

The question was then put on the amendment as offered by Mr. Tuck, and amended on the motion of Mr. Donaldson, and

Determined in the negative.

The question then recurred on the adoption of the amendment as offered by Mr. Morgan, being a substitute for the 1st section of the report;

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

AFFIRMATIVE—Messrs. Chapman, Pr't, Morgan, Blakistone, Dent, Lee, Kent, Sellman, Howard, Buchanan, Bell, Lloyd, John Dennis, Hicks, Hodson, Goldsborough, Eccleston, Phelps, Miller, McLane, Bowie, Sprigg, McCubbin, Bowling, Wright, Dirickson, McMaster, Hearn, Fooks, Johnson, Gaither, Annan, Stephenson, Magraw, Nelson, Gwinn, Stewart of Balt. city, Brent of Balt. city, Schley, John Newcomer, Harbine, Michael Newcomer, Brewer, Waters, Anderson, Hollyday, Fitzpatrick, Smith, Parke, Shower and Cockey—50.

NEGATIVE—Messrs. Donaldson, Randall, Sherwood of Tal., Colston, Tuck, Spencer, Grason, George, Shriver, Biser, Sappington, McHenry, Thawley, Hardcastle, Sherwood of Balt. city, Weber and Brown—17.

So the convention accepted the substitute.

The said 1st section was then adopted.

The 2nd section was then read.

Mr. Tuck, moved as a substitute for said section, the following:

“There shall be a commissioner of the Land Office, elected by the qualified voters of the State, at the first general election of delegates to the Assembly after the ratification of this constitution, who shall hold his office for the term of six years from the first day of January next after his election. The returns of said election shall be made to the Governor, and in the event of a tie between any two or more candidates, the Governor shall direct a new election to be held, by writs to the several sheriffs, who shall hold said election after at least twenty days notice, exclusive of the day of election.

The said commissioner shall sit as Judge of the Land Office, and receive therefor the sum of two hundred dollars per annum, to be paid out of the State Treasury. He shall also perform the duties of the register of the Land Office, and be entitled to receive therefor the fees now chargeable in said office, and he shall also perform the duties of Examiner General, and be entitled to receive therefor the fees now chargeable by said office.

The office of Register of the Land Office and Examiner General, shall be abolished from and after the election and qualification of the commissioner of the land office;”

On the question being put,