference whatever to the question of the right of suffrage. The members of that Convention of 1776 were among the most rigid in guarding the right of suffrage, and about as far from recognizing and adopting the doctrine of universal suffrage, as entertained by us now, and held and maintained for the last fifty or sixty years in this State, as it is well possible to conceive.

The Convention of 1776 adhered literally to the doctrine upon which they understood the revolution then pending to be proceeding, which was that taxation and representation were inseparable; that he who did not contribute by the payment of taxes to the support of the government was not entitled to participate in that government. That was the view entertained by the Convention of 1776. And in pursuance of the views they entertained, in the very inception of the Revolutionary war, at the very first election regulated by law in this State, they prescribed a property qualification for all voters. And perhaps, if gentlemen have not looked at the provisions adopted and insisted upon by that Convention, they may be somewhat surprised to find the views entertained of the right of suffrage by the great and learned and patriotic men who represented the sovereignty of the State in that Convention. I will read some extracts with a view of illustrating the qualifications of voters prescribed by that Convention.

In July, 1776, the Convention then in session determined that it should be dissolved, and they resolved: "That a new Convention be elected for the express purpose of forming a new government, by the authority of the people only, and enacting and ordering all things for the preservation, safety and general weal of this colony." I read from the "Conventions of Maryland, 1774, '75, '76," page 184. They proceeded to appoint judges of election in the several counties, and to make the apportionment of representatives, giving two each to the cities of Annapolis and Baltimore, and four to each of the counties, except the county of Frederick, which then comprised what are now Allegany and Washington counties, and which was then divided into three districts, to each of which were apportioned four representatives. Now who were to vote at that election? Here are the qualifications of voters, as prescribed by that Convention:

"That all freemen above 21 years of age;

[without any restriction as to color,] being freeholders of not less than fifty acres of land, or having visible property in this colony to the value of £40 sterling at the least; and no others, be admitted to vote for representatives to serve in the said Convention for the said counties and districts, and the town of Baltimore aforesaid; and that all freemen above 21 years of age, owning a whole lot of land in the said city of Annapolis, or having a visible estate of £20 sterling at the least; within this province, or having served five years to any trade within the said city and being a housekeeper, and no others, be admitted to vote for representatives in the said Convention for the said city, provided such person shall have resided in the county, district, city or town, where he shall offer to vote, one whole year next preceding the election."

Now there was nothing in the restriction of the bill of rights which had any reference whatever to these qualifications. And these very qualifications were carried into the Constitution adopted by the Convention elected under them, and continued to be the qualifications of voters in this State down to 1803; '4 or '5, I think. Under these restrictions, and that Constitution, free negroes who held fifty acres of land, or visible property in the State of the value of £40 sterling, were allowed to vote. But no freeman in the State, no soldier who had fought in the Revolutionary war was allowed to vote in this State unless he had this property qualification.

The history of that time shows that it was the federal party in those days who sustained the principle that representation and taxation should go together; and it was the democratic party of those days that fought that provision in the Constitution, and finally triumphed in bestowing the right of suffrage upon every free white male citizen of 21 years of age who was a resident of the State. I have heard an anecdote, which I will relate, in reference to the political contests in one of our counties, which was always used by one of the democratic candidates to the great discomfiture of his opponent as long as this property qualification existed, although it was a strong federal county. The anecdote is, that there was an old revolutionary soldier, who had been wounded and had received honorable scars in the battles of the Revolution to secure the liberties of his country, and who had been voting a number of years. He owned an old mare valued at £30 sterling, which was the sole property he had, and which represented his right to vote. It so happened that at one time on his way to the place of election unfortunately the old mare died. When he got to the polls it somehow got out that his right of voting had departed. When he presented himself to vote, as he had been in the habit of doing for years, the judges of election asked him if he was worth