

ed pursuant to the provisions of this Constitution, and until their successors be duly qualified.

3rd. The Sheriffs of the several counties of this State and of the city of Baltimore respectively, shall give notice of the several elections authorised by this Constitution in the same manner as they are directed by existing laws, to give notice of elections under the present Constitution.

4th. This Constitution if adopted by a majority of the legal votes cast on the first Wednesday of June 1851, shall go into operation on the fourth day of July 1851, and on and after said day shall supercede the present Constitution of this State.

Which was read.

Mr. BLAKISTONE believed that the last branch required a majority of the legal voters of the State to ratify the Constitution. It might so happen that a very few votes would be cast in the country, that they might have a very bad day, and then the votes cast in a particular section might control the whole State. He presumed that it was not the intention of the Convention that the Constitution should be adopted except by a majority of the voters of the State. He did not care what rule was adopted for the purpose of ascertaining what number would be a majority, provided the rule would enable a majority of the people to decide on the Constitution.

Mr. CONSTABLE said, that his amendment was almost in the words of the law, and he called the attention of the gentleman from St. Mary's to the language of the act under which the Convention was called. To require a majority of the legal voters to act would be untenable under any circumstances, for they would then first have to ascertain how many voters were in the State.

Mr. BLAKISTONE replied, that if the Constitution was to be adopted, he wished it to be adopted by a majority of the legal voters of the State, by whatever standard that majority might be ascertained. He presumed that the most effectual standard by which this could be ascertained would be by the returns of some preceding popular election, he cared not which. He was perfectly willing to take the last election for President of the United States. He did not believe that the Convention was bound by the language of the act under which the Convention was called. They were the representatives of all the people—merely a committee delegated by the people to recommend something for their consideration. He presumed that gentlemen did not feel themselves tied down by the provisions of this law, and that they would be perfectly willing to allow a majority of the people the right to express their opinions upon the subject.

Mr. CONSTABLE supposed that all would be perfectly willing to allow a majority of the people to express their opinion upon the subject; but the whole people had already adopted that law, and it was a law of the people. They had executed that law, and had called this Convention by a majority of the votes cast, and would adopt or reject the Constitution by the same rule. It

was not a law of the Legislature or of the Convention; but it was a law made by the people themselves.

Mr. BROWN remarked, that the proposition to require a majority of the votes cast at the last Presidential election for the adoption or rejection of the Constitution, was tried in various ways in the Legislature, and they came to the conclusion that it would be better to take a majority of the votes given. The people adopted it in that way, and it was their own act.

Mr. BLAKISTONE said, that there was an argument submitted by the gentleman from Baltimore city, (Mr. Brent,) which took a very different view of the matter. He did not intend to express any opinion as to the construction of the law, but was only disposed to do what he believed the people would sanction—that the Constitution should be adopted by a majority of the legal voters of the State, and not by a majority of the votes cast. Suppose they should have a very bad day—the people living ten or twelve miles from the polls would not be able to go there, while in the city of Baltimore the whole vote would be cast, the people there residing near the polls. Would any person like to see a Constitution adopted, in the vote for which not one-fourth of the people participated? He should move an amendment to the effect that it should require a majority of the legal voters of the State to adopt the Constitution, the same to be ascertained by the last Presidential election.

Mr. McMASTER moved to amend the fourth article by striking out the words "fourth day of July," and inserting in lieu thereof, the words "first day of January."

Mr. CONSTABLE said, that he had taken an early day, the fourth of July, not only because of the memories associated with that day, but because it was necessary to have a day early enough for the sheriff to give legal notice of the elections.

The question was then taken on the amendment of Mr. McMASTER, and it was rejected.

Mr. BLAKISTONE moved to amend said fourth article, by striking out the words, "by a majority of the legal votes cast," and inserting in lieu thereof, "by a majority of the legal voters of the State, the same to be ascertained by the number of votes cast at the last election of President and Vice President of the United States."

Mr. GWINN said that he must confess that he was every day becoming more effectually enlightened upon the science of government, and by none more than by the gentleman from St. Mary's, (Mr. Blakistone.) The law under which they were sitting, required that this Constitution should be adopted by majority of the votes cast, and that it should then be the Constitution of the State of Maryland. He would ask the gentleman, that if they had the power to say that it should require a majority of the whole votes of the State to adopt the Constitution, whether they had not an equal power to say that it should require three-fourths or four-fifths of the people of the State to adopt it, because if they had the right to change the form prescribed in the law,