

Annan, McHenry, Schley, Fiery, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Smith, Shower, Cockey and Brown—23.

So the Convention reconsidered their vote.

Mr. John Newcomer, then moved to amend said 23rd section, by filling the first blank therein with "twenty thousand;"

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

**AFFIRMATIVE.**—Messrs. Chapman, Pres't, Morgan, Blakistone, Hopewell, Ricaud, Chambers, of Kent, Buchanan, Dickinson, Colston, John Dennis, James U. Dennis, Dashiell, Williams, Hicks, Hodson, Bowie, Sprigg, Dirickson, McMaster, Hearn, Stephenson, Nelson, Carter, Brent, of Balt. city, Sherwood, of Balt. city, Ware, John Newcomer, Kilgour and Waters—29.

**NEGATIVE.**—Messrs. Donaldson, Dorsey, Wells, Randall, Sellman, Howard, Welch, Sherwood, of Talbot, Phelps, McCullough, George, Biser, Annan, McHenry, Thawley, Stewart, of Caroline, Gwinn, Schley, Fiery, Davis, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Smith, Shower and Cockey—28.

So the blank was filled with "twenty thousand."

Mr. Smith, gave notice of his intention when the House was full, that he should move to reconsider the vote of the Convention just taken on said amendment.

Mr. McMaster, gave notice that on to-morrow he should move to reconsider the vote of the Convention on the article creating "Howard county."

Mr. Phelps, gave notice of his intention at some future day, to move to reconsider the vote of the Convention, dividing Allegany county, and creating a new county;

The question then recurred upon the adoption of the amendment as offered by Mr. Phelps, to come in at the end of the 23rd section, and to be found on page 562 of Journal ;

Mr. Schley, moved to amend said amendment by striking out the proviso thereof ;

Determined in the negative.

Mr. McHenry, then offered as a substitute for said section and amendment, the following :

"New counties may be formed out of any one or more existing counties, whenever a majority of the voters thereof declare through the ballot-box, in a manner prescribed by the Legislature, their wish for such division and formation. But no new county shall be established which, under the provisions of this constitution, shall be entitled to less than three members of the House of Delegates, or the establishment of which would leave the county or counties divided entitled to a less number. And in all cases, the separation shall be made by commissioners choosed by the electors of the county or counties to be divided;"

Which was read.