

Hicks,) had offered an amendment, either in jest or for the purpose of consuming time. He regarded that amendment as a rider intended to clog and break down the original proposition. He repelled the idea that Baltimore would oppress the counties. She had too many ties which bound them to her. She was the ornament and pride of the State. Still he did not blame the gentleman from Dorchester, who sought to delay the action of the House. He hoped the Convention would go to work, not like lawyers, but in the course suggested by common sense.

Mr. Hicks assured his friend from Queen Anne's, that he had not offered his amendment in jest, and if that gentleman would go among his, (Mr. H.'s) constituents, he would find there was no jest in it. He was a friend of the people, and so was the gentleman from Queen Anne's, and he reminded that gentleman that back-sliders were the worst of sinners. He looked on himself as representing as noble a constituency as can be found in Maryland, and he came here to do his duty to them. He had never desired to come here. He never believed there was any necessity for this Convention. He had thought that the Constitution under which we have lived so long, was good enough, and that the provision contained in it relative to its change was sufficient. But he had been sent here, and he would now do his duty. He was as proud of Baltimore as his friend from Queen Anne's, and would not throw a straw in the way of her prosperity; but while he agreed to all his friend had said about the change of seasons from summer to winter, he was not convinced that the State should give way to the city of Baltimore. His friend from Caroline, (Mr. Stewart,) had also spoken in a similar strain. Now he desired to say to that gentleman, that he had no desire to separate the Eastern Shore from the State. His friend from Caroline was the only one, he believed, who thought that the gloomy days were all past. He seemed to forget that there is a heavy debt hanging over the State, and that the counties are suffering under the burden. It would be better, perhaps, to look round the horizon, and see if there are no new storms gathering. How long it would be before new troubles would come, he could not predict. He referred to the language of the reformers in Baltimore, before this Convention was called, when they asserted that their wishes were very moderate and reasonable. Previous to 1836, the city had but two delegates, and he believed she got along just as well as when she has had more. He assured the House, that if ever the time should come, when the State should fall under the dominion of Baltimore, if he should not have left the world, he would never give his consent that the counties should be placed in a position to be used by Baltimore at her pleasure. When he came from home, he felt a disposition to give a larger representation to the city, but he felt less disposition to do it now that he saw she was never to be satisfied. He agreed with the gentleman from Baltimore, that we have the power in our hands; but as all power is to be given by the Constitution, he hoped it would be made to operate equally. He be-

lieved that without the provision contained in his amendment, it would be in the power of part of the Western Shore of Maryland, to unite herself with the State of Virginia, and of the Eastern Shore to unite herself to Delaware, by agreement with the States, and with the consent of Congress, but he desired to have such privilege or right recognized and countenanced by the Constitution, which we are now framing, that it may not be considered as revolutionary hereafter.

Mr. PHELPS would not now address the Convention, or attempt to say one word, had he not felt impelled to do so, from a high sense of public duty. The amendment offered by the gentleman from Baltimore city, (Mr. Presstman,) in the sense in which that honorable gentleman has explained it, would in his humble estimation, if acted upon, at all times, be liable to subvert the foundation of the government, and to encourage a lawless opposition to the Constitution itself.

This amendment, we have been informed, is taken from the Texan bill of rights, and was drawn up by Mr. Calhoun himself—that the same amendment has been incorporated in many other State Constitutions. As positive proof, that the construction given this article, is not correct, but was intended to be exercised as an *extreme* right, Mr. PHELPS read the 37th article of the Texan Constitution, which provides that the Constitution shall not be altered, except by a vote of two-thirds of the Legislature in favor of the proposed amendments, and which amendments shall be published, and voted upon by the people, and if opposed by a majority of *all the votes* the amendments shall not even then be adopted, unless confirmed by *two-thirds* of the next General Assembly. This provision, Mr. Phelps repeated, was proof positive, that Mr. Calhoun, nor the people of Texas, never intended to claim the lawless and most dangerous right to abolish their organic law, in the manner contended for by the mover of this proposition. Such doctrines, Mr. President, should not be countenanced in this Hall, or elsewhere. Besides, you find similar provisions incorporated in the Constitutions of Missouri, Michigan, Arkansas and other States, supposed to be thoroughly indoctrinated with the spirit of progressive democracy. Even South Carolina contends for no such right. In fact, no State in this broad Union would dare contend that the people in lawless assemblies and in a lawless manner, could proceed to form a new Government, upon the ruins of the old one, unless it be by revolution. Mr. PHELPS insisted earnestly that this doctrine, if acted upon, would prove most disastrous in its consequences. A Constitution is the foundation of all law. It is the bulwark of all our civil and religious rights. Its foundations should be broad and strong, else the whole edifice might tumble into ruins. Constitutions, Mr. President, are the results of compromise. Minorities, as well as majorities, have rights by virtue of this agreement, and both alike should be held sacred and inviolable. This provision requiring a two-third vote, and the action of two consecutive sessions of the General Assembly to alter or amend the Constitution, you