

If these are limited and prescribed by the organic or fundamental law, which brings such a convention into being, the organic law so limiting and prescribing becomes in this respect the law of its being, and it can be controlled by none other. The undersigned have therefore, felt no difficulty in supposing, that the General Assembly may regulate the basis of representation in the convention, and otherwise so restrict its action, as to make it in all respects acceptable to every portion of the state. If the undersigned entertained any doubts upon this subject, they have found abundant means of being relieved from them, by reference to the constitutions of many of the States of the Union, in which restrictions and limitations of a similar character to those referred to, are found to be imposed on the conventions, authorised to be called, for their amendment—restrictions not only as to the basis of representation, but in some of them upon the general powers of the convention, in reference to subjects of particular interest to the people. They refer more particularly to the constitutions of the states of Kentucky, Tennessee, Louisiana, Mississippi, Delaware, and New Hampshire, all of which contain restrictions as to the basis of representation; and to the constitutions of Ohio, Indiana, Illinois, and of most of the non-slaveholding States in which restrictions are imposed on the power to introduce slavery within their limits.

In view of these precedents, the undersigned have not hesitated to recommend such restrictions upon the convention authorized to be called by the proposed amendment of the constitution of Maryland, as will disarm it of those terrors which have hitherto been ascribed to it, and render it more likely to meet with the sanction of the people, in all portions of the State.

It would seem to be too clear, to admit of a reasonable doubt, that if the Legislature, in the exercise of the constitution making power, is competent to limit or restrict the convention which it may provide for the purpose of making amendments, in regard to questions of the basis of representation; and the like, it is also competent for the Legislature to impose any other just and reasonable limitation upon its powers, and particularly upon its mode of organization, which may be called for, by a due regard to the public interest. Impressed with these convictions, the undersigned propose that the convention when called shall be formed into two bodies—an upper and a lower House. The lower House to consist of the same number of Delegates as now compose the House of Delegates, to be elected in the same manner and proportions, as they are now chosen to that body; and the upper House to consist of one from each county, and city of Baltimore, to be chosen in the same manner as the members of the Senate are now elected. This organization seems to the undersigned to be entirely unexceptionable, and in their opinion is required by the same considerations of wisdom and policy, which under all governments have rendered it necessary to provide Senatorial checks upon the popular branch of the Legislative departments of government. If such checks have been deemed at all times essential and proper upon the law-making power, the undersigned cannot see, why they should not be equally so, when the fundamental or organic law is to be made, which controls and regulates all others.

In conclusion the undersigned beg leave to present the following