

Bowie, McCubbin, Dirickson, McMaster, Hearn, Fooks, Jacobs, Shriver, Biser, Thawley, Michael Newcomer, Smith, Shower and Brown—27.

*Negative*—Messrs. Chapman, President, Blakistone, Dent, Hopewell, Ricaud, Chambers, of Kent, Donaldson, Dorsey, Wells, Pandall, Kent, Weems, Williams, McCullough, Miller, McLane, Tuck, Sprigg, Bowling, Spencer, Grason, George, Wright, Gaither, Annan, Sappington, Stephenson, McHenry, Magraw, Nelson, Stewart of Caroline, Gwinn, Stewart of Baltimore city, Brent, of Baltimore city, Presstman, Ware, Schley, Fiery, Neill, John Newcomer, Harbine, Davis, Kilgour, Brewer, Waters, Weber, Hollyday, Slicer, Fitzpatrick, Parke, and Cockey—51.

So the amendment was rejected.

The question then recurred on the amendment of Mr. PRESSTMAN.

Mr. DIRICKSON took the floor, but yielded to Mr. CHAMBERS, of Kent, who desired to offer an amendment.

Mr. C. said, that the question involved in the amendment offered by the gentleman from Baltimore city, (Mr. Presstman,) was, or was not, in his, (Mr. C's,) humble judgment, proper to be adopted or not, according to the construction put upon it.

Mr. CHAMBERS said, that the main objection to the proposition of the gentleman from Baltimore city was, that the argument by which it was sustained, had very much embarrassed the question. Constructions had been put upon the amendment which would render it of doubtful meaning. It was evident that the opinions of gentlemen who had discussed it, differed widely from each other; and so the constructions put upon it by the people would be indistinct and discordant. Whatever is inserted in the Constitution ought to be clear and indisputable. He intended to vote against the amendment in its present form, and with a view to make it more acceptable, he proposed to move an amendment. By one party it had been held, that, without Constitutional enactments or against them, classes of men might resolve themselves into a meeting, and set up a Constitution of their own. Another class insisted that it was the right of the people to change the Constitution by any process, and in any way they might think best. With a view to clear the amendment of all mistiness, and make it clear to every comprehension, he moved to amend by adding the following words:

“According to the mode authorized by the Constitution or laws of the land.”

Mr. RIDGELY was of opinion, that the amendment of the gentleman from Kent, was not calculated to meet the object he had in view, but rather to embarrass the question. The proposition of the gentleman from Baltimore city, (Mr. Presstman,) asserts a mere truism, an abstract political truth, which no one would deny, to be embodied in that category of rights, in which is usually presented the analysis, or general principles of republican government. All such general declarations of popular rights, contemplate the last resort of a people to throw off oppression, “when the end of Government is perverted, and the public liberty

is manifestly endangered,” they mean in plain terms, revolution. That this power is inherent, inalienable, and would as well exist without, as by its assertion in, the bill of rights, is indisputable. No body can deny such a right as inherent in the people and inseparable from all free government.

The present declaration of rights so recognizes it; and this proposition is but a reiteration of the truth. What does the amendment of the gentleman from Kent propose? To strip this abstract declaration, of its abstract character; to seize upon an abstract truth, which contemplates revolution only, as I have already said, and to apply it to a totally different purpose, to wit: to make it, in its connection, as a part of the bill of rights; in fact a constitutional restraint, as to the manner of altering the civil compact. Is such the proper place—is this the proper connection for such a proposition? Is there propriety or fitness of things, in such antagonist association of civil and revolutionary means of changing or altering the form of Government? It seems to me not. When we reach the amendatory clause in the Constitution, there will be the proper place to put restraints upon its amendment, and to define and prescribe the manner of its change. There would doubtless be difference of opinion on that subject—that was a vital question—but here, in the bill of rights, there could be no difference of opinion, upon abstract truths—truths which had been uttered by our fathers seventy years ago, were still truths and would forever remain truths. How and when to be exercised, or restrained by the civil compact, is a question for detail in the Constitution proper. What difficulty could there be in voting for such a broad proposition. He could see none. Let it go into the bill of rights, as an abstract declaration, in company with all other articles *ejusdem generis*. There it will be qualified and restrained, by the defined terms of the Constitution proper, in which he was ready to unite with the gentleman from Kent. There was no fear of misapprehension upon this subject: the bill of rights and the Constitution must go together, as a whole, and be expounded in connection. He hoped therefore the amendment would be withdrawn, and the proposition of the gentleman of Baltimore city be agreed to.

Thereupon the Convention adjourned until tomorrow at 11 o'clock.

— THURSDAY, January 30th, 1851.

The Convention met at eleven o'clock.

Prayer was made by the Rev. Mr. GRAUFF.

The roll having been called, the Secretary proceeded to read the journal of yesterday.

Mr. PHELPS moved that the reading be dispensed with.

Mr. SPENCER thought the precedent a bad one, and hoped the motion would not prevail.

Mr. PHELPS, not pressing his motion, the journal was read, and having been amended so as to