

other evidence cancelled; but the Legislature may make provision for the loss of certificates or other evidences of the debt. The Treasurer shall render his accounts quarterly to the Comptroller; and on the third day of each session of the Legislature, shall submit to the Senate and House of Delegates, fair and accurate copies of all accounts by him from time to time rendered and settled with the Comptroller. He shall at all times submit to the Comptroller the inspection of the moneys in his hands, and perform all other duties that shall be prescribed by law.

The report was read, and on motion of Mr. McLANE, was ordered to be printed.

INTERNAL IMPROVEMENTS, &c.

Mr. McLANE, chairman of the committee on the Treasury Department to which was referred the order requiring said committee to inquire into the expediency of incorporating in the Constitution a clause prohibiting the Legislature from creating debts, appropriating the public funds for works of internal improvements or other objects not connected with a strictly economical administration of the State government, &c., asked that said committee be discharged from the further consideration thereof, and that the same be referred to the committee on the Legislative Department.

Mr. McLANE remarked that the Committee did not consider this subject as coming within the legitimate range of their duties, and had therefore instructed him to move that they be discharged from its further consideration, and that it be referred to the Committee on the Legislative Department of the Government. It was also understood that the subject was embraced in a report already submitted by the last named Committee.

The change of reference was ordered accordingly.

On motion of Mr. McMASTER, the Convention passed to the orders of the day.

THE BILL OF RIGHTS.

Thereupon, the Convention resumed the consideration of the Declaration of Rights of the State of Maryland, and of the amendments pending thereto.

Mr. DONALDSON, who was entitled to the floor from yesterday, resumed and concluded his remarks.

After briefly re-capitulating the points of objection which he had made yesterday against the amendment of the gentleman from Baltimore city, (Mr. Prestman,) and the reasons which led him to think that that amendment should be qualified by the restriction contemplated in the amendment of the gentleman from Kent, (Mr. Chambers,) Mr. D. proceeded to cite the authority of Washington, which he had yesterday overlooked, to sustain his, [Mr. D's] position, that a compact signified a compact of the whole, of every part with every other part. And this, it seemed to him, was the only sound view to adopt in any Constitution.

He had also omitted yesterday, he said, to notice an objection which might be made to his construction of the compact of government. That ob-

jection was, that it would be impossible to carry out the theory, because any single individual would then have the right, when a new compact was to be made, to say he would not enter into it; and could thus, by a factious opposition, impede the will of an overwhelming majority of a community. To this, as to all other general principles, the qualification was to be attached, that a theoretical right could not always be enforced. A man who would proceed factiously to assert a right where an immense majority of the community was against him, might commit a moral wrong; and in this case it would be an act of madness. So that no practical difficulty could, in fact, ever arise. Still, the theoretical right was there. None of these metaphysical rights could be taken abstractly, but must be modified according to the circumstances of the case. Mr. D. further illustrated the argument by showing that the principle claimed on the other side of the absolute power of the majority, is necessarily subject to many qualifications in practice.

He had yesterday stated (though he could not go fully into the question,) that there was no practical difficulty in relation to this matter. The gentleman from Frederick, [Mr. Johnson,] had declared that he could not bind the people of the next generation as to matter of politics—as to Constitutions. He [Mr. D.] argued that the people, if they were "eternal," could so bind themselves. If our new Constitution shall provide, as he presumed it would, for future amendment by means of Conventions, or if the 59 article prohibiting the legislature from taking any such action were stricken out, [and he presumed no one was in favor of retaining it,] then all danger would be averted.

Had not this Convention assembled in pursuance of a law passed in the face of that very article? That law would be right and constitutional and by no means revolutionary, if the 59th article were not in existence; but it seemed to him, under present circumstances, that the act was revolutionary, although in this particular case it had taken the forms of law, and had been acquiesced in by the whole people. He did not wish again to subject the community to any such danger—because, of late years, the popular impulses had become too strong for such trials.

So in relation to the question of the public debt—as to how far one generation could bind another to repay the money which it had squandered. There, he thought, was room for argument—but still, the error should always be upon that side which maintained the public faith without the slightest blur. He supposed it to be an almost unanimous feeling in this body, that restrictions should be placed in the power of the Legislature to contract public debt; that the property of our descendants should not be thus deeply mortgaged, but that provision should be made for the payment of the debt within a reasonable time. Adopt the principle maintained by the gentleman from Frederick, (Mr. Johnson,) and there would be no such thing as faith in a political community; there would be no power to bind even for a day. That was one extreme. The other extreme was binding a people forever, for any