

they would have the right also to fix on a still larger number for the adoption of the Constitution? They would then have, under the theory of the government, the extraordinary notion that this Convention could require even a unanimous vote of the people to ratify the Constitution under which they were to live. This was the full consequence of his argument, and he could not refute it. They were changing places, it seemed, with gentlemen on the other side. Until the present moment, nothing but conservatism had been heard of from gentlemen of the lower counties; but now it appeared to him that these gentlemen seemed anxious to be more revolutionary, than any in the body, which they had once described by this portentous epithet. The law was commonly held good in its authority for pay and mileage—why not give it the same credit in other particulars?

Mr. BLAKISTONE was very happy to become the schoolmaster of the gentleman from Baltimore city, for really he required a little schooling. He assured the gentleman he was about to carry out exactly the same principles he came here with, and would advocate the right of a constitutional majority of the people to govern. The very gentlemen who advocated the calling of this Convention, now came here, and tried to take the power away from the people. He was a very good democrat before he came here, and very conservative here, too, but he was not democratic enough to be afraid to trust the people. The gentleman had referred to the proposition in relation to mileage, and had said that that was Whig doctrine. He should like to know if the gentleman did not receive his mileage?

Mr. GWINN. Under the law.

Mr. BLAKISTONE said that they all received it equally, and he was very certain that he should not receive half enough to compensate him for being here.

He did maintain that a Constitution which they had established, ought not to be changed, except for some evident good that was to be accomplished, and when there was a proposition to change it, it ought to be changed by a solemn vote of a majority of the whole people, and not by a fraction of the people. The gentleman should not undertake to tell him that if the Legislature had passed a law, saying that if a majority of the votes cast in Baltimore city should be in favor of the Constitution, it should be binding upon them, and that they could not have the power to incorporate a provision submitting the whole to the people of Maryland. That was the argument of the gentleman. He (Mr. B.) looked upon the passage of this law as irregular. He contended in the Legislature that there was but one power in the State by which the Constitution could be changed—a majority thought differently, and he acquiesced in the decision of that majority. They were assembled together as the embodiment of the people, and had a right to express their opinion as the people, and determine as the people what should be necessary to give force and effect to the action of their

hands. He could not comprehend how any man who called himself a democrat, would be unwilling to submit the Constitution to the decision of the whole people, and not to a fraction of the people. Upon the vote on the amendment which he had submitted, they should ascertain who it was, or who it was not, that were willing to trust the people.

Mr. HOWARD desired to know how they should ascertain that the votes cast at the last Presidential election were the number of votes now in the State? Did the gentleman admit that there were no fraudulent votes given at the last election, and did he also admit that nobody had moved away from the State since then?

Mr. BLAKISTONE had no doubt that there were a great many fraudulent votes given at the last election, and he had no doubt, that many had moved away, and a good many came in. He believed that the only practical way by which they could ascertain the number of votes in the State, would be by the last Presidential election, the vote being larger at that election than at others. If the gentleman from Baltimore county would suggest any other mode, more feasible than this, by which a majority could be ascertained, he would willingly adopt it in preference to his own.

Mr. GRASON, like the gentleman from St. Mary's, was anxious that the Constitution should be ratified by a majority of the people, but differed with him as to the mode of ascertaining it. That gentleman required a majority of all the voters of the State, as if the number could be accurately known in any other way than by counting the ballots; and as if all were opposed to the Constitution, who did not attend the polls and vote for it. The probability is, that, of those who neglect to vote, the number on each side will be nearly equal. It is not to be expected, that an election for the ratification of a Constitution, will be as well attended as an election for candidates for office, who always use the greatest efforts to bring the people to the polls. The gentleman from St. Mary's, and his political friends wish to give the new Constitution a fair chance of adoption, and yet insist upon a rule which must necessarily defeat it. They wish the question to be determined by a majority of all the people of the State, yet propose to count those who absent themselves from the polls as opposed to it. Their plan is to give the people their choice, and at the same time, compel them to reject the new Constitution. Their position may be exemplified by reference to an incident in the history of Connecticut, which was related many years ago in this Hall, by a gentleman from Worcester. It so happened, that in a certain township in that respectable State, the public jail, like our present Constitution, was so much in want of repair, that a town-meeting was held to decide whether it would not be better to build a new one. After considerable discussion, and the most liberal professions of regard for the public interest, the following resolutions were the result of the meeting: First, resolved, that a new jail shall be erected; secondly, resolved, that the new jail