

stitution has failed to secure to the people the just rights to which they are entitled. They refer to them simply as matters of fact, calculated in themselves to awaken reflections of the gravest import, and to teach the importance of an attentive and early consideration of the results to which they may lead. It cannot fail to attract the notice of those who are at all careful to observe, that a great and powerful party in the State are united almost to man, in advocating the principle of reform by a convention of the people, whatever differences may exist among them in certain sections of the State, as to the details of its organization. And while another great party are equally united in their patriotic efforts to arrest the progress of principles which they deem to be subversive of the public good, it has occurred to the undersigned, as not being entirely without the range of human probability, that sooner or later we may be called on to witness the triumph of those, who are the advocates of a convention without limitation or restriction, and who regardless of the local and sectional interests guaranteed and secured by the present constitution, under the broad banner of popular rights and popular privileges, may break down all that is valuable and dear to the other and less populous portions of the State. If, in the heedless career of party or sectional jealousies such results shall take place, we may have occasion to take blame to ourselves and to regret, when it will be too late for remedy, that we did not apply the necessary and timely preventatives.

The undersigned believe that the present time is quite as favorable as any that will occur, for the adoption of some safe and salutary plan by means of which, should a majority of the representatives of the people in the General Assembly, deem it necessary or proper, to call a convention, such reform may be had, as will comport with the interests of all sections of the State, and secure to the people all the benefits to be expected from such just and reasonable amendments of the constitution as time or circumstances may seem to render necessary or proper.

The undersigned have already attempted to shew that under the existing constitution, no convention of the people to amend or alter any of its provisions, can be rightfully called, either by the legislature, or by the people themselves. The power of amendment being exclusively confided to the General Assembly. To render such a convention constitutional, is however, within the power of the General Assembly, by an amendment of the fifty-ninth article of the existing constitution.

The General Assembly have also the power in such amendment to prescribe the mode in which such convention shall be constituted. This power they have not only as the law making power, but as the constitution making power of the State. The whole people are bound by the laws and constitution, and must be so, in the nature of things, under all forms of government founded upon the social compact. If this be so, then all conventions which are but portions of the same people are equally bound. If the entire mass of the people are not exempt from allegiance to the laws and constitution they can confer no such exemption upon their delegates in convention. The same may be said of the basis of representation and of the general powers and duties of such a convention.