

"To recommit the report with instructions to report a specific plan."

Some conversation followed on a point of order.

Mr. BROWN demanded the previous question, and by yeas 40, noes 31, there was a second.

And the main question was ordered to be now taken.

Mr. CHAMBERS of Kent asked the yeas and nays on the main question, which were ordered.

And the question, "shall the consideration of the said resolution be postponed until the 15th day of February," was taken and decided in the negative as follows:

*Affirmative.*—Messrs. Morgan, Blakistone, Dent, Hopewell, Sellman, Dalrymple, Bond, Buchanan, Welch, Chandler, Lloyd, Dickinson, Sherwood of Talbot, Colston, Eccleston, Chambers, of Cecil, McCullough, McLane, Bowie, Sappington, Stephenson, McHenry, Nelson, Brent of Baltimore city, Fiery, John Newcomer, Harbine, Kilgour, Fitzpatrick—29

*Negative.*—Messrs. Chapman, President, Ricard Chambers of Kent, Mitchell, Donaldson, Dorsey, Wells, Randall, Kent, Sollers, Brent, of Charles, Merrick, Bell, Ridgely, John Dennis, James U. Dennis, Crisfield, Dashiell, Williams, Hicks, Hodson, Phelps, Miller, Tuck, Sprigg, Bowling, Spencer, Wright, McMaster, Fooks, Jacobs, Thomas, Shriver, Gaither, Biser, Annan, Magraw Carter, Thawley, Stewart, of Caroline, Hardcastle, Gwinn, Stewart, of Baltimore city, Prestman, Ware, Schley, Davis, Brewer, Weber, Hollyday, Slicer, Smith, Parke, Shower, Cockey and Brown—56.

So the Convention refused to postpone the consideration of the order, until the 15th day of February.

The question then recurred on the motion of Mr. BROWN, to postpone the consideration of the second report until Thursday next.

Mr. BROWN rose to withdraw the motion.

The PRESIDENT said it was not in order for the gentlemen to do so, the previous question having been called.

Some conversation followed as to the effect of the new rule on the question before the House, between MESSRS. BRENT, of Baltimore city, CHAMBERS, BISER, TUCK, THOMAS and the PRESIDENT.

In reply to an enquiry by Mr. THOMAS,

The PRESIDENT finally decided that the previous question would be exhausted on taking the question on the motion of Mr. BROWN, that being the "matter pending."

Mr. KILGOUR asked the yeas and nays on the motion of Mr. BROWN, which was refused.

Mr. JOHN NEWCOMER enquired, whether it would be in order to move an amendment.

The PRESIDENT said that under the rule adopted this morning, it would be in order

Mr. NEWCOMER thereupon moved that the further consideration of the question be postponed until the first Monday in February.

Mr. TUCK suggested that the best course of proceeding would be, that the pending motion to postpone, should be withdrawn, and that the Convention should get rid of the previous question by going into Committee of the whole.

The question was then taken and the amendment of Mr. NEWCOMER was rejected.

The question recurred on the motion to postpone to Thursday next.

The motion was rejected.

The question recurred on the motion of Mr. SOLLERS, to commit the report to a Committee of the whole.

Mr. SPENCER, then moved to recommit the report to the committee on Representation, with instructions that they report articles of the Constitution on some basis of representation, fixing the representation in the House of Delegates and Senate.

Mr. MERRICK stated that in the committee, the gentleman from Baltimore (Mr. PRESTMAN) had taken his ground, and would go for nothing but the basis "of population." Others had taken their stand; and thus the committee had been distracted in their labors, and unable to agree on the principle. Now if the Convention would come to any decision which would be an instruction to the committee as to the principle on which they should found a report, the existing differences of opinion would at once be brought to a compromise. For this purpose the resolutions were reported. He believed that the sense of the Convention was against the population basis. If he was right, and the decision of this body should send back the resolutions with an instruction to that effect, it would promise a compromise of the jarring opinions of the members of the committee. They had made no report, because they could come to no conclusions; and the resolution of the Convention forbade a report of reasons, and called only for results. He repeated that the sanction of the House was required for the guidance of the committee; and until that sanction was given, the committee could be brought to agree on neither of the extreme principles.

Mr. BRENT, of Baltimore city said

The question now was, whether the Convention should resolve itself into a committee of the whole. I am opposed (continued Mr. B.,) to again entering into that committee on any subject whatever, but especially at this time and on this great question of representation, because I think to entertain that question now, would be premature. The labors of the Convention are not yet sufficiently matured for us to proceed to this subject. It is because I regard representation as the most momentous and important of all questions that I do not wish to begin its discussion now, when we must break off on next Monday to resume the report on the elective franchise. Let us, when once we touch the principle of representation, devote all our energies without interruption or diversion, to its undivided consideration.

The gentleman from Charles, (Mr. MERRICK,) says that the Convention is now prepared to vote on this whole subject. I regret to hear that it is prejudged. I had hoped that gentlemen were open to conviction. I am ultra and zealous for the principle of representation on the basis of population; but satisfy me that I am wrong, and I will acknowledge the error; otherwise, I shall know no compromise in my votes on this subject