

far to go beyond what I think ought to be the policy of the State: I am willing to make an exception for them; but when I have gone thus far and made this exception, I do think our friends ought not to ask us to go any farther, and let all people be married in the same way, because they choose to differ from us and want to be married in a particular way.

I do not care which amendment is adopted; but I rather prefer the amendment of the gentleman from Howard (Mr. Sands,) because I think it takes the very proposition submitted by the gentleman from Harford (Mr. Russell,) and allows a magistrate or mayor of a city to marry them. As that is their proposition, I want to yield them everything they ask. But I ask them not to insist that the religious sense of myself or anybody else, or the community be violated in other respects: The respect which the community have for this religious society is such that their religious sense would not be violated in granting them this privilege, because everybody knows that denomination too well to suppose that it would detract from them to be married in any way they thought proper. But I think to extend the same privilege to persons not religious would detract from this ceremony, and shock the sense of the community. I am willing to grant this to them; but I do not think it ought to be given to others, on that account.

It is said here, as I understand it, that the proposition of the gentleman from Howard is covered by the law already on the subject. That that cannot be the case, is shown by the case of the gentleman from Harford (Mr. Russell,) whose daughter had to go over the line to get married. Under this provision she would not have been obliged to go to Philadelphia to get married. But if you allow them to be married here, as they are now married when they cross the line, you give them everything they now have in the State and out of the State.

I do not care which amendment is adopted. It struck me when my colleague presented his proposition, that it would put persons to considerable trouble to find the judges in some of the counties.

Mr. STIRLING. I will add the word "clerk." Everybody has got to have a license, and they will easily find either the judge or the clerk.

Mr. NAGLEY. I am entirely opposed to all these amendments. I think with the gentleman on the other side of the house (Mr. Bond,) that this is entirely a subject of legislation; and if you stick so many other matters into the constitution, you will have a constitution that may be very burdensome to print and to read. The matter of which the gentleman from Harford complains, strikes me as a very curious one: It arises from the indisposition of the outsider to be married

according to the rites of the denomination of Friends. If the outsider would always consent to be married according to the rites of the denomination of Friends, there would be no trouble about it. And I cannot see why the man or the woman outside of that denomination must always be married by ceremonies outside of that denomination.— We have a religious denomination in Washington county known as the Menonists; and if you pass this law with regard to the Quakers you ought to pass it in regard to them. If any of their members marry an outsider and are married by an outside minister, they are subject to discipline. They are under the same discipline that the gentleman from Harford says his denomination is.

There is no need of it. It is not properly a subject for the constitution but for the law. I think the law as we have it on the statute book already, nearly covers the whole case. If it does not, let the legislature pass the necessary law.

Mr. BELT. I have an amendment to offer, which I will preface with a remark or two. My colleagues and myself take very little interest in this question, and we should have preferred that the discussion should be limited altogether to the gentleman from Cecil (Mr. Pugh,) the gentleman from Howard (Mr. Sands,) and the gentleman from Anne Arundel (Mr. Miller,) by whom in the earlier part of the discussion, it was so ably handled.— The question how marriage shall be celebrated is one in which we benedicts cannot be said to have the same interest as the unmarried members; although perhaps we might take more interest in the question of the way to get out of it.

The original proposition submitted by the gentleman from Harford, is one towards which I occupy the singular attitude of being in favor of it, and yet against it. I am in favor of it, at this present stage of the question, and shall vote for it as a naked proposition, embracing what I think to be the true doctrine as far as it goes. But I will say that the only proposition which I have heard which I am fully in favor of, is that of which notice has been given by my friend from Montgomery (Mr. Peter,) and which has been so ably and opportunely supported by my friend from Anne Arundel (Mr. Miller.) It has been justly remarked by some gentlemen, that if we proceed in this direction, putting into the constitution provisions, enforcing upon the legislature the performance of these particular positive, affirmative duties, we shall never cease until we get the legislation in the constitution in such a condition that there will be no necessity for a legislature at all. One great difficulty in the present constitution, which upon conversation with prominent members, we trusted this convention would remove, is that there is too much in it, that it is all full of restrictions upon