THE BILL OF RIGHTS.

The Convention resumed the consideration of the order of the day, being the report submitted by Mr. DORSEY, on the 11th instant, as chairman of the committee on the declaration of rights.

The question pending before the Convention, was on the amendment offered by Mr. CHAMBERS of Kent, on the 29th instant, to the amendment offered by Mr. PRESSTMAN, on the 28th instant.

Mr. CHAMBERS, of Kent, was entitled to the floor.

Mr. C. said that, in order to enable the gentleman from Baltimore city, (Mr. Gwinn,) whose argument had been broken off by the near approach of the hour of adjournment, to conclude his remarks, he, (Mr. C.) would waive his right to the floor.

Mr. GWINN thereupon took the floor.

Mr. GWINN said he would take advantage of the kindness of the gentleman from Kent, to conclude the remarks, which, in consequence of his state of health and the weariness of the House, induced him to omit pressing on the Convention at its last sitting. He would promise to repay that kindness, by occupying no more time than was necessary, to express his views on the subject under discussion. The amendment of his colleague was, to insert in the bill of rights, a declaration of the inalienable right of the people to change, alter or abrogate their form of government. The gentleman from Kent, (Mr. Chambers,) had moved to amend the proposition, by adding the words "according to the law or Constitution of the State." This amendment was directly in contradiction of the original proposition. If the right was inalienable in the people, it could not be definitively surrendered to a body which was not the people, and which, as it was part of the government, might be interested in resisting that power of reformation which it was the object of the article to recognise. The proposition involved no danger. The right must be exercised with moderation, and within the limits of that "moral competence," which restrains every legislative body.

The article, as proposed by his colleague, did not assert a revolutionary principle. That principle exists in all governments, without provision made for its exercise. The object of the amendment was not to assert a right of revolution, but to compel the recognition by the existing government, of the source of power, in the State, and to constrain it by moral force to accommodate itself to their varying wants and situation. Where this is done, revolutions, even if they occur, are comparatively harmless. There is no better instance than that of England in 1688, as contrasted with the result of the less flexible system of France, which was upturned in the last century.

There was no reason to object to the majority principle which the article recognised. The peace and happiness of the greater number are interested in a stable government. They are sureties for its existence. Much more evil is to be apprehended from the obstinacy with which minorities adhere to power. The whole proceeding under our Convention bill, recognises the majority principle. The Constitution which we make, may be carried here by a majority of counties, if the majority of a delegation were entitled to cast the vote of a county, voted against by a majority of the counties, and yet be ratified by the popular vote of the city of Baltimore and the larger counties. The Convention are but agents in the business—after they have concluded their work, it is submitted to the people, and, by force of their majority vote, becomes a supreme ordinance.

Illustrations drawn from English constitutional law were not applicable. The arguments of Fox, Grey, Erskine and Sheridan in the movements in the British Parliament, on the subject of reform, in the year 1797, went on the ground of convenience and not of right. The Constitution of the State did not recognize the principle of popular rule, and Mr. Pitt was able to resist all claim which was put on this ground. So too, in 1688, when the Parliament met to remedy the state of things ensuing on the flight of James I., it was seriously embarrassed. "The King can do no wrong," and, "the King never dies," were maxims, which utterly contradicted all notion of right to fill the throne, or to consider it vacated. It was compelled to adopt an extraordinary and utterly inconsistent resolution, to arrive at any result. After examining, critically, this resolution, he showed that no such difficulty could occur under the doctrine of a majority. It arose out of their artificial system. But there was an intrinsic right in the doctrine of a majority power. Those who had the most numerous interest in life and liberty were certainly entitled to prescribe the laws by which they should be governed. It was the rule of every deliberative body—it should be the rule of that supreme Parliament of which all, who have an interest in the State, are members.

He stated that seventeen or eighteen States had adopted the principle of the amendment of his colleague, without the modification of the gentleman from Kent; and these were not new States, animated by a desire to overleap the ancient land-marks, in their eagerness after novelty. Among them were old, discreet and orderly, and what were esteemed conservative, States. They had adopted the principle, and no danger or inconvenience had resulted. Yet the cry had been raised that its introduction here was warrant for a revolution. In conclusion, he was in favor of the proposition, for two reasons: first, because the right to alter, amend or abolish the Government is in the majority of the people, and it is proper that it should be specifically recognized in the organic law; and secondly, that it is a right that cannot be absolutely surrendered, and it is useless to adopt a form of words which would imply such a surrender. The amendment of the gentleman from Cecil, (Mr. MCLANE,) because a mode should be prescribed for ascertaining, from time to time, whether the people desired a change or not. For whenever, this was ascertained, it was the duty of a popular government to lend all its energy to promote this end.