

As to the amendment of the gentleman from Kent, it was precisely the 59th article of the old Constitution. It re-enacts that article without the restriction in the 42nd article of the bill of rights.

Mr. CHAMBERS interposed a remark, that this was a total misapprehension of his purpose. He thought it proper that the mode of changing the Constitution should be specified. But when the gentleman from Carroll says, that the proposition is restrictive in its effect, the gentleman from Carroll attributed to him a purpose he never intended.

Mr. BROWN, in conclusion, stated that he merely spoke of the effect of the amendment—of the intention of the gentleman from Kent, he would say nothing. It did, in effect, say to the people, "thus far shalt thou go, but no further." If it were to be adopted now, it would be rendered nugatory in its operation, before a new generation would pass away. He looked upon it as merely a re-enactment of the 59th article. This was all he proposed to say, and he had not intended to say this; but after the hard blows he had received from the gentlemen on the other side, he could not remain silent.

*Sketch of the Remarks of Mr. PRESTMAN, Feb. 3,*

On his amendment to the Bill of Rights, as to the right of the people to alter their form of government, &c.

Mr. CHAMBERS, of Kent, again took the floor, but said that if there was any gentleman who adopted the views of the gentleman from the city of Baltimore, [Mr. Prestman,] and the gentleman from Cecil, [Mr. McLane,] and who desired to be heard, he, [Mr. C.] would cheerfully yield the floor.

Mr. PRESTMAN said, he desired to say a very few words, in order to put himself right before the Convention. It was not his intention again to trespass upon its time. All he desired was that, before the gentleman from Kent, [Mr. Chambers,] proceeded with his remarks, he should understand precisely the position which he, [Mr. P.] intended to take at the commencement.

As he had heretofore stated, the amendment he introduced embodied precisely the same language as that contained in the bill of rights of several of the States of the Union, and he would now frankly state to the Convention, that the views which had been presented, in part, upon his side, were not the views which he designed to hold at the commencement of the debate. He intended to say that if the amendment should be adopted, following, as it did, the form of the Virginia bill of rights, and of the bills of rights of Maine, and other States, there should be no provision in any manner in the Constitution, which was about to be made, prescribing any particular mode in which that Constitution should be changed.

It would, therefore, be in harmony with his idea, that hereafter, in forming a Constitution,

no mode should be pointed out by which it should be changed. It was not necessary for him, in the view which he designed to present, to assert the doctrine that the right was to be exercised against the particular forms of the Constitution which might or might not be adopted. On that point, he had as yet reserved his opinion.

If the amendment of the gentleman from Cecil, (Mr. McLane,) should be brought to a vote, he, (Mr. P.) might feel himself constrained to vote for it; not because he had abandoned the ground which he had originally taken, but because there was not one single word in that amendment which denied the principle of his own. If there were, he would vote against it. He understood that amendment to be a mere assertion that the right exists, and to point out a mode in which that right may be exercised on the score of expediency. If the gentleman from Cecil had, in any degree, denied that right, he, (Mr. P.) repeated that he could not have voted for the amendment. He did not now pledge himself to do so—nor would he, until he had heard the discussion. If, however, he should do so, he meant it to be understood, that he voted for it as a compromise, looking to conventional reform; and if it did not contain the germ of conventional reform as contra-distinguished from legislative reform, he would not vote for it under any circumstances. He wished, therefore, that the gentleman from Kent, (Mr. Chambers,) should bear in mind that although gentlemen had charged him, (Mr. P.) with setting up the doctrine of the right of the people, short of the revolutionary right, to change their government in a manner different from, and in violation of the mode pointed out by the Constitution, he never had asserted that doctrine, as it was unnecessary for him to do so. He had proposed his amendment in the event of no mode being pointed out in the Constitution, and leaving it, therefore, to the people to provide a mode for themselves. He did not hold with his colleague, (Mr. Brent,) nor with the gentleman from Cecil, (Mr. McLane,) that there was no mode by which the people could adopt a new Constitution, except according to provision made by the Legislature. The doctrine which he maintained, he held to be identical with that upon which some gentlemen had contended that they held their seats here, that is to say, the general acquiescence of the people, independent of legislative acts.

WEDNESDAY, February 5th, 1851.

The Convention, pursuant to its order of yesterday, met this day at 11 o'clock.

Prayer was made by Rev. Mr. GRIFFITH.

The journal of yesterday having been read,

Mr. WEBER moved so to amend it as to state the fact that he had called the yeas and nays, on the motion of the gentleman from Calvert, (Mr. Weems,) that the hour of meeting be eleven o'clock.

Some conversation followed.