

ham, Dellinger, Earle, Ecker, Galloway, Greene, Hebb, Henkle, Hoffman, Hopper, Jones of Somerset, Kennard, Marbury, McComas, Mullikin, Negley, Parker, Peter, Pugh, Russell, Sands, Schley, Smith of Dorchester, Stirling, Stockbridge, Thomas, Thruston, Todd, Wooden—38.

So the motion to lay on the table was agreed to.

PERSONAL EXPLANATION.

Mr. BELT. Would it be in order for me to make a personal explanation at this time?

The PRESIDENT. It is in order.

Mr. BELT. My attention has been called to an editorial article in the *Baltimore Clipper* of this morning, in which I am credited with the authorship of a proposition which was offered here by the gentleman from Washington county (Mr. Negley) upon the subject of the basis of representation. The writer of this article evidently felt that he was in a bad dilemma, as between his evident approbation of the order which he ascribes to me, and his equally strong disinclination to give any credit to myself or any one from my part of the State to offer anything deserving commendation. And while he clearly endorses the principle embodied in the order which he attributes to me, he is equally clear in his disapprobation generally of myself. I read from the editorial:

"The resolution offered by Mr. Belt was in these terms:

"That the true theory of representation in popular governments is that of representation according to population, except in such cases where a portion of the population is denied the exercise of the right of suffrage, in which case representation ought to be according to population endowed with the elective franchise."

That was the proposition of the gentleman from Washington county (Mr. Negley.) I wish to take this opportunity of removing any misapprehension that may exist, by stating that so long as I preserve my faculties, I do not think I shall ever endorse the principles for which I have received credit in this morning's paper.

DECLARATION OF RIGHTS.

Mr. STOCKBRIDGE moved that the order of the day be taken up.

The PRESIDENT. The other business before the Convention having been disposed of, the order of the day comes up without any motion.

The Convention then resumed the consideration of the special order, being the report of the Committee on the Declaration of Rights, which was on its second reading.

The pending question was on the amendment submitted by Mr. Jones, of Somerset, to the 1st article, as follows:

Add at the end the following: "but this right ought only to be exercised in the mode previously agreed upon and prescribed by the people, whenever a mode of alteration or

amendment of their form of government has been previously agreed upon and prescribed by the people in their written Constitution."

Mr. DANIEL. I had not intended to say a word upon this subject, nor do I now intend to occupy more than a few minutes of the time of the Convention. I do not rise to discuss at all the questions adverted to in the debate of yesterday. I shall not controvert the position of the right of the people by revolution, whether commenced by the people, or ratified by them, to change their organic law. Still I can see the propriety of some way being indicated in the Constitution by which it may be changed or altered. I disagree entirely, however, with gentlemen who contend that this is the proper place to insert such a provision. I think the article is best as it now stands. It is the assertion of an abstract principle, the assertion of a great truth—and my objection to the amendment offered by the gentleman from Somerset (Mr. Jones) is that all amendments or provisions which seek to add to or take from this article detracts from its force and power. And at the proper time I shall move to strike out the last article in this bill of rights as reported by the committee. Indeed, I had understood from the report that it had been stricken out. But I shall go for inserting in the Constitution, in the proper place, as is in the Constitution we now have, a provision indicating the way in which this Constitution shall be altered or amended. But I think this article as it stands is sufficient for all purposes here. As I have already said, I consider that any alteration of it will detract from its force and power.

On last night I took occasion to look at several of the Constitutions of different States, and I found in every one that I examined, without a single exception, substantially the very same article we have in this report, without alteration or amendment, and but slight difference in the phraseology. I will read from some of them. I take the Constitution of the State of Maine, as first occurring in this volume. Article 2 of the Declaration of Rights, in the Constitution of Maine, reads thus:

"All power is inherent in the people; all free governments are founded in their authority, and instituted for their benefit; they have, therefore, an unalienable and indefeasible right to institute government and to alter, reform or totally change the same, when their safety and happiness require it."

I turn to the Constitution of the State of Pennsylvania, and in the bill of rights there I find pretty much the same declaration, in these words:

"That all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety and happiness: For the advancement of those ends, they have, at all times, an un-