

disparity between the votes cast then, and without any reason whatever for it, and the actual vote of the State, than there is now. I say we are here, and fairly called here, by a larger vote than ever before was given for the same purpose in the State of Maryland.

And I have heard the talk about "emancipation vagaries," &c. Now I did not intend to touch that matter to-day; and if I ever address this Convention again, I expect it will be but once more, and on that very subject. I do not intend to touch it to-day. But gentlemen better remember that what they call "vagaries," are the solemn convictions of at least 31,000, some hundred men, who went to the polls last month and voted for the call of this Convention. Those are rather weighty vagaries, and gentlemen better give them their just consideration. They are no vagaries, but solemn convictions, which have been forced upon the minds and hearts of the people by the deplorable events of the last few sorrowful and bloody years.

I cannot agree with the gentleman from Prince George's, (Mr. Berry) that the call for the Convention of 1850 approximated nearer to the provisions of the pre-existing Constitution than the one for this Convention did.

Mr. BERRY, of Prince George's. I made no such statement, I said that there was no prohibition in the old Constitution against the call of a sovereign Convention. It only pointed out the mode in which the General Assembly could change the Constitution.

Mr. SANDS. I think the gentleman is still in error.

Mr. BERRY, of Prince George's. Then correct that error.

Mr. SANDS. I will do so. On page 27 of this document you will find the following:

"The manner in which our former Constitution was changed, was, as we all remember, apparently in decided conflict with the provision it contained for its own amendment."

Mr. BERRY, of Prince George's. From what does the gentleman read?

Mr. SANDS. From Gov. Bradford's message.

Mr. BERRY, of Prince George's. I was speaking of the old Constitution.

Mr. SANDS. And I am speaking and reading of the old Constitution.

"The manner in which our former Constitution was changed, was, as we all remember, apparently in decided conflict with the provision it contained for its own amendment: certainly far more so than is presented by the objection last noticed."

That is the objection against which I argued yesterday.

Mr. BERRY, of Prince George's. Is that the gentleman's argument, or Gov. Bradford's?

Mr. SANDS. It is Gov. Bradford's message

to the Legislature, and is in consonance with the terms of the pre-existing Constitution and the facts connected with the last Convention. Now this is what will settle that point:

"It was by that Constitution expressly declared, that it should only be changed or abolished by the acts of two successive Legislatures in a manner particularly specified, yet, (adds the Governor, and which is the fact) it was entirely abrogated by the action of a Convention."

Now the truth of the matter is just this, as gentlemen well know; the Constitution existing anterior to 1850 declared that it was amendable only in a specific way, that specific way and method being by the acts of two successive Legislatures. Now who pretends that the Convention of 1850 assembled in conformity with the provisions of the then existing Constitution?

Mr. BELL. Will my friend from Howard (Mr. Sands) allow me to make a single suggestion?

Mr. SANDS. Certainly.

Mr. BELL. It is that possibly the Governor in his message, and the gentleman in his argument, entirely overlook the 42d section of the old Declaration of Rights. It is true, that the clause in the Constitution prescribes the acts of two successive Legislatures as the manner in which the Constitution shall be changed. But the 42d article of the Declaration of Rights settles the question. It is:

"That this Declaration of Rights, or the form of government to be established by this Convention, or any part of either of them, ought not to be altered, changed or abolished, by the Legislature of this State, but in such manner as this Convention shall prescribe and direct."

But that makes no reference whatever to the original power of the Legislature to call a Convention.

Mr. SANDS. There is a radical difference between the old bill of rights and the old Constitution. The Constitution itself contained exactly the provision which the Governor stated. The 59th article says:

"That this form of government, and the Declaration of Rights, and no part thereof, shall be altered, changed or abolished, unless a bill so to alter, change or abolish the same, shall pass the General Assembly and be published at least three months before a new election, and shall be confirmed by the 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," &c.

That is unimportant. I do not mean that the Eastern Shore is unimportant, for I have very great respect for that section of country; but the remainder of the article is unimportant.

There stood the Constitution which wa