guilty of treason. Thus the first principle of popular right is denied. Now he could never admit that the Constitution and laws possess a power above the people.

Mr. TUCK asked if he understood the gentleman from Queen Anne's, as saying, that when the Constitution has provided a mode by which the people may change the Constitution, they have a right to change it in any other way than the legal way?

Mr. SPENCER said the people might change their Constitution, in any way they might think best. The right is inalienable. He would not not now go into the question, how the people might carry out their will; but he could make it clear that, when necessary, it might be done by a peaceful, tranquil process.

He had only risen, however, for the purpose of stating what was his understanding, as to the meaning of compact and law. So far as he was concerned, he would never consent to let the Constitution go out to the people in such vague and undefined terms, as are to be found in the old Constitution. He wished all the rights and powers conferred or recognized in it, to be so clearly defined and expressed, that no one hereafter could misunderstand them. He was ready, at any moment, to sustain his position. He was prepared for any argument on the subject, and if it was denied, he should hereafter defend it.

Mr. DONALDSON said, he was in favor of the amendment of the gentleman from Kent, [Mr. Chambers,] and against the admission into the bill of rights of any such provision as had been offered by the gentleman from Baltimore city, [Mr. Presstman.] He, [Mr. D,] thought it had been demonstrated, in the progress of this discussion, that the incorporation of such a principle into the organic law, would be improper, and highly inconsistent with those principles by which the State of Maryland had been governed from the beginning, and with the true principles of Government every where. It was, in fact, the construction put upon the article which gave it a beneficial or an injurious influence, and if it was to be left in such a condition that it might become a ground of quarrel hereafter—if it was not made so explicit one way or the other as to place it beyond the reach of those agitating discussions which work injury to every community in which they exist—then it ought not to be there in any form. He felt surprised that gentlemen, who were the advocates of the unlimited power of the majority, should desire to avoid expressing their meaning in terms which could not be misunderstood. Those with whom he, [Mr. D.] acted, had no desire that their views should be misapprehended. They did not wish that any article of doubtful import should find its way into the Constitution.

The gentleman from Baltimore county, [Mr. Ridgely,] had stated that the amendment of the gentleman from Baltimore city, was an abstract proposition, and that, therefore, he was opposed to any qualification being annexed to it in the bill of rights; thus assuming that the bill of rights was a mere statement of the abstract principles of Government, subject to such qualifications as might be imposed by other clauses in the Constitution. If the gentleman would examine the bill of rights, he would find that it was full of practical principles intended to be applied to the legislation of the State. Would the gentleman say, that the provision which declared, that excessive bail should not be required, was a mere abstract principle? Or that trial by jury was so? Or the provision which declared that property should not accumulate in a religious corporation? And so as to numerous others. Mr. D. traced the bill of rights to its early history—showing the causes which had called it into being, and that, from the altered condition of things, the necessity for such a declaration had passed away; but expressed his unwillingness to part with it, for no other reason than its historical interest. The practical parts of this declaration might otherwise be incorporated under various heads in the body of the Constitution. He insisted that the proposition of the gentleman from Baltimore,[Mr. Presstman] in any good sense that could be attached to it, was already set forth in the bill of rights. The proposition was susceptible of three constructions. The first was consistent with our views of Government, and with the principles embodied in the bill of rights: that was to say, that the whole people might, at any time, change their form of Government; that all the parties making a compact, might make a new one; *that* was not, and could not be denied. Another ground was, that a majority of the people (and he wished this distinction to be observed,) had the right to call a Convention and to alter the Constitution by the bare right of a numerical majority, without any forms of law. The gentleman shakes his head. Whether this is his view or not, it is certainly the view of many gentlemen on this floor.

Mr. PRESSTMAN. Whatever I may think of the power of a majority, my amendment speaks for itself.

Mr. CHAMBERS. But I want to know *your* meaning?

Mr. PRESSTMAN. You wish to know more than I am willing you should know at this time.

Mr. DONALDSON proceeded. He did not say this was the exclusive meaning, but this was one of the meanings.

There was another class of gentlemen who said there must be a legal mode of carrying out this principle at the ballot box. To that class belonged the colleague of the gentleman from Baltimore city, (Mr. Brent,) and he, (Mr. D.,) placed himself among those who said, that the object must be effected according to the fundamental rule prescribed by the compact. He had been much pleased to hear the remarks of the gentleman from Baltimore city, (Mr. Brent,) on that point, because that gentleman was much less radical, (not using the term in any offensive sense,) than his colleague. In this respect, (said Mr. D.,) "not to be worst, stands in some rank of praise."

Here then, was a proposition that was open to three distinct interpretations. Ought it not to be made explicit? The evil to be apprehended was that the clause would receive its interpretation,