

tion power, so far as the written Constitution existing at that time was concerned, it had the assent of the legislative department of the Government; and when it was adopted by the people, and received the assent of the executive and judicial departments of the Government, there was no opposition to it, but went quietly into operation. There was a revolution effected in the State of Maryland, in her organic law, as full and thorough as ever was effected in any government upon earth. The old Government was literally swept away, and a new Government inaugurated in its stead, with the consent of the old Government and by the power and authority of the people.

Now, sir, the people in that case exercised the very power which is asserted in this first article of the Bill of Rights. And after that example in the State of Maryland, I think it utterly useless to attempt to put any restrictions upon this right of the people, as they will be of no avail whenever the people get ready to disregard those restrictions. But at the same time I do think it of the utmost importance to stability, good order and quiet, and everything that pertains to legal government, that there should accompany this declaration and admission, a statement that the alterations to be made in the form of government, ought to conform to the prescribed mode which the people themselves have laid down for the government of their agents.

I gave the questions involved in the assembling of the Convention of 1850 the most grave consideration. I was opposed to that extent, to that mode of altering our organic law, that although partial friends solicited me to be a candidate for that Convention I positively declined, upon the ground that I could not aid in establishing the doctrine that a majority of the people in a State should set aside what had been agreed upon in the organic law as the mode of alteration, and thus by a revolution impose a new Constitution upon all the people of the State. I was governed perhaps, more than by any fear of consequences to the State of Maryland, by a regard for what has been very appropriately called by Mr. Webster, "the American System of Government." Whenever these doctrines, which appear for the present to be so prevalent, of the absolute right of the absolute majority of the people of a State, to sweep away all existing institutions, and to establish new ones in their stead; whenever those doctrines are recognized as applying to a State, it will not be a very great stretch of political construction to carry them beyond State lines, and make them applicable to the Constitution and Government of the United States.

We have limited governments in the States; and one of the limitations which the people put upon their rulers under the governments they established, was in refer-

ence to the mode of altering and changing those Governments. Under the Constitution of the United States the Government of the United States is limited; and one of the restrictions put upon that Government is that amendments and alterations of that Constitution shall be made only in a particular way. Now will it be held that the majority of the people of the United States may get up a National Convention without regard to the mode prescribed by the Constitution? Will it be held that the Congress of the United States can by law provide that a National Convention should be assembled to make a new Constitution, without regarding State lines, or grants of power, or restrictions upon grants of power? That would be a revolution as fully and entirely as is accomplished by force of arms. And yet that is but the logical result of the doctrines now becoming so prevalent among us.

I think, therefore, that it is important, whenever we make general statements of the unalienable rights of the people, to accompany those declarations by an expression of opinion as to the best manner in which those rights should be exercised. I hold them to be unalienable. I hold that whenever it has been once sovereign, and so acknowledged by the nations of the world, that sovereignty is unalienable. The people may agree to put restrictions upon themselves in the exercise of their rights. But the unalienable right of self-government—and that is the only kind of sovereignty recognized in this country for people acknowledged as forming sovereign States—the right of self-government pertains to and inheres in the people; and when the mode of alteration and amendment has been agreed upon, it is the part of good faith—it involves the principle which binds us to obey the laws and the government under which we live; it is the part of good faith, on the part of all who come after us, to follow the mode previously agreed upon by the people themselves, and prescribed in the Constitution.

Now, sir, my friends here who have commented upon the objections popularly discussed to the assembling of the present Convention, in my view have not yet stated the true ground upon which the objections to the present Convention were predicated. With reference to the former Legislature, it has been said that it was the duty of that Legislature to have framed a law to take the sense of the people upon calling a Convention; and that if that had been done, the sense of the people should have been taken at the last November election, in conformity with the provisions of the Constitution. But that Legislature failed to discharge its duty in so providing for taking the sense of the people. Now I have understood, from some of those who were members of that Legislature, that they did not consider that the