

Mr. SHOWER, in accordance with the notice given by him on yesterday, moved to reconsider the vote of the Convention rejecting the amendment offered by Mr. FIERY, on yesterday, to the second section of the report.

The PRESIDENT decided the motion in order.

After some discussion as to the correctness of the decision of the Chair, which was participated in by Messrs. MERRICK, BROWN, of Carroll, PRESSMAN, BOWIE, HOWARD, SPENCER and TUCK,

Mr. SHOWER withdrew his motion, and renewed the notice of his intention hereafter to move a reconsideration of the vote of the Convention rejecting the amendment of Mr. FIERY, on yesterday, to the second section.

Mr. MERRICK gave notice of his intention to move to reconsider the vote by which the Convention struck out the second section of the report.

The question was then stated to be on agreeing to the substitute moved by Mr. DORSEY.

Mr. DORSEY said, that he desired to submit a few remarks upon his substitute. He entirely concurred with the remarks made by the gentleman from St. Mary's, in his statement as to the basis upon which representation had always existed in the State of Maryland. He believed, after examining the subject, that previous to the revolution, the counties had an equal representation, and since the Constitution of 1776, there could be no doubt upon the subject. Territory or population, without reference to numbers, was regarded as the basis of representation until the year 1836, and he agreed with the gentleman as to the principle upon which government was founded—that it had been entirely upon the expediency and circumstances of the case, to which the principles of government were to be applied, as to the nature of the government to be adopted, and the condition and circumstances of the people to be governed. As to founding government upon the abstract principle of the majority, he did not think that it was ever adopted, or ever ought to be adopted any where. It ought to be the last principle to be thought of in the State of Maryland, as a controlling, abstract ground of action. It certainly was not the condition upon which the corporation of Baltimore was created. The Legislature, in 1796, which granted a charter to the city of Baltimore, adopted the true principle—that was, that in framing this government for the city, they did not look alone to population. It was seen at the time that Baltimore would become a great city, and they adopted the true principle, not merely territory, but population also. This principle prevailed in Maryland until 1836. The principle which then prevailed, was that territory, or if you please to so call it, population without reference to numbers, should govern representation, and the number of such population, had nothing to do with it.

It appeared to him that it was rather unkind, not to say ungrateful, in some of the western counties, now large in numbers, but formerly small indeed, to desire to change the nature of

representation after they had enjoyed all the advantages which they had derived from the smallness of their population, when compared with that of counties much greater in population. At one period St. Mary's was the great populous county of the State, and enjoyed all the advantages, and had the amount of representation which properly belonged to the mother of counties in Maryland. When the other counties increased, the Legislature created new counties of them. For example, Frederick was divided into three counties, Montgomery, Frederick, and Washington. Thus, when a territory which was large, so extended its population throughout its limits, that it became inconvenient that it should exist under the government of one county, it was divided. Afterwards, when it was found that the territory and extended population of Washington county, was inconveniently great, it was divided, and a representation given to it, not according to numerical population, but according to territory or population without regard to numbers.

After a county enjoying this privilege for some sixty years, it appeared to him rather ungrateful on her part, to come out against the older counties, and say, although you have indulged me with having the privilege of representation according to territory, or population independently of numbers, and given me as full a representation as the most populous county in the State, nothing on earth will satisfy me, except it be representation according to population.

But he did not understand them to go for the abstract principle of representation according to population. If they did go for that principle, he could not see how it was possible for them to deny it to Baltimore. He thought that representation according to population was not the true basis, and should not be applied to Baltimore.

Mr. D. then referred to the charter of the city of Baltimore as originally created; and inquired whether it made one corporate body, by which one popular vote was to have been taken, and the affairs of the city governed accordingly? No, sir. Even then it did not declare that representation should exist exclusively according to population, but that there should be a representation depending as well on territory as numbers. Even at that day there were opposing interests in the city of Baltimore, and it was divided into eight wards, according to numbers, in such manner that the interests of every portion of the city should be fairly represented, so that they could protect themselves against aggression. He thought this principle was justly established, and should prevail at the present day; that it combined representation and population, giving an opportunity to the minority to protect themselves, by reason of territorial representation, against the arbitrary will of the majority.

Mr. BOWIE inquired whether the charter had ever been changed?

Mr. DORSEY replied that although it had been changed in some respects, yet this principle had remained the same.