

house, it had been said it was absolutely requisite the Constitution should be adopted by a vote as a whole. He understood this to have been then distinctly stated or assumed by his friend from Queen Anne's, (Mr. Grason,) the gentleman from Baltimore, (Mr. Howard,) the gentleman from Frederick, (Mr. Thomas,) and others. Several speeches were made by the most distinguished gentlemen of the peculiar party of reform, all upon this assumption, and no voice *e contra*, was raised—no one resisted the notion of its correctness. Indeed much complaint had been made that the President had permitted a measure to be considered as adopted on one occasion, when each part or branch of it had been separately passed, and without a vote on the whole as a whole. It was strongly urged as against all rule. Indeed, to use perfect candor, he had no doubt the friends of the Constitution did then intend to take a vote on the whole. They, perhaps, thought it not only proper, but necessary. He had, at the time, asked a quiet friend to note what was passing, that it might be seen how the *finale* would correspond with what was then going on.

A very singular change of opinion had occurred since those few days past; and the consequences of that change were quite remarkable, and very well worthy to be noticed. If not noticed here, they could not fail to attract notice elsewhere. If a direct vote on the final adoption of a Constitution had been taken, and upon that final adoption, there had been but 35 votes, out of 103, in favor of it, although that number, 35, might have been a majority of the attending quorum, if would probably have been such an indication of feebleness on the part of this new-born government, such an appearance of desertion by its immediate authors, that it never could have gone forth with any hope of acceptance by the people.

Now, therefore, the *modus operandi* must be made to conform to the weak condition of the concern. It is no longer desirable to vote on the adoption of the whole, but it is to be regarded as passed, when all the scattered pieces which from time to time have received the sanction of a quorum, shall be collected and signed by the President. That mode of operating will not disclose the diminished state of the forces.

And now sir, (said Mr. C.) how is this indirect movement, this newly devised mode of adoption how is it sustained? Why sir, by exactly 35 votes. By that vote, 35 to 31, the order of the gentleman from Baltimore county, (Mr. Howard,) has but a few minutes since been passed. I do not mean to assert, (said Mr. C.) that if a deliberate, discreet and dignified course of proceeding should be pursued in the final adoption, there would be no more than that number of votes in its favor. I believe there would be more, but I do mean to say, that by this process, it results that the vote which does virtually and indirectly adopt the Constitution as a whole, is the vote of 35 to 31.

Mr. HOWARD. The gentleman from Anne

Arundel alluded to the order of the supervisory committee. What was it?

Mr. CHAMBERS. You have it sir. I think you have. It was delivered to you by the gentleman from Queen Anne's.

Mr. HOWARD. Do, if you please, recollect what took place.

Mr. CHAMBERS. When you gave your assent as I believe you did to propose my order, why did you abandon it and present your order?

Mr. HOWARD. I will state the reason, and I wish the gentleman, (Mr. Chambers,) to state this: in what respect the order, which was adopted in the Revisory committee, differed from the order here.

Mr. CHAMBERS. That is the very point I propose to make.

Mr. HOWARD. What was the difference?

Mr. CHAMBERS said:

If he was to be cut off short in what he had to say, it might be difficult to get at the history of the matter. The night was far spent, (quarter past one in the morning,) and his mind and body were both exhausted. He would proceed in what he was talking of when the question was proposed to him by the gentleman from Baltimore county, (Mr. Howard,) which in due time he would fully answer.

Here we were, holding over in fact, after the day for final adjournment, with a bare quorum, passing a Constitution by thirty-five votes. Yet gentlemen who claim to be especial friends to reform, refuse to act with deliberation and solemnity, because they say that they must go home in the morning train of cars.

Well, sir, (said Mr. C.) the anxiety of gentlemen to get to their homes and their willingness to leave the Constitution before it is completed, whether justifiable or not, cannot alter a stubborn fact. It could not make an engrossed Constitution when there was none. Did any man here ever hear of submitting to any but members of the legislative body, the engrossing of a law? Did any one ever hear of engrossing at all after the final adjournment and separation of the body? Never did such a thing happen on the face of the earth.

The engrossing committee was like every other committee, a part of the body itself, named to act for, and in behalf of the body, and to aid its action. Like all other committees the result of its labors was to be reported to the body for its approval and adoption. The committee never in any instance concluded the body by its action, much less did it act after the body ceased to exist, for then it must of necessity also cease as being but a portion of the body. To talk of deputing a committee clerk to make the Constitution, seemed to him a truly wild scheme. The gentleman who it is now said had entered into this arrangement, had, he thought, admitted that. He had not understood them to dissent when he had so warmly expressed his decided hostility to it in the committee room, and he would now repeat that never, so far as his voice could prevent it, should a Constitution be sent out as from the Convention, when in fact and in truth it would