

right of the people of Maryland. Therefore I am in favor of this article as it stands, and against the proposed amendment, or any other limitation or restriction of that right. This article of the bill of rights, as it now stands, was very fully discussed and very elaborately argued in the last Convention. And upon that argument it was adopted and inserted in the Constitution. And I cannot see how in the world that Convention afterwards inserted the 44th article in that bill of rights. I am in favor of this first article as it now stands, and of making the 44th article conform to it.

Mr. DENNIS. I have but a few words to say, and shall endeavor to confine myself to the merits of the subject before the Convention. I understand the amendment proposed by my colleague (Mr. Jones) in effect to be that the form of government we may here devise ought not to be changed except in conformity to the mode which may be therein prescribed. Now the 44th article which the Committee on the bill of rights have reported is tantamount to the same thing. It provides:

"That this Constitution shall not be altered, changed or abolished except in the manner therein prescribed and directed."

So that really those members of the Convention who advocate and sustain the amendment are advocating and sustaining an article not yet before the Convention. And those gentlemen who are opposing this amendment are opposing the proposition contained in the 44th article of the bill of rights as reported by the committee. I suppose, however, it is the same thing whether the discussion takes place now or hereafter; because the principle involved being the same, it matters not whether the discussion takes place at the commencement or at the close of the bill of rights. I take it for granted then that we who sustain the report of the committee are to sustain it against the assaults and attacks of those gentlemen who oppose the amendments of the gentleman from Calvert (Mr. Briscoe) and of my colleague from Somerset (Mr. Jones.)

Now what is this first article? It is true it is but the assertion of mere abstract rights. But it has always been understood, and this Convention well knows the importance, nay, sir, the absolute necessity of laying down these abstract principles upon true and earnest grounds, because they, with the Constitution which is hereafter to be adopted, form the substratum upon which the whole legislation of this State must rest, for these declarations of abstract principles have always been treated as a part of the fundamental law of the land. It is therefore necessary to have these abstract truths clearly and earnestly set forth. This first article says:

"That all government of right originates from the people, is founded in compact only and instituted solely for the good of the whole; and they have at all times the unalienable right to alter, reform or abolish their

form of government in such manner as they may deem expedient."

The amendment now under consideration proposes to limit the universality of that rule, and it strikes me as eminently proper that it should be limited. It may be true that all government originates from the people, that it is founded in compact only, and that it is instituted solely for the good of the whole. But while it is undeniably true that they have the right to alter or reform or abolish their form of government, does it necessarily follow that the good of the community, the good of the whole, will be promoted by this wild hurricane rage to which all communities are liable? Does it follow that this power which resides in a community is best exerted by a mere majority of the community whenever they may get together? Because the majority outnumber the minority, it may be by one only, should that majority do what it pleases, when it pleases, and where it pleases? I acknowledge no such doctrine. I am for liberty regulated by law, the law which every man knows, and to which every man can appeal. Liberty without law is not liberty; it is but the license to do whatever the will of the majority may impose upon the minority.

How is this inalienable right to alter, reform or abolish to be exercised, if it is not to be done in conformity with the laws of the land? Will gentlemen please tell me how it is to be done, where it is to be done, and when it is to be done? Can a mere numerical majority assemble anywhere and whenever they please, and upturn the existing institutions of the land, and cast loose all the elements of society? And is society to become a wreck because a mere majority may choose to say so? Are they to assemble whenever they please, without notice to others of the community who are to be affected by their action; assemble in any place they please, to which access perhaps may be debarred others equally interested with themselves? Should not all these considerations be taken into view by the members of this Convention before they determine the unalienable right of a mere majority to change, alter or abolish existing institutions whenever that majority may choose to exercise that power?

"Originates from the people." Who constitute the people? Is there any limit upon that declaration? Will gentlemen who urge these wild vagaries of their imagination, if I may call them so, tell me who are the people to exercise these rights, who are the people who are to step forth in all the majesty of power—it may be in a majority of one only—and say to the minority of only one: we will plant our heels upon your necks, and make you submit to whatever we see fit to impose upon you? Are "the people," the people of the entire State, every man, woman and child in the State; or are they merely