

it may contain, and for every fraction above half of said number, there shall be allowed to every county having such excess, one additional delegate; the city of Baltimore shall be entitled to the same number of delegates as the county which shall be entitled to the largest representation, and no county shall have less than two delegates;"

Mr. Tuck, rose to the following point of order, that the amendment offered by Mr. John Newcomer, was not in order, for the reason that it was substantially the same as that offered by Mr. Schley, and rejected by the Convention.

The Chair ruled the amendment to be in order because that part of the amendment offered by Mr. Phelps, was rejected, leaving Mr. Schley's amendment relating to the subject of the House of Delegates still unacted upon.

Mr. Dorsey, then offered as a substitute for said amendment the amendment offered by him on Friday, the 21st inst., and to be found on page 476 of Journal ;

Which was read.

Mr. Crisfield, moved for a division of the question upon each branch of said substitute.

The question was then put on the 1st branch of said substitute being in these words :

"The House of Delegates shall, until altered by the Legislature as hereinafter provided for, consist of eighty-three members, to be apportioned amongst the counties and city of Baltimore, as follows: One delegate to each county and the city of Baltimore as the representative of the territory thereof;"

Mr. Crisfield, moved the question be taken by yeas and nays, and being ordered appeared as follows :

AFFIRMATIVE—Messrs. Chapman, Pres't, Morgan, Blakistone, Dent, Hopewell, Ricard, Lee, Chambers, of Kent, Mitchell, Donaldson, Dorsey, Wells, Randall, Kent, Weems, Dalrymple, Bond, Sollers, John Dennis, James U. Dennis, Crisfield, Williams, Hicks, Goldsborough, Eccleston, Phelps, Bowie, Tuck Sprigg, McCubbin, Dirickson, McMaster, Hearn Fooks, Jacobs, Kilgour and Waters—37.

NEGATIVE—Messrs. Sellman, Merrick, Jenifer, Howard, Buchanan, Bell, Welch, Chandler, Ridgely, Lloyd, Colston, Constable, Chambers, of Cecil, Miller, McLane, Spencer, George, Wright, Thomas, Shriver, Johnson, Gaither, Biser, Annan, Sappington, Stephenson, McHenry, Magraw, Nelson, Thawley, Stewart of Caroline, Hardcastle, Gwinn, Stewart, of Baltimore city, Brent, of Balt. city, Sherwood, of Baltimore city, Presstman, Ware, Fiery, John Newcomer, Harbine, Michael Newcomer, Brewer, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Smith, Parke, Shower, Cockey and Brown—53.

So the 1st branch was rejected.