

is any discrepancy of opinion among the members of the opposition upon the committee. So far as relates to the Union members, we agree with regard to the details of the report, and are prepared to submit it at any moment. It is only out of respect to the opposition that the report has been delayed.

Upon the adoption of the order requiring lists of the committees to be posted in some conspicuous position in the Hall or Rotunda, I prepared a list of the Committee on Elections and had it placed there, appointing certain days of the week when we were to assemble in the committee room to discharge our duties. The Union members of the committee have usually attended; but the members of the committee in the opposition did not with the same punctuality attend. Consequently, out of respect to them, we delayed final action until we could have all the members of the committee present. I am not aware to this day that there is any difference of opinion with regard to what will be that report.

The subjects which have been referred to by the gentleman from Kent (Mr. Chambers) were discussed on one or two occasions, and the Constitution was referred to. I believe these subjects, so far as they relate to the qualification of members, were duly and fairly discussed and understood by the members of the committee on both sides. The delay in offering our report did not originate in any disposition to avoid a report, but merely out of respect to the opposition upon the committee, to give them an opportunity to satisfy themselves, that we might either submit a unanimous report, or that they might submit a minority report, if their judgment should so incline.

Mr. RIDGELY. I should not say one word on this subject but for the remarks which have fallen from my friend from Kent (Mr. Chambers.) I have been for very many years in the habit of deferring with very great respect to his judicial learning. But I cannot reach the same conclusion as to the theory of the law under which this Convention was organized, to which he has arrived. I believe very differently. I do not believe that there are qualifications imposed by the act of Assembly; nor do I believe it was any part of the theory of the act of Assembly to impose qualifications. I do not regard this body as deriving any being whatever from the Convention Bill. I do not regard the Convention Bill as entering in the slightest degree into the vitality of this organization.

According to my theory of our being, we derive our existence directly from the people. The instrumentalities by which the subject was brought before the people have been well put by my friend from Kent; but how the Legislature had authority to provide these instrumentalities and had not the authority to go further, it is difficult for me to under-

stand. Where the Legislature derived the authority to provide the ways and means to attain the expression of the public sentiment and to be there estopped, I have yet to learn. The whole theory of our being is that life has been inspired into this body by the popular vote; and upon a programme suggested and submitted for the consideration of the people by the General Assembly of the State. They have suggested to the people the *modus operandi*, and they have also suggested to the people certain qualifications of membership; and my friend from Anne Arundel (Mr. Miller) laid them before you yesterday in the form of the order which he submitted to the House; showing that there is at least a difference of opinion between him and the honorable gentleman from Kent. He thinks that the Legislature have imposed qualifications, and that those qualifications have been indorsed and vitalized by the vote of the people, and that every gentleman who presents himself here must present himself under authority conferred by the people, and qualifications controlled by the people.

These are my views; and I have thought that it would not be proper to permit the sentiments uttered by the honorable gentleman from Kent, to pass *sub silentio*; but that I should rise in my place, and dissent from those doctrines, and utter here my convictions that the Committee on Elections owe it to an imperative sense of public duty to report; and to report upon the qualifications of members, not as provided in the act of Assembly, but as prescribed by the popular vote.

Mr. CHAMBERS. I am indebted to the gentleman who last addressed the Convention, for the compliment conveyed in his opening remark. I wish I could say I could have equal respect for the arguments which he has advanced. Does it not manifestly appear—is it not on the very surface of the thing, that if the Legislature, commanded as they were by this Constitution under which they were assembled, to offer the people an opportunity of calling a Convention, have the power which he concedes to them, of mixing up with the call, restraints, modifications, and various provisions, it is in their power forever to make that constitutional provision a perfect farce? The question is put to the people: Shall there be a Convention? Nothing else was acted upon—a Convention or no Convention. Let the gentleman tell me, if he can, upon his faith as a man of honor, that one man in a thousand regarded the qualifications, the restraints of that bill, when he gave his ballot for a Convention, or no Convention. If they can say that a gentleman who is not qualified to sit in one of the two houses, shall not be a member, they have authority, according to the argument of my friend, to say anything else they please. If they choose to say that this Convention shall be composed of individuals of any class, or if