

Had he rightly understood his amendment, as designing to confer upon the Legislature the power of alternating between annual and biennial sessions at its pleasure?

Mr. SPENCER referred to the language of the proposition, leaving the subject to legislative discretion.

Mr. RIDGELY resumed. He had so understood the amendment, and he regarded it as the most dangerous proposition which had been offered in connection with this subject. What was it? Would gentlemen analyze it; strip it of its seeming deference to the popular will; look it freely in the face? It was nothing more nor less than a special amendatory clause of the Constitution—a power to the Legislature, at its mere pleasure, to alter the fundamental law by a single act of Assembly. It appeared to him, that the effect of the amendment would be to render the constitutional provision adopted yesterday, making the sessions of the Legislature biennial, nugatory and idle; and the Constitution had as well be silent upon that subject, since the Legislature would then have the power now proposed to be conferred upon it. But he regarded the amendment as most objectionable, in view of the power itself, proposed to be granted to the Legislature. In comparison with this proposition, he considered the fifty-ninth article of the old Constitution, odious as it was to conventional reformers, by reason of the construction given to it by those who claimed exclusive legislative control over that instrument, as much to be preferred. This proposition takes away from the people the color of participation on their part, which the fifty-ninth article provides to effect a change in the organic law, by permitting, in this particular, such change to be accomplished by a single legislative enactment; when the fifty-ninth article contemplates the act of two consecutive Legislatures to effect that object. He could go for no such proposition. He was free to confess, that in his judgment, the amendment surrendered an elementary principle of the reform party. What was the cardinal doctrine of conventional reformers? If he had not greatly misunderstood the theory of that party, whig and democrat, it was, that no earthly power, other than the people, ought to make, change, or alter the organic law—that the claim set up by the literal constructionists of the fifty-ninth article for exclusive legislative control over the Constitution, was qualified and determined by the forty-second article of the Bill of Rights; and further, that although no such reservation had been grafted upon the Bill of Rights, yet it would have existed, as an inherent and unalienable right in the people. Was not this the doctrine of conventional reformers? Is it not now our doctrine? Have we not been for twenty years struggling against legislative amendments of the Constitution, and demanding a Convention, and yet it is now deliberately proposed to delegate the very power to the Legislature against which we have so long, so earnestly, and at last successfully contended.

For one, he here avowed, that regarding the people as possessing the exclusive right to control the organic law, he should never consent to

delegate to the Legislature any power whatever to tinker with the Constitution. The honorable gentleman from Queen Anne, had argued that the amendment contemplated the exercise of the power by the Legislature only, when demanded by the popular will; and he had earnestly asked, Were we afraid to trust the people. What security, he would ask, had the people, that this power if conferred upon the Legislature, would be held subordinate to their will? Does the amendment impose any restraints upon the exercise of the power? On the contrary does it not authorise a change of sessions from annual to biennial, or vice versa, by a single legislative enactment, and thus practically annihilate the provision of the Constitution for biennial sessions? Nothing is more evident. The honorable gentleman from Queen Anne, has maintained with great earnestness, that the Legislature would not dare to exercise such a power *mero motu*, except upon the prompting of public opinion, because it would sacrifice every member of the body, who had the temerity to oppose the popular wish. It was not, in his judgment, important whether the power would or would not be abused. He was against conferring any power whatever over the organic law upon the Legislature, even in the most unimportant particular, and for a direct Constitutional recognition of this prohibition, by a provision for future Conventions. Yet he would ask, what evidence does the past supply, that such a power would be exercised in conformity with public sentiment? The vice of the argument appeared to him to be in confounding the Legislature and the people. These must be regarded as correlative, as one and the same thing, to justify such conclusions—and he was sure such was not the theory of his friend from Queen Anne. Certainly as he had already intimated, the past was not full of encouragement to the people in this particular, that they should again peril their political fortunes by such a venture. Have not the people, the majority, a large majority, been for years struggling against the very theory which this amendment upholds? Have we not been first respectfully asking, then remonstrating, and now demanding that the Legislature shall be so constituted, as to represent the people? With what success, heretofore, this application has met, the honorable gentleman is well informed; and will he consent to trust the power of altering the Constitution in the hands of the Legislature as now constituted; and can he hold out any reasonable hope to us, that its present basis, will be modified in accordance with the equal political rights of citizens? We have been sent here for a far different purpose, as he understood his duty. We came here to make a Constitution, to be submitted to the people, as the only competent tribunal to breathe life into it, or to change or amend it. Let us then perform our proper office—our whole duty—and not attempt to shift responsibility, or to devolve the people's prerogative upon the Legislature.

The gentleman from Queen Anne's had said, that the first two or three sessions of the legislature, after the adoption of the Constitution, would be attended with an unusually great amount of