

Legislature might defeat the call, and thereby paralyze the whole work. This proposition would not quiet the agitation at all. On the contrary, it would leave the whole question open. For this reason he should oppose the proposition of the gentleman from Calvert, [Mr. Sollers.] on behalf of the committee, and advocate the proposition of the gentleman from Allegany.

The gentleman from Calvert had appealed to the smaller counties to secure to themselves their last guarantee, and remnant of power. He [Mr. S.] had contented himself during the discussion by expressing his opinions by his votes. Coming from a small county, he had been prepared to compromise with Baltimore and the larger counties. But he could not remain silent when the appeal was made by the gentleman from Calvert to the small counties. He felt that the small counties were parting with no remnant of power; that they were fully protected, and that no wrong had been done to them. The gentleman from Calvert had said that nothing had been done for them. Had they not preserved the conservative representation in the Senate? Was not each county in that body equally represented? How could the Legislature of Maryland pass a law injuring the smaller counties unless they were treacherous to themselves and their constituents in the Senate? The lower House could not of itself pass any law. The smaller counties could only be endangered by the sophistry of argument or the corrupting influence of fraud brought to bear in the Senate. Again, the Convention had determined that the Legislature should have no power to appropriate the public money to works of internal improvement, or to any corporation. They had determined that no debt beyond \$100,000 should be contracted at any one time, unless a tax should simultaneously be levied for its redemption; and that a debt of \$50,000 should only be contracted to relieve the treasury of temporary embarrassment. They had by a unanimous vote decided further that the Legislature should have no right to pass a law interfering with the relation of master and servant. They had also protected the elective franchise against frauds, not only bribery, but false voting in every respect. This Convention had secured all these rights.

Mr. SOLLERS explained that his remark had been predicated upon the supposition, that the Constitution now being formed would be rejected by the people.

Mr. SPENCER said :

That he had misunderstood the gentleman. It was true that the session had been protracted beyond all measure, but the work thus far had been well done; and notwithstanding the efforts made against it, which he could not but regret, notwithstanding the denunciation abroad, he had no fear but that the Constitution would be ratified.

If they had done nothing else but to remedy the abuse of the elective franchise, so much would have been effected. That right was the dearest right of freemen, and when abused it

would go farther to destroy a free government, than the abuse of any other right. The clamors against the Convention were unfounded, and he had no doubt they would send to the world a Constitution which would stand the test of time.

Mr. MERRICK made some remarks which will be published hereafter.

Mr. DONALDSON said, that at the proper time he should move to amend the report of the gentleman from Allegany, [Mr. Fitzpatrick,] by adding at the end thereof, as an additional section, the following :

“Any amendment to the Constitution and Declaration of Rights may be proposed in either the Senate or House of Delegates, and if the same shall be agreed to by a majority of the members elected to each of the two Houses of the Legislature, the proposed amendment shall be entered on their journals, with the yeas and nays taken thereon, and shall be published at least three months before the next general election for members of the House of Delegates; at which general election the people shall vote for or against said amendment, in such manner as may be prescribed by law; and if the majority of legal voters of the State shall approve of the said amendment, then it shall be the duty of the Legislature, at its next session, to enact said amendment as a part of this Constitution.”

Mr. DONALDSON said, the first section of the report made by the gentleman from Calvert, [Mr. Sollers.] was identical with the provision contained in the old Constitution in regard to amendments. That provision he considered defective, and its operation had not been such as led him to anticipate any benefits from its re-enactment. What was that operation? An act to alter the Constitution was passed by one Legislature, and after an election, the next Legislature incorporated that Act as a part of the Constitution, without any direct vote of the people on the particular amendment. It was well known that a great number of issues were before the people at every election of delegates, and it was therefore impossible to ascertain whether any one of those issues was specially decided by the result. Then the publication of the amendment proposed was merely technical; the law was printed in the volume of Acts annually passed, but not so many as one in a hundred of the people were made aware of its existence, nor were they conscious that in voting for certain delegates they were voting for or against any change of the Constitution. The consequence had been, that inconsiderate and improper changes had been made, which never could have received the sanction of the people, and which sometimes had not even received the sanction of a majority of the members elected to the Legislature. They had been made by the votes of mere majorities of quorums.

Mr. D. said, he proposed by his section, that no amendment should be incorporated into the Constitution unless it first received the votes of a majority of all the members elected to each House, and afterward was specially submitted to the people at a general election and approved by them. The mere majority of the people could