Mr. CHAMBERS. In that case the only difference between the two propositions is, that mine looks to a legislative provision, while his, does not. The gentleman will not entrust the power to the Legislature.

Mr. McLANE said the gentleman from Kent did not do justice to his argument. He explained that his idea as to the manner in which provision should be made in the Constitution, was, to give the Legislature the power only to specify such details for carrying out the provision as circumstances called for. His objection to the amendment of the gentleman from Kent was, that it vested all the power of calling a Convention, in an act of Assembly, as the amendment read, "according to the Constitution *or* laws of the land." The expression, he thought too vague and admitted of too comprehensive a construction. Act of Assembly was more definite. He did not know that he had ever read in any Constitution, the phrase, "laws of the land," except in reference to criminal cases. What, he asked, was meant by "the laws of the land?"

Mr. CHAMBERS replied. The statute and common law.

Mr. McLANE. This did not include all the laws of the land. All the ordinances of the city of Baltimore are laws of the land. He gave a brief exposition of his own views as to the operation of the civil and statute law.

Mr. C. suggested there was no such thing as the civil law in Maryland.

Mr. McLANE replied, there certainly was civil law and admiralty law also.

Mr. C. remarked. Neither have we admiralty law.

Mr. McLANE said there certainly was admiralty law in the code of the United States. He proceeded to say, he would not give the Legislature the power to call a Convention. His idea was, to engraft in the Constitution a power to the Legislature to pass a law to carry out that specific provision. If that was the meaning of the gentleman from Kent, there was no disagreement between them. He would only empower the Legislature to carry out the provision in the Constitution.

Mr. CHAMBERS resumed and said, the phrase, "laws of the land," was designed to mean exactly an act of Assembly, passed pursuant to authority given in the Constitution. He vindicated the expression, and said it occurred *frequently* in the bill of rights and Constitutions, and in his acquaintance with the courts, at the bar and on the bench, for a period of more than forty years, he had not heard such an interpretation as is now given to these words. The ordinances of Baltimore were, in his opinion, no more alluded to than the bye-laws of the Farmer's bank, over which his friend near him. (Mr. Wells,) presided. Being sort of "house-hold" terms with the profession, they had occurred to him at the moment. Whatever words were used, he insisted on some provision as the mode of ascertaining the popular will—the will of the majority.

Mr. PRESSTMAN asked if there was a general acquiesence, what reason was there for ascertaining a majority?

Mr. C. None—not the least. And if a meeting of fifty men, under the lead of the gentleman, shall form a Constitution, and induce the people to proceed to administer the government under it, by electing officers at the times, and in the manner provided, and those who legally rule the State in its various departments, choose to retire and acquiesce in the usurpation of these officers, it will become the existing government of the State; and when established as such, will be protected by the military arm of the United States.

Mr. PRESSTMAN said, "That's all I contend for."

Mr. C. said, it was not all *he* contended for. He had a right to the coat on his back. If another in his presence assumed the ownership and disposeses him of it, and he *acquiesced* in it, he might be concluded. It did not follow that the conduct of the man who had possessed himself of his coat by force or fraud, was justifiable and proper. He claimed that the change in the government should be made by a provision in the Constitution or by a constitutional law, and then the rulers would be *bound* to retire. It would no longer be at their option to acquiesce or resist.

Mr. Webster's name and authority had been invoked. He had long known Mr. Webster, and at one period intimately. He knew something of the character of his gigantic mind—the course of his political opinions—the current of his feelings.

The more these were known, the more that great man would be admired. With such knowledge he could say, that he who looks to Daniel Webster to countenance confusion, discord and civil strife, will be sadly disappointed. His tongue and his pen teach other lessons. Like his familiar friend, Judge Story, he belongs to another school. His claims to the heartfelt gratitude of the last man that lives under, and loves the American Constitution, rest on his uniform defence of well defined, national, constitutional principles of *free government* and *good order*.

What says Mr. Webster? Why in the very speech cited, the Dorr case, p. 14, he meets the objection so continually and repeatedly pressed upon us as conculsive—the implied control of what *he* admitted as fully as we do "the sovereignty of the people." It was urged then, as now, it was to control, to check these right. It is now said we "shackle" them. Hear him, "my adversary says, if so, and the Legislature would not call a Convention, and if when the people rise to make a Constitution, the United States step in and prohibit them; why the rights and privileges of the people are checked—controled." That was the objection then, precisely as it is now. Very well, now for the answer; "undoubtedly!" "The Constitution does not proceed on the *ground* of *revolution;* it does not proceed on any *right* of revolution; but it does go on the idea that *within* and *under* the Constitution no new form of government can be established in any State *without the authority* of the existing State." It must be so. All the notions we have ever entertained, concur to demand it to be so.