

Mr. Dorsey, moved to amend said substitute by adding at the end thereof, the following proviso :

“Provided, That no new county shall be established unless a bill for that purpose shall be passed at two successive sessions of the General Assembly ;”

The Chair ruled this amendment to be out of order.

The question then recurred on the amendment as offered by Mr. Phelps, to the 23rd section ;

Mr. Phelps, (with the consent of the Convention,) further amended his amendment by inserting after the word “Assembly,” in 4th line, these words “in manner to be prescribed by the Legislature ;”

The said amendment was then adopted as amended.

The question then recurred on the adoption of the substitute as offered by Mr. McHenry, for said 23rd section as amended ;

On the question being put,

“Will the Convention accept the substitute ?” it was

Determined in the negative.

The question then recurred and was put on the adoption of said 23rd section as amended ;

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

AFFIRMATIVE—Messrs. John Dennis, James U. Dennis, Hicks, Phelps, McMaster, Biser, Stephenson, Schley and John Newcomer—9.

NEGATIVE—Messrs. Chapman, Pres't, Morgan, Blakistone, Hopewell, Ricaud, Chambers, of Kent, Mitchell, Donaldson, Dorsey, Wells, Randall, Sellman, Sollers, Howard, Buchanan, Welch, Sherwood, of Talbot, Dashiell, Williams, Bowie, Sprigg, George, Dirickson, Hearn, Annan, McHenry, Nelson, Thawley, Gwinn, Brent, of Baltimore city, Sherwood of Balt. city, Ware, Fiery, Michael Newcomer, Davis, Kilgour, Waters, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Shower, Cockey and Brown—45.

So the 23rd section as amended was rejected.

The Convention then proceeded to the consideration of the amendment offered by Mr. Blakistone, on the 7th of March, as the 43rd section to said report, and to be found on page 411 of the Journal.

Mr. Blakistone, (with the consent of the Convention) withdrew said amendment, and substituted in lieu of it the following :

Section 43. That it shall be the duty of the Legislature to carry out in good faith the several acts of Assembly, and the several resolutions passed by the General Assembly in relation to the disposition of the school fund; and also in relation to the disposition