

General Assembly, after a new election of Delegates, in the first session after such new election; provided, that nothing in this form of government, which relates to the Eastern Shore particularly, shall at any time hereafter be altered, unless for the alteration and confirmation thereof at least two-thirds of all the members of each Branch of the General Assembly shall concur."

It was not intended by the framers of that Constitution that there should be any prohibition of the right of the people at any time to arise in their majesty and assert their power as a sovereign people of a sovereign State. That article is only directory as to the mode in which the Constitution shall be changed by the General Assembly of the State. But according to my construction of the Constitution, there is no prohibition of action by the people at any time they may think proper. If I am right in my view, then the construction of my friend from Baltimore city is wrong; that this provision is unnecessary in the Constitution to be framed by us here, because all prohibitions have heretofore been disregarded by the people.

Mr. DANIEL. The gentleman has misapprehended my argument. I merely said that this was not the proper place for such a provision; that it should come in in another place.

Mr. BERRY, of Prince George's. I understood my friend to say that all prohibitions had been heretofore disregarded by the people, and therefore it was unnecessary to place any such provision in the Constitution.

Mr. DANIEL. The gentleman misunderstood me then. I said that I thought it should not come in in this particular place, but that I was in favor of it in another place.

Mr. BERRY, of Prince George's. I hold, sir, that the people have at all times the right to change their organic law. But I hold further that there should be a mode pointed out by which that change can be attained. If I understand the case referred to by gentlemen here on yesterday—the case which arose in Rhode Island—and if I understand the course of argument there pursued by Mr. Webster, it was this: that the election that took place there was objectionable because there was no body in existence which had presented the question to the people to be passed upon by them; as to whether they would have a change in their organic law; that it was necessary that the *quo modo* should be clearly and distinctly pointed out; and that not being done, therefore the people had not properly passed upon the question, and the action taken was nugatory and would not be carried out.

I hope that all these provisions may be carefully examined, and fully and freely discussed; and that there may be such wisdom brought to bear by this Convention, in framing the organic law of this State, as will make it unnecessary for years and years to come to

call together another Convention for the purpose of reframing the organic law of our State. Let us act here not from prejudice, but from principle. Let us look to the true interests of the people of this State. If we look to that, and adopt that as our guide in the course of action we may take here, we will then frame a Constitution which will meet with the approval of the people, and will subserve the purposes and interests of generations to come. We are not here to make a Constitution for a day: we are here to make a Constitution for all time to come, and I trust that we will bring to bear the highest wisdom in perfecting an organic law for the future government of the people of the State.

Mr. SANDS. I had not purposed yesterday to occupy the time of this Convention in discussing this question; and I am sure gentlemen will bear me out in saying that I was very brief in the remarks I then submitted. But I find it necessary in order to the correction of an impression which may then have been made, to occupy your time briefly this morning.

I stated yesterday that it had been an objection urged by the opponents to the call of this Convention that the Legislature which called it had no power to do so; the provision in the Constitution being that it should be done by the next Legislature convening after the taking of the census of the United States. That statement was met by the excellent gentleman from Kent (Mr. Chambers)—than whom I am sure nobody in this Convention knows more about anything—that it had remained for the gentleman from Howard to turn political Columbus and discover that great fact; that it had never, either by steam or electricity, penetrated to the depths of Kent county; and that he did not believe that anybody but myself had ever heard the statement. Now I hold in my hand, in all the dignity of sheepskin, the message of Gov. Bradford to the Legislature which called this Convention, in which this very statement is contained. I understood the gentleman from Prince George's (Mr. Clarke) also to declare that it was his first hearing of this fact.

Mr. CLARKE. I did not say it was my first hearing of it. I said that when the vote was taken upon the bill calling this Convention, in defining the reasons which governed me in that vote, I expressly admitted the power of the Legislature to call a Convention. And when the member from Howard county (Mr. Tyson) offered a bill upon this floor upon that subject, I expressed my willingness to vote for it, because I regarded it as a constitutional bill, and I was willing the sense of the people should be taken upon the subject. And gentlemen now here, who were members of that Legislature, will bear me out in the statement that I voted for the proposition of Mr. Tyson.