

*Negative.*—Messrs. Chapman, President, Morgan, Hopewell, Chambers, of Kent, Wells, Sellman, Sollers, Howard, Buchanan, Welch, Ridgely, Bowie, Tuck, Sprigg, Spencer, George, Thomas, Shrivers, Biser, Annan, Stephenson, McHenry, Magraw, Nelson, Carter, Stewart, of Caroline, Gwinn, Brent, of Baltimore city, Sherwood, of Baltimore, Pressman, Ware, Schley, Fiery, Neill, John Newcomer, Harbine, Michael Newcomer, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Smith, Shower, Cockey and Brown—46.

So the amendment was rejected.

Mr. RANDALL then moved to amend the substitute of Mr. FITZPATRICK by inserting after the words "votes cast," the following:

"Equal in number to at least a majority of the votes of this State, as ascertained by the last preceding election for electors of President and Vice President of the United States."

Mr. RANDALL did not understand that it was pretended by any member of this Convention, that less than a majority of the votes of the State, by expression or implication, should change the Constitution. The object of his amendment was not to require a majority of all the votes, because it would be impracticable to ascertain when such majority was cast, but as nearly as they could be done, to require that the number of votes for a Convention should be at least a majority of the votes cast at the last preceding election for President. The population of the State was increasing, and there would be no danger of such a required vote exceeding any real majority of the voters of the State. If there should be a majority of the votes, as ascertained by the last preceding Presidential election, cast in favor of any call of a Convention, they might, nevertheless, fall far short of a majority of all the voters of the State; so he thought that it would be the best mode of ascertaining if such a large number of the people of the State were favorable to these changes, as would secure their final adoption. It did seem to him, that it would be carrying out an established principle of the government, that no less than a majority should vote for a Convention to change the Constitution to which the whole people had for years submitted as the government of their choice.

Mr. Tuck said, if he had been a member of the last Legislature, he would have voted for the proposition offered by a gentleman from St. Mary's county, requiring the number of votes in favor of this Convention to be equal, at least, to a majority of the votes cast for President and Vice President. He would have done this to ensure a full vote on that important question; which he was then satisfied would not be the case at a special election. The fact was, that not one-half of all the voters in the State had voted on the question. But if the people had been called to express their opinion for and against a Convention at a general election, he would not have voted for any such amendment, because there is always a full vote at these elections, and he should, for the same reason, vote against the amendment now offered by his friend from Anno

Arundel. The sense of the people is proposed to be taken every ten years, at a general election of Delegates. He thought this would bring out a full vote. He conceded that some standard would be proper, if it were to be taken at a special election. He would suppose that this amendment passed, and that forty-nine thousand votes were taken at the election for Governor or President, and only forty-seven thousand voted on the question of calling a Convention, of which twenty-four thousand were in favor of a Convention. It could not be held, because, by the standard proposed, the voters in favor of the call must number at least twenty-four thousand five hundred. There would be loud complaints against such a result. The consequence would be inevitable. Here would be strong evidence of the people being in favor of the Convention; yet another trial could not be had for ten years. The impatience of the agitators of such questions would soon be made manifest, by appeals to the people. They would be reminded of the doctrines of popular rights, of the right of the majority to govern; and this cry of agitation would not cease until another Convention was had—against the forms of law, may be, if it could not be had under these sanctions. He wished to witness no such scenes, and thought it better to leave the question to be decided at a general election, by a majority of the poll then cast, which would be sufficiently large.

Mr. HOWARD objected to the proposition as an infringement of the rights which the people had by their sovereignty. The effect of the proposition would be to compel all those who were in favor of a Convention, to go to the polls, notwithstanding the inclemency of the weather, notwithstanding their own pursuits, which might incline them to stay away. It was compelling them to go and vote, or else lose their vote. Upon the other side, if a man was against a Convention, he might stay away from the polls, and the vote would not be less on his side of the question. It would throw upon the affirmative the necessity of giving their votes, or they would be lost, while those in the negative might stay away, and their votes would not be lost. So that it would impose a burden upon a portion of the voters, while it relieved another portion. If there was one thing which every man in the State held as his individual property, to be exercised as he thought best, it was the right of sovereignty. He would vote against the proposition.

Mr. RANDALL said that with regard to the objection of the gentleman from Baltimore county, [Mr. Howard] he would ask why should not the vote of a man who did not attend the polls because he did not wish a change in the Constitution be counted by reason of his absence as well as the man who did attend the polls? He intended that their votes should be counted. Generally speaking, he apprehended that a majority of those favorable to a Convention would be more likely to attend, while those who were opposed to a Convention, would be likely to stay away.

If they had an established organic law of the land, that law ought not to be changed unless a