

597

"Supererogatory to affirm, that if it should be the pleasure of this body to designate the persons to whom our works should be submitted, we had the power to do so, and in the event of our silence on this subject, the Sheriff should on the question of ratification or rejection, take the votes of all qualified under the new Constitution." Nor were those who opposed the exercise of the power less confident in their denunciation of the measure as a usurpation, than yourself.

They pursued the same line of argument. Mr. Nicholas, who was one of these opponents, after declaring that as a general principle there were two ways by which a Government could be changed — the one by revolution, and the other by those from whom the powers of Government are derived, agreeing to modify its existing institutions, says: "If it be admitted that the change in the Government can only be made with the assent of those who possess the power, the reference of the question to those not now entitled to vote would present a curious political anomaly. In the first place, on a question whether the Constitution is to be adopted, we are to anticipate that it will be so adopted, and give the decision to those who possess no political power until after the event takes place, instead of obtaining the assent of those in whose hands the power of Government is, we are to unite in the decision numerous classes who constitute no part of the actual Government."

He then puts the case of the majority of the freeholders voting one way, and of the new voters the other, and in which case the form of Government, instead of being altered with the assent of existing authorities, would be so altered in defiance of them.

Mr. Randolph, another opponent of the proposed submission of the Constitution to those who were not allowed to vote under the existing one, denounces the proposition still more emphatically. He says: "I consider this as the greatest question which has been presented to this body since it assembled. Is it not obvious that if the Commonwealth consists of freeholders and non-freeholders — and the non-freeholders are, as we are told they are, — the more numerous of the two, that the worst of Constitutions might have been imposed upon the Commonwealth by those who, in the language of a gentleman on this floor, are 'out of the Constitution', against the voice of every freeholder in the County? Sir, what sort of a tribunal do you elect when you admit those who have no part or lot in our acts to pass judgement upon them? Sir, you might as well refer the Constitution to the people of Ohio, or to the people of Kentucky — or I will go further — to the people of Japan. Yes, Sir, they have just as good a right to decide upon it."

Mr. Randolph then moved the following resolution: "Resolved, that the amended Constitution adopted by this Convention be submitted on the respective election election days in the month of April next, to the persons qualified to vote under the existing Constitution for members of the General Assembly."