

would become a part of the Constitution. Now, understanding that to be the true state of the case, he would vote against that, or any other proposition that had a tendency to produce excitement, or keep up agitation. He should vote to allow the Constitution to stand as it was—to take the sense of the people every ten years, to ascertain whether or not they were in favor of calling a Convention.

Mr. DONALDSON briefly replied to the remarks of the gentleman from Queen Anne's, (Mr. Spencer,) and explained again the effect of his amendment. The only question was, said he, whether we should have any mode whatever of making amendments to the Constitution, without calling a Convention at enormous expense, say upwards of one hundred thousand dollars, and tearing to pieces the whole instrument. If a new Convention should be called, it would be based of course upon the new apportionment of the Senate and House of Delegates, and there would be less protection to the minority in such Convention than in the Legislature itself. A bare majority of the joint numbers of the representatives would carry any proposition in the Convention, whereas in the Legislature a majority of each branch would be necessary for the same purpose; and as the vote must be taken separately in the two branches, the Senate, which represents the counties as such, would be a complete check upon the House of Delegates, which may be said to represent popular numbers. Does the gentleman from Queen Anne's suppose that in a Legislature constituted on the basis now agreed upon, the Senate would concur with the House of Delegates to abolish slavery? Mr. D. thought there was no occasion for gentlemen to be alarmed on that account in reference to the mode of amendment he proposed; and they must know very well, that when public opinion is such as would induce both branches in the Legislature to abolish slavery, the same influence would even more surely effect the same result in a Convention.

Mr. MITCHELL moved the previous question.

Mr. CHAMBERS, of Kent, demanded the yeas and nays, which were ordered,

And being taken,

Resulted as follows:

*Affirmative*—Messrs. Mitchell, Howard, Buchanan, Welch, Ridgely, Dickinson, Hicks, Eccleston, McCullough, Spencer, George, Thomas, Shriver, Biser, Annan, Stephenson, McHenry, Magraw, Nelson, Carter, Thawley, Stewart, of Caroline, Gwinn, Sherwood, of Baltimore city, Ware, Schley, Fiery, Neill, John Newcomer, Harbine, Michael Newcomer, Brewer, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Smith, Shower, Cockey and Brown—41.

*Negative*—Messrs. Chapman, President, Morgan, Blakistone, Hopewell, Ricaud, Chambers, of Kent, Donaldson, Dorsey, Wells, Randall, Sollers, Brent, of Charles, John Dennis, James U. Dennis, Dashiell, Williams, Goldsborough, Bowie, Sprigg, Dirickson, McMaster, Hearn, Davis, Kilgour and Waters—25.

So the previous question was sustained.

And the main question ordered to be taken, which was—

“Will the Convention accept the substitute as offered by Mr. SOLLERS, for the amendment offered by Mr. DONALDSON, as an additional section to the report?”

Mr. KILGOUR demanded the yeas and nays, which were ordered.

Mr. DIRICKSON. Before the vote is taken I desire to ask the gentleman from Anne Arundel, [Mr. Donaldson,] the author of the proposition now offered to the consideration of the Convention, a single question. If I understand it aright, it provides that any amendment or change of the Constitution which may hereafter be adopted by one General Assembly, and receive the sanction of a majority of the voters at the ensuing election, shall be enacted by the next legislature as part of the Constitution. Now owing to the peculiar character of our State, it might occur that an amendment might be thus passed and approved by a majority of the people and yet be opposed by a majority of the counties, as represented on this floor. I wish then to know if in the event of such an occurrence the majority of the Delegates who might by the direct vote of their respective constituency, be instructed to oppose such constitutional amendment, would be compelled, nevertheless, to enact it as part of the Constitution?

A DELEGATE. Yes, sir.

Mr. DIRICKSON. Then, sir, I do not think such a provision can receive the sanction of the Convention.

The question was then taken,

And resulted as follows:

*Affirmative*—Messrs. Chapman, Pres't, Morgan, Blakistone, Hopewell, Ricaud, Chambers, of Kent, Mitchell, Wells, Sollers, Brent, of Charles, Merrick, John Dennis, James U. Dennis, Dashiell, Williams, Hicks, Goldsborough, Bowie, Sprigg, Dirickson, McMaster, Hearn, Davis, Kilgour and Waters—25.

*Negative*—Messrs. Donaldson, Dorsey, Randall, Howard, Buchanan, Welch, Ridgely, Dickinson, Eccleston, McCullough, Spencer, George, Thomas, Shriver, Biser, Annan, Stephenson, McHenry, Magraw, Nelson, Carter, Thawley, Stewart, of Caroline, Gwinn, Sherwood, of Balt. city, Ware, Schley, Fiery, Neill, John Newcomer, Harbine, Michael Newcomer, Brewer, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Smith, Shower, Cockey and Brown—42.

So the Convention refused to accept the substitute.

The question then recurred and was taken on the adoption of the amendment as offered by Mr. DONALDSON, and amended on the motion of Mr. STEPHENSON, and

Determined in the negative.

At 20 minutes past 3 o'clock, p. m.,

Mr. SPENCER moved the Convention adjourn; which motion he waived to enable Mr. RANDALL to give notice of his intention to move the following amendment to the report of the committee just adopted.