

ent with the Constitution of the United States. While it would be incompetent for the Constitution to deprive the Legislature of the appointment of Senators, it might direct them to follow certain rules in that appointment. There could then be no doubt as to the power to fix the time. Every one would admit that the time would be as near as possible to the commencement of the senatorial term. It might happen that a political party coming into power would elect a Senator several years in advance. This ought to be guarded against.

As to districting the State for Senators, it was his impression that they had the power. The State of Georgia had undertaken to elect members of Congress by general ticket, when other States were districted, and this had been the case for years. But while the power was clear, there seemed to be no advantage to result from it. The case did not seem to be analogous to that of the Governor. The Governor was elected in districts in rotation, in order that the patronage might be more equally distributed; but there was no such reason for districting the State for the election of United States Senator. The Senator was to represent the whole State of Maryland, and should be selected from among the best men of the State.

Mr. BOWIE said that the gentleman agreed with him as to the power, and he did not see that there could be any doubt as to the propriety. It was of great importance to the agricultural portions of the State of Maryland that they should be represented in Congress, and should not always be overruled by the commercial interests of the State, nearly confined to the city of Baltimore. In the Senate of the United States, above all places on earth, could the agricultural interests of the State of Maryland be fostered and protected. In the passage of all laws in reference to foreign trade, in all treaties made with foreign countries as to the introduction into their ports of the surplus of the agricultural products of this country, the agricultural portions of the State were deeply and vitally interested. If the power was left in the hands of the commercial metropolis, where could the agricultural interests of the State find a representative? During the last five or ten years, questions of the greatest importance to the agricultural portions of the State had repeatedly been before Congress, and in such instances, Maryland ought to have an agricultural representative in the Senate of the United States. It had been supposed by some that commerce and agriculture were always similar in their interests and friendly to each other. He believed them to be not altogether so fraternal in their relations, but rather as antagonistic to each other. It was the business of commerce to make as great a profit as possible out of the producing classes—the agricultural classes. There was, therefore, a natural enmity between the two; and in order that the latter should be protected, it would be necessary that they should be represented. It was but just that the agricultural portions of the State should be allowed to have a representative, at least alternately with the commercial portion of the State. He considered the necessity for districting the

State for United States Senators, to be ten-fold stronger than for Governor. The latter had reference merely to the distribution of the loaves and fishes of office in Maryland, and the former to the great industrial pursuits of the State, which would be affected by the laws and treaties with foreign governments, and which should be guarded with the utmost vigilance.

Mr. BRENT having verbally modified his amendment,

Mr. BOWIE moved to amend the amendment by adding at the end thereof the following:

“And it shall be the duty of the General Assembly to lay off the State into six Senatorial districts, and to pass such laws as will insure the alternate election of one Senator from each of said districts, as the vacancies therein may respectively occur.”

Mr. PHELPS gave notice of his intention at the proper time to move to amend the 23d section of the report, by adding at the end thereof the following:

“But new counties may be established by the Legislature containing the requisite population, composed of parts of two or more counties, whenever a majority of voters in each of said counties shall at any election for Delegates to the Assembly, desire such new county to be erected. Provided, that no new county shall be established unless a bill for that purpose shall be passed at two successive sessions of the General Assembly.”

Mr. PHELPS said, that he trusted that the vote would not be taken to-day upon the amendment now pending. Heretofore the Eastern Shore had had a Senator at each alternate election, but by the amendment now moved, they would only get one out of six, for the Eastern Shore would form but one Senatorial district, and the Western Shore would be divided into five.

Mr. BOWIE suggested that even that would be better than to have none at all, as would probably be the case if the State should not be districted.

Mr. JEMPER was opposed to the amendment. He wished the best men in the State to be selected for the office of United States Senator, and if both came from the Eastern Shore, he should have no objection to it. He would be sorry to see the interests of Maryland jeopardized by being placed in the hands of men who were not the best fitted for the protection of these interests.

Mr. JAMES U. DENNIS, although an Eastern Shore man, would not vote for this proposition. A Senator of the United States was not to represent sections of a State, but to represent the whole United States, and especially the individual State, as a whole, from which he was elected. The amendment, should it prevail, would provide for the representation of fragments of the State of Maryland in the Senate of the United States. The best men in the State should be elected to that office. He believed that the present Senator from the Eastern Shore (Mr. PEARCE) would in any Legislature of Maryland command votes sufficient to enable him to retain the seat now held by him.

Mr. BOWIE would say to the gentleman from Somerset, (Mr. Dennis,) that although elected from districts, the Senators would still represent