

harmony. And he would ask the gentleman from Kent, to look at the reason which lay at the people to vote whether or not they would have a Convention, there could be no evasion of this duty.

Mr. SPENCER said:

That during the debate which had occurred on the fourth of February, he had expressed his opinion that the people have the inalienable right at any time to alter, change or modify their government at pleasure, and the reasons for that opinion; and he should advocate the adoption in this Constitution of a provision for taking the sense of the people upon the subject of calling a Convention. He considered that question as already settled by a vote of the Convention adopting an article in the bill of rights to that express effect, as would be found by reference to the journal pp. 267, 280 and 281. That provision had been carried by a vote of forty to twenty-eight, declaring that at reasonable periods the sense of the people ought to be taken.

The gentleman from Kent, [Mr. Chambers] had then stated that he would advocate the incorporation into the Constitution of a provision of this kind in order that the public mind might be settled, and to prevent anxious disputation in the future. He had this morning re-affirmed that declaration.

He (Mr. S.,) would not enter into the abstract question of the importance of adjusting this question, after what had been said by the gentlemen from Kent and Baltimore counties. The only question now was, how to carry out the measure.

He had voted against the proposition of the gentleman from Baltimore city, [Mr. Brent,] because he considered the calling of a Convention necessarily legislative in its character; and the legislature could more conveniently carry out the intention, without any interposition on the part of the Governor.

He did not fear to trust the legislature of Maryland with the discharge of a duty imperatively required by the Constitution. If it were left discretionary with the legislature, as in the proposition of the gentleman from Calvert, (Mr. Sellers,) he would not assent to it, because as a matter of discretion it would become a subject of political agitation and excitement in the hands of the legislature.

He agreed with the proposition of the gentleman from Frederick, (Mr. Thomas,) that the Governor was no more to be trusted in the discharge of a political or executive duty than any other man.

The gentleman from Baltimore county, (Mr. Howard,) had said, that we could only settle this question upon abstract principles, and that we had no light of experience to guide us. He was mistaken; we were not left in the dark upon this subject. Very many of the States of this Union, and some of the older ones from the very first, had recognised this right; and wherever it had been recognised, there had been less agitation than in those States where the question had been left unsettled by the Constitution.

He would refer to the Constitutions of Massachusetts, Vermont, New York, Indiana and other States. He referred to the American Constitution, pp. 59, 91, 122, 284. He would then advocate the measure not only as one of abstract justice, but as a plain measure, which would ensure stability, where before there had been clamor, turbulence, and excitement in regard to a change.

The first question before the Convention would be upon the proposition of the gentleman from Carroll, (Mr. Brown,) a proposition which would meet with his hearty concurrence. In providing for the calling of a Convention, it was necessary to fix upon a basis for that Convention, and he considered the basis proposed as being wise and discreet.

Whatever settlement might now be made of the question, ought to be the basis of any future Convention which should assemble. He was happy to say that many members of this body who had opposed the compromise, and who desired a representation according to population, had declared that if the next Convention should be called upon the basis of representation established by this Convention, it would obviate one of their strongest objections to the adoption of that compromise for the settlement of the question. Those expressions had afforded him peculiar pleasure, as they seemed to make manifest the mode of adjusting this heretofore perplexing question.

That proposition however was but an amendment to the proposition of the gentleman from Allegany, (Mr. Fitzpatrick,) which he considered to be in strict conformity with and in execution of the decision of February 4th. It provided that at certain stated periods the question should be submitted to the people whether or not a new Convention should be called. The proposition was to carry out the declaration in the bill of rights, to establish the peace measure, and to secure to the people that which the bill of rights affirmed they should possess. The proposition of the gentleman from Allegany left no discretion to the Legislature. It was imperative; and in that proposition every thing was effected which it was necessary to effect. It would go further towards securing the adoption of this Constitution by the people than any other provision which could be adopted in it. He would therefore appeal to all members who desired a harmonious conclusion of this question, to sustain this measure.

But this proposition was offered as a substitute for the report of the committee. The first proposition in the report was that the Legislature by acts passed at two consecutive sessions should have the power of amending the Constitution. Against this proposition he was as fully committed as upon any other point, before his constituency. It was unnecessary to refer to the experience of the past, or to argue this proposition. His opinion had been already fully given upon it.

The second part of the proposition authorised the Legislature to call a Convention, leaving it wholly discretionary with them, and if one Legislature should be in favor of it, the next