

not originate amendments, but would be called upon to confirm or reject those proposed by the Legislature. With these checks there could be no amendment carelessly passed, or carried by mere intrigue with pliable legislators.

The second section of the original report, [Mr. Sollers,] provided that a Convention might be called by the Act of two successive Legislatures. This, as far as it was intended for a check on the power of calling Conventions, seemed to him utterly futile. There was in our existing Constitution a provision, that it should be amended in no other manner than that prescribed by the instrument itself. And yet, in the very face of that prohibition, the last Legislature had, by a single act, called this Convention, and in pursuance of that call we were here now. No one doubted that such a Convention might have been constitutionally called by the Act of two successive Legislatures; yet, the popular sentiment seeming to demand it, the barriers imposed were broken through. The same thing might happen again, and he preferred that no such prohibition should exist, only to be violated.

He was therefore opposed to the whole of the report of the gentleman from Calvert, [Mr. Sollers.] He was in favor of the substitute offered by the gentleman from Allegany, [Mr. Fitzpatrick,] which provided for taking the sense of the people, after certain fixed periods of time, in relation to calling a Convention. He much preferred, however, that the periods should be twenty instead of ten years. The great object was to avoid agitation. The agitation often arose from uncertainty as to the true sentiment of the people; politicians got up a factitious public opinion, and by concerted clamor produced an appearance of general excitement, by which many were deceived. If the sense of the people were regularly tested on this point, there could be no misrepresentation in regard to it, and all the agitation which grew out of the doubt concerning the public opinion would be at an end. He did not apprehend that Conventions would be oftener held with than without such a provision in our Constitution. He was inclined to look upon it as conservative in its nature. It seemed to him, however, that some changes in our Constitution might become desirable, which yet would not be of sufficient importance to authorize the call of a Convention. A Convention was attended with enormous expense, and would scarcely be resorted to, except when radical and extensive alterations were in contemplation. We had already engrafted a great deal of new matter into our Constitution, and it was not likely that every part of it would prove perfect in practice. The propriety and necessity of some amendment might soon become manifest, and serious inconvenience would perhaps be produced by the want of some amendatory power in the Legislature. For this reason he would offer the section he had read, which was not inconsistent with the report of the gentleman from Allegany, but merely supplementary.

Mr. SOLLERS. As to the "futility" of the second proposition of his report, he would ask, whether the proposition of the gentleman from Allegany

was not equally so. If the people had an inherent right to call a Convention to change the Constitution, why would not one mode of calling the Convention be just as futile as another. The difference between his article and that in the present Constitution, was that his article affirmed the right to call a Convention, which the other did not. Gentlemen seemed to treat his proposition as something void and unheard of—something in relation to which they had had no experience. They had had the experience of more than sixty years, during which the only changes in the Constitution had been made under that article. They had lived under that Constitution for nearly seventy-one years, without complaint except from agitators; and this Convention had been called by a minority of the people of Maryland. Up to this very instant there was no evidence of the approval by the public, of a single measure adopted by the Convention. Gentlemen worked to quiet agitation. The way to quiet it was by legislative enactments; and seventy years experience would show this to be true. By periodical arrangements, the people would be compelled to agitate the question whether a change was desired or not. A government, of all sorts of machinery, was that which was most difficult for human hands and human skill to form. If a single spring was loose, or a wheel out of place, it would stop the whole machinery. Yet it was proposed to bear it for ten long years, no matter what the grievance might be. His own proposition would prevent this delay.

The gentleman from Queen Anne, (Mr. Spencer,) had accused him of having made an appeal to the lower counties. He would repeat that appeal. There had been a time when all the counties of the Eastern Shore could have been appealed to. In his opinion the interests of those counties had been abandoned by members from those counties. He would bring no charge against others, but he would say that if he had agreed to the compromise which deprived his own county of a portion of its political power, his conscience would have written upon his brow—"traitor." The Senate, like members of this Convention, might abandon the interests of the lower counties. He would not trust them.

Mr. DONALDSON said, his remark had been, that it was futile to put into the Constitution any such check on the power of calling Conventions as was proposed by the gentleman from Calvert, [Mr. Sollers,] because in the face of a still stronger prohibition the legislature had by a single act called the present Convention. The report of the gentleman from Allegany, however, did not attempt to place any check either upon the will of the people or the action of the legislature in regard to calling a Convention. It merely provided that the question should be submitted at certain stated times to the people. The difference between the two propositions as to their efficacy seemed to him very clear. He did not mean to say that amendments might not be made by Conventions called in either mode, but that the proposition of the gentleman from Calvert was futile as a check upon the people