

be exercised. If the whole Legislature of the State, by one compact, unanimous vote, should undertake to invade private rights, I will never give my sanction to the proceeding. Therefore, I desire to strike at the root of this power, and to substitute for the report of the committee, the provision reported by the gentleman from Baltimore city, (Mr. Presstman.) He has struck the idea precisely. If the State of Maryland needs the use of our slaves, she can have them, just as she can have any other property. But I will never concede that the Legislature can take away private property, except for public use, although every other member of this Convention should sanction the doctrine.

Mr. BRENT, of Baltimore city. Will the gentleman read his substitute?

Mr. BOWIE. I have not yet offered it, but I shall do so, unless the gentleman, (Mr. Jenifer,) will consent to let the report lie over.

Mr. BROWN. This debate is altogether premature, and I do not think the point of the case is seen by either gentleman. The report of the gentleman from Charles, (Mr. Jenifer,) is copied from the provision of the existing Constitution, which declares that the relation of master and slave shall not be changed except by an amendment of the Constitution. Now, suppose that when we make our Constitution, we do not leave the amending power with the Legislature, and I for one, shall go against leaving it with them—no Government has a right to take property except for public use; but does not the gentleman from Charles, see that if we make a Constitution by which the right of the Legislature to amend, is taken away, a portion of this report falls to the ground. Or, is the gentleman willing to say that the Legislature shall have the power to amend as to one particular species of property, and as to no other? I want to take that power away. I think the best plan would be to lay this proposition on the table until we can see what the Convention will do with the amending power.

Mr. BOWIE. I now offer my substitute.

The substitute was read as follows:

"The Legislature shall not pass any law to abolish the relation of master and slave as it now exists in this State."

Mr. JENIFER. If I could perceive that the substitute proposed by the gentleman from Prince George's, (Mr. Bowie,) would be of any greater effect than the provision which I have reported, I would not object to its adoption. I shall not, under present circumstances, press this question to a vote. I rose merely for the purpose of saying, that if the gentleman from Prince George's supposes that the committee in directing this report to be made, contemplated any thing like a sanction to an infringement upon the rights of the citizen, or that they would not guard those rights with as strong a will and as devoted a purpose as the gentleman himself, he is greatly mistaken. The committee believed that the clause, as it now stands, was as stringent as it could be made. And I am very much mistaken if the gentleman from Carroll, himself, (Mr. Brown,)

did not engraft this very provision on the Constitution.

Mr. BROWN. It was placed there at my instance.

Mr. JENIFER. The clause makes this principle in fact a part of the Constitution, which cannot be altered except by another Constitution. Does the gentleman mean to say that we are to make a Constitution which shall remain for ever just as it is—that it shall never be altered or changed? I shall say no more now; but, as the report has not been printed, I am willing that its further consideration shall be postponed to Monday next.

Mr. BROWN. I desire that the gentleman should understand the point of my remarks. I say that if the amending power of the new Constitution remains with the Legislature, the course of the gentleman from Charles, (Mr. Jenifer,) will be all right. I do not take back a word I said in 1836. No, I would strengthen it if I could.

The further consideration of the subject was then postponed until Monday next.

THE HALL.

Mr. BRENT, of Baltimore city, from the committee heretofore appointed on the subject of the furnaces, &c., made the following report, which, after a few words of explanation from him, was adopted:

"Ordered, That this House will on Friday next, adjourn to the Monday following, in order to allow the furnace to be repaired, and that the committee appointed to superintend the comfort of the Hall, be authorised to contract with some suitable person to examine and repair the furnace and to ventilate the room properly."

Mr. BROWN moved that the Convention proceed to the consideration of the report of the committee on the executive department.

This motion led to some conversation as to the order of business, between Messrs. SPENCER, BLAKISTONE, PHELPS, GRASON and the PRESIDENT, after which, on a suggestion made by

Mr. TUCK, that the Convention proceed to the consideration of the report of the committee on the elective franchise;

Mr. BROWN withdrew his motion.

Mr. TUCK then submitted his motion.

The first section of the report was then read.

A desultory conversation followed as to the order of proceeding.

Mr. DORSEY suggested that the report should lie over, so as to give gentlemen an opportunity of examining the printed report as it came from the committee of the whole, and he made a motion to that effect.

Mr. TUCK. I suggest to the gentleman to name a day—say to-morrow.

Mr. DORSEY. I accept the suggestion.

Mr. BRENT, of Baltimore city, opposed the postponement, on the ground that it would be better that the Convention should go on and complete one part of the Constitution, before commencing on another.

Some conversation followed between Messrs. BRENT, of Baltimore, and CHAMBERS, of Kent.