

Mr. JENIFER. I think that as this is a mere isolated proposition, as to which, I believe, there will be great unanimity in the Convention, it will be well that we should act upon it at once, and show to the State and to the world, that this proposition has met with but one response in this body.

Mr. BOWIE. Let us take the vote.

Mr. SPENCER. I move that by unanimous consent, the orders of the day be postponed, for the purpose of considering the report of the gentleman from Charles, (Mr. Jenifer.)

The motion was agreed to.

The question then recurred on the adoption of the amended report of Mr. Jenifer.

And, without debate, motion or question, the report was adopted *unanimously*.

The PRESIDENT directed that fact to be entered upon the journal.

The Convention then proceeded to the orders of the day.

#### THE BILL OF RIGHTS.

The Convention resumed the consideration of the report of the Committee on the Declaration of Rights of the State of Maryland.

And the state of the question was this :

Article 1st being under consideration yesterday, in the following words :

"That all government of right originates for the people, is founded in compact only, and instituted solely for the good of the whole."

Mr. PRESSTMAN had moved to amend the said article, by adding at the end thereof the following :

"And they have at all times the inalienable right to alter, reform, or abolish their form of Government, in such manner as they may think expedient."

And Mr. HICKS had moved to amend the said amendment, by adding at the end thereof the following :

"And that any portion of the people of this State shall have the right to secede and unite themselves and the territory occupied by them to such adjoining State as they shall elect."

And the pending question was on the amendment of Mr. HICKS.

Mr. J. U. DENNIS was entitled to the floor. He said, that whenever there was a controversy between parties, the specific matter in dispute should first be well ascertained and understood, and the points of difference fairly and plainly laid down, so that there might be no misapprehension in regard to them. He read the proposition of Mr. PRESSTMAN, and said he, (Mr. D.) understood that gentleman as saying that a majority had at all times the power under all Governments without any law or sanction in the Constitution—without and beyond the Constitution—if they saw fit, to alter, and change their form of Government. I understood this (continued Mr. D.) to be the sentiment expressed by the gentleman from Baltimore city, and also by the gentleman from Frederick, (Mr. Johnson,) not now in his seat. Am I right?

Mr. PRESSTMAN. I prefer that the amendment I have offered should speak for itself, because I might interrupt the gentleman longer than either of us should desire, by undertaking to explain it. But I do mean to say, that the people have the right to say in what mode their Constitution shall be changed. I have never said that they should not determine that matter in a legal mode, or in such a manner as might be consistent with the bill of rights. The difficulty lies in this—what the legal mode is.

Mr. DENNIS continued. The gentleman said "the people." If, by that term he meant that the entire people of the State had the right to change their government in a manner, and according to the provisions to which they themselves had assented, then there was no dispute between them. But if the gentleman meant to say that the majority of any community had the right, in opposition to the provisions of the Constitution, to assemble and make a Constitution in any way they might see fit, then he, (Mr. D.) took issue with him.

The first question which presented itself was, What is a government? He defined his understanding of the term. It was a compact. And what was essentially necessary to a compact? Must there not be contracting parties? Then the proposition of the gentleman from Baltimore city was, that one party to a contract, simply because it found itself in a numerical majority, might annul the contract, substitute another, and thus enforce a new government upon the other party. If one party was at liberty to annul the provisions of this compact, it ceased to be of any binding force. And, he would ask, what right had a majority to say to the minority, you shall be bound by whatsoever terms we may impose. He illustrated this case, and said, some propositions were so plain that it was only necessary to state them, in order to show their absurdity. This he apprehended to be one of them. In a few years the city of Baltimore would possess a numerical majority of the whole State.

He had been told once, in reference to this Convention, that unless the principles which it might engraft upon the Constitution, should meet the concurrence of the inhabitants of Baltimore, they would make a new Constitution, and that, with a numerical majority in the State, they would enforce that Constitution upon the whole State. And such was the conclusion to which the gentleman's argument must inevitably carry us. He could foresee no other result.

The gentleman had referred to the bills of rights in the various States. In all of them the same abstract principles were found. Yet he, (Mr. D.) would venture to assert that in no instance, excepting one, had the doctrine been carried out to the extent to which the gentleman asserted it. That one exception was the State of Rhode Island, under the lead of Governor Dorr—and he had been sent to the Penitentiary. Mr. D. read the provisions in the Constitutions of different States of the Union, to sustain his position. The assertion of these abstract principles was never intended to confer on a mere majority, the power of making a Constitution and enforcing it over a whole State. It was a doctrine unknown and