cipalities, the idea was an erroneous one, and should not be tolerated for a moment by this Convention. They were not here as representatives of the counties, but as representatives of the State of Maryland, returned merely by its municipal divisions. Before the Convention was called upon to vote, he desired the gentleman to state what theory he proposed to inculcate by the amendment.

Mr. PARKE gave notice that he should offer the following as a substitute for the said preamble:

"We, the people of Maryland, grateful to Almighty God for our own freedom, in order to establish justice, maintain public order, and perpetuate liberty, do ordain this Constitution.

ARTICLE ONE.

"*Section* 1. That the essential principles of liberty and free Government, may be truly recognised, and unalterably established, we declare."

Mr. DASHIELL then spoke in reply to the inquiry of Mr. GWINN, and in vindication of the principle intended to be asserted by his (Mr. D's.) amendment. The sketch of his remarks will be published hereafter.

Mr. JENIFER could not discover any beneficial effect, he said, that could result from the amendment. He went for the substance, not for the shadow. He would go as far as any man to protect the interests of the counties, but he was not willing to admit that he came here as a representative from Charles county only. If the gentleman intended that a new principle was to be engrafted on the Constitution, he (Mr. J.) would like to understand precisely what it was.

Mr. GWINN said:

That the phraseology which the gentleman proposed, was ambiguous in meaning. If intended only as a designation of the localities from which we came, there was no serious mischief in the words—but if, on the other hand, it was meant as an assertion of the theory that the counties and city of Baltimore, were parties to the old compact and to the new arrangement in their municipal capacities—it was utterly unfounded. And since the words which the gentleman proposed to insert, were of a doubtful meaning, it was better to adhere to terms, about which there could be no mistake.

The theory of county compact had been urged many times in the legislature. It had been remotely hinted at during the last session. But it was strange that any one who took the least pains to examine the history of the State, could use language which admitted by construction, of such a theory. He would state a few facts, which would place the counties in their true light, as constituent portions of the State.

The county of St. Mary's was undefined by any boundaries when first alluded to in our early records. It was the part of the Province which lay around the infant colony.

The lines of Kent county were equally uncertain. It was the whole shore opposite to Kent Island, which was then a commanderate, as it was termed. They were so termed only to distinguish the localities to which reference was made. The assembly, which sat in 1650, was composed of fourteen members, chosen by eight hundreds. It was in this year that the upper and lower Houses were separated. The counties existing at that time were geographical divisions only. The political power residing in the hundreds, into which they were divided. In 1659, the lower House, until then occasionally occupied by some members, who were summoned by the proprietor, was made to consist of delegates only, and four were called from each county. This county system continued until 1681; and in the interval, two, three, or four, were called from each county at the pleasure of the proprietor. In 1682, the number was reduced to two in each county by ordinance; and in 1692, four were allowed to each county in the lower House; and in 1716, four was adopted as the permanent number for each county, and two for each city or borough, which might be created. The Constitution of 1776 adopted this law of 1716, in the organization of the lower House. The counties were then, what they had been in 1716, only corporations—some created by mere order in council, and some by act of the assembly. The idea of their political independency is utterly unfounded.

The history of the Convention which adopted the Constitution, shows this. The counties were represented in the Convention equally, because they were equal in the representation allowed under the law of 1716. The same system was adopted, because the inequality in population was not then very marked, and for the reason, also, that the existence of a war in which the common safety was involved, made it inexpedient to quarrel about details of power.

In the early Conventions, the counties voted as counties. But it will be seen by reference to page 176, of the journal of that Convention, that the Constitution was adopted by a very different rule. Until the 22d June, 1776, all votes were determined by a majority of counties, and the majority of a county delegation, had the right to cast the vote of the county. Now, on the day referred to, it was resolved, that all votes should be determined by a majority of members. Under this rule any article could have been carried, and the whole Constitution adopted by a minority of counties. For instance, say there were twelve counties—seven would be a majority. If three, out of five delegates, could cast the vote of a county, twenty-one would carry a measure, against the fourteen negatives in the seven counties, and the twenty-five negatives in the five counties, supposing them all to vote the same way, making in all thirty-nine. But, when the majority rule was adopted, this could no longer be; and the minority of the counties might rule the majority. These enquiries had been entered into, when the reform bill was under discussion, in the House of Delegates last year; but he made no apology for renewing references which were perhaps information to some present, and which the theory stated, made necessary.

This theory of the political individuality of the counties, was disproved by other circumstances also. Most present were familiar with the suit