

fusing to deliver said Mitchell to the authorities of the State of Pennsylvania, and that he deserves the thanks of the good people of this State for the firmness he has manifested in his refusal to deliver a citizen of Maryland to an unjust and unconstitutional demand made by the Governor of Pennsylvania.

They beg leave further to report that they have understood that two citizens of the State of Pennsylvania who acted as agents of James S. Mitchell, in capturing his slaves, have been convicted of the crime of Kidnaping, and sentenced to the Penitentiary of that State. Believing as your committee do, that the taking and delivering to the said Mitchell, by the said agents, of the child of the fugitive slave woman of the said Mitchell, was not a crime under the federal constitution, but in strict conformity thereto, and feeling as they do, the deepest sympathy for the said agents, they beg leave to report the following resolutions :

Resolved, That the Executive of this State be requested to instruct the Attorney General to cause such proceedings to be set on foot, as that the case of said agents may be brought before the Supreme Court of the United States for its adjudication.

Resolved further, That 1,000 copies of correspondence between the Governor of this State and the Governor of Pennsylvania, with the accompanying documents be printed for the use of the members of this Convention.

Which was read and laid on the table.

The Convention then resumed the consideration of the order of the day, being the report No. 13, submitted by Mr. Bowie, chairman of the committee on the Judiciary.

On motion of Mr. Spencer,

The Convention was called, and the Doorkeeper sent for the absent members.

Mr. Gwinn, moved to dispense with further proceedings under the call.

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

AFFIRMATIVE—Messrs Lee, Wells, Howard, Colston, Hicks, Hodson, Goldsborough, Eccleston, Phelps, Grason, Wright, Dirickson, Jacobs, Johnson, Gaither, Biser, Gwinn, Stewart, of Balt. city, Ware, Neill, Anderson, Weber, Parke and Brown—24.

NEGATIVE—Messrs. Ricaud, Pres't, pro tem., Morgan, Chambers of Kent, Mitchell, Dorsey, Dalrymple, Sollers, Buchanan, Bell, Ridgely, Sherwood of Talbot, John Dennis, McCullough, Miller, Bowie, Bowling, Spencer, George, McMaster, Hearn, Fooks, Thomas, Shriver, Annan, Sappington, Stephenson, Nelson, Stewart of Caroltn, Hardcastle, Brent of Balt. city, Sherwood of Balt. city, Schley, Fiery, Harbine, Kilgour, Hollyday, Slicer, Fitzpatrick, Smith and Shower—40.

So the Convention refused to suspend further proceedings under the call.