

vention, whenever the people shall send a Legislature here that is in favor of such a proposition. I think that power ought to be vested in the Legislature, because the due preservation of civil order requires that the action of the people should receive the sanction of the existing Government; otherwise everything will be in confusion, everything will be in disorder, and anarchy will prevail. But when there shall arise in the hearts of a majority of the people of this State a sense of the necessity of a change of the Constitution in any of its provisions, there can be no danger in allowing their representatives in the Legislature to pass a law that a vote of the people may be taken upon the subject under the sanction of the law. Why, sir, really, in the broad and unqualified sense, it is in the power of the people to rise up *en masse* and turn their Government out, without any regard to the Constitution, unless the Government then in existence should call upon the Government of the United States to aid and assist it, as the Government of Rhode Island did in the case of the Dorr rebellion. And in order that there may be nothing whatever in the way of the fullest exercise of the right of changing the fundamental law of the land, according to the form of our American system, to wit, by the ballot box, there can be no danger in leaving it so. I hope the committee in charge of this question of future amendments, will provide that the Legislature may, whenever a majority of those elected to both Houses of the General Assembly shall deem it expedient, pass an act to take the sense of the people at the ballot box, at the time to be prescribed by them, with reference to calling a Constitutional Convention. The people will not be apt to do it, unless there should be some great public exigency requiring it. We have not had a Constitutional Convention before for some fourteen years; and it is not likely, unless some great exigency should render it imperative, that the people will desire to call another one soon. From what I have heard from friends in various parts of this House, of the complaints made already of this Convention, the people will perhaps be a great deal of the mind of a good old preacher I once heard of, who was called upon to pray, in Charleston, in the time of the Revolution, for King George. He prayed for King George, but he prayed God to take him to Himself, and give the people of this country to more like him.

Mr. DANIEL. I can see no manner of use in the amendment proposed by the gentleman from Prince George's (Mr. Clarke). We have already declared in one of the articles of this Declaration of Rights, that the people have an unalienable right to alter, reform or abolish their form of government in such manner as they may deem expedient. And we have a Committee on Future Amendments of the Constitution, who have reported a mode in

which this Constitution shall be amended. Now you cannot make it any more binding than that. You have said that they have a right to change their Constitution in the way they think proper, and now you propose to put in an article to show the way they think proper it should be done. What is the use of cumbering this bill of rights with another article on this subject? I have examined the constitutions of other States, and I find in nearly every one of them, it is pretty much the same as we have expressed it in this first article; that is, that the people have the right to amend, alter or abolish their form of government as they may deem most expedient. There it is left; not another word about it in any other article of the bill of rights. Then the Constitutions of most of the States go on and provide, as we propose to do, how amendments to the Constitution shall be made. That is the way with the Constitution of the United States, it simply provides how amendments shall be made to the Constitution, and there the matter is left. We have said that the people have a right to do it in the way they think proper; and then they prescribe by adopting the Constitution how they think it should be done. That is enough.

Mr. CLARKE. I would call the attention of the gentleman from Baltimore city (Mr. Daniel) to the report of the Committee on Future Amendments. The first section of that report provides:

"Either branch of the General Assembly may propose amendments to the Constitution; and if the amendments shall be agreed to by three-fifths of the members elected to each House, such proposed amendments shall be entered on the journal, with the yeas and nays taken thereon, and shall be published in two newspapers in each county in the State where two are published, and in three newspapers in the city of Baltimore, one of which shall be German, for three months preceding the next election for Senators and Representatives, at which time the same shall be submitted to the electors for their approval or rejection; and if a majority of the electors voting at such election shall adopt such amendment, the same shall become a part of the Constitution. When more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment separately."

That is one mode of amendment. Section two is this:

"Whenever two-thirds of the members elected to each branch of the General Assembly shall think it necessary to call a Convention to revise, amend or change this Constitution, they shall recommend to the electors to vote for or against a Convention, and if a majority of all the electors voting at said election shall have voted for a Convention,