

ought to be corrected, but after an experience of more than seventy-five years no evil or inconvenience had resulted from it. But that the correction should require a residence in the State of five years after naturalization, in addition to five years before it, is in his opinion impolitic, unreasonable and unjust.

The fifth section required him to be a citizen of the United States. Now, unless he was a citizen of the United States, of course he could not be a citizen of Maryland. He might be an inhabitant, but not a citizen, though he might reside here. But this amendment provided that he should be a citizen. Now, we had heretofore had much discussion on the subject, and the Convention had settled down, as he supposed, with the intention to place naturalized citizens in the same situation, as the citizens of other States—born in the United States—coming into Maryland with a design to become a *bona fide* resident thereof. He would require five years residence of persons coming from the north, in order that their sentiments and opinions might become well known. A foreigner who was naturalized at the time he received his appointment, after having resided five years in the State, should be placed on the same footing as the citizens of other States immigrating to Maryland. Should no particular time of residence be fixed, it opened the door to colonization, too, to which, in every aspect of it, he was opposed. Not that he was opposed to a selection or election of judges from the most distinguished lawyers in every part of the State, but that he was opposed to such lawyers as would colonize to obtain judgeship, not feeling implicit confidence in the soundness of their principles.

Mr. Bowie said that he was very glad to find that his friend from Anne Arundel, [Mr. Dorsey,] had changed his opinion in regard to the rights of foreigners; for, shortly after the assembling of this Convention, his very first vote, he, (Mr. B.,) believed, was given against extending the elective franchise to them, except under certain restrictions. Now, it appeared that he was particularly fond of naturalized citizens, and he seemed to think that he, [Mr. B.,] being the chairman of the committee who made the report requiring a residence of five years, designed to make an attack upon that class of our citizens. Now the gentleman was entirely mistaken in supposing that any reference was had by the committee, or himself, to foreigners at all, or that the report from the committee looked to a discrimination between the rights of natives and foreigners. A citizenship of the State was required of all persons, by a residence of five years in it. And, in doing this, the very evil which the gentleman from Anne Arundel had adverted to, was in the contemplation of the committee, and that is the case of persons, natives of other States, who might come here and be eligible. The gentleman thought they should be citizens of the United States. Now, he, (Mr. B.,) wanted to know whether naturalized citizens did not become citizens of the United States, when they became citizens of this State? And if there was

no difference between foreigners and others who came from other States—where was the hardship? They are to be citizens, and for this purpose a residence in the State of five years is required. And, persons coming here from Boston, New York, or from any other of the Northern States, must come here with the intention of becoming citizens of the State, and remain five years in it, before they would be entitled to the rights and privileges of those born in Maryland. A man may have lived here ten years, but unless he came with a determination to reside here, and to make it his permanent residence, he did not become a citizen. And, it was with that view simply, and not with a view to prevent naturalized citizens any more than the citizens of other States from becoming judges, that the committee reported this provision.

Now, he would ask the gentleman, if he effected anything by the amendment he had introduced? He actually allowed a man, who was not even a citizen of the State, to become a judge, and he proposed to give him eligibility from the fact of his being a citizen of the United States, and an inhabitant of the State. This would sanction the doctrine that a man might be a judge who was a resident of the State simply. He would say that the gentleman's amendment did not carry out his own views, and it was an attempt to engraft upon the Constitution a most obnoxious feature; because, according to this amendment, if a man was an inhabitant only, he was eligible to the office of a judge. He, [Mr. B.,] had supposed that as there was no discrimination made between a person coming from another State, and a naturalized citizen, it was right to require a residence of five years, and that there would be no objection to that. Now, he could see no objection to this, nor had any of the committee, nor had he changed his opinion in any one particular on the subject. He said that as framers of the Constitution, we had no right to make any distinction between naturalized citizens and others; and he saw no reasons for any such distinctions.

And, when the gentleman from Anne Arundel [Mr. Dorsey,] intimated that he [Mr. B.,] had changed his opinions on this subject, he begged leave to say that the gentleman was entirely in error. He saw no occasion for interlining those words, "and citizens of the United States." All that this Convention had to look to was, to see whether the party was a citizen of Maryland, for no man could be a citizen of Maryland, who was not a citizen of the United States; but a person might be a citizen of the United States, without being a citizen of Maryland. So that he used the best terms that he could find. He must be a citizen of the State; and if the gentleman wished to confine his amendment to ten years, instead of five, then he [Mr. B.,] had no objection.

He would say that the gentleman's amendment would authorize a man who was a citizen of Massachusetts to be a judge, he having become a mere inhabitant of Maryland. He claimed the right to discuss the amendment, and the force of