

regard his absence as any objection to taking it up.

HOWARD DISTRICT.

The PRESIDENT, *pro tem.*, again stated the question to be on the motion of the gentleman from Charles, (Mr. Merrick,) to postpone the Howard District report. And the PRESIDENT, *pro tem.*, stated that a vote of two-thirds would be required—the motion being for a suspension of the rules.

Some conversation on the point of order followed between Mr. MERRICK and the PRESIDENT, *pro tem.*, when

The PRESIDENT, *pro tem.*, then decided that, inasmuch as the Convention had taken up and proceeded to consider the report of the gentleman from Anne Arundel, (Mr. Dorsey,) it was competent for the Convention, by the vote of a majority, to postpone its further consideration.

The question, "shall the further consideration of the said report be postponed," was then taken, and by ayes 36, noes 34,

The further consideration thereof, was postponed.

THE LEGISLATIVE DEPARTMENT.

The Convention thereupon, proceeded to the consideration of the report made on the twenty-eighth ultimo, by Mr. JOHNSON, as chairman of the committee on the legislative department of the government.

[For this report, see the date in which it was made.]

Mr. DORSEY said, that he was not in his seat yesterday, being engaged in the court above. He did not, therefore, know on what part of the report the Convention was engaged. He had an amendment which he desired to offer to the first section of the report.

The PRESIDENT, *pro tem.*, stated that yesterday the report had been read for information only; no progress had been made in it. The first section of the report was now under consideration.

The first section of the report was then read as follows:

Section 1. The legislative power of this State shall be vested in two distinct branches, the one to be styled the Senate, the other the House of Delegates, and both together, "the General Assembly of Maryland."

Mr. DORSEY moved to strike out the first section, and to substitute for it an amendment, (hereafter noticed,) commencing as "article" first.

Mr. D. explained, that, by reference to page 106 of the journal, the Convention would perceive that the word "article" as applied to a clause of the report was informal. The resolution introduced by the gentleman from Baltimore city, (Mr. Presstman,) and which would be found at the page mentioned, provided "that the several committees on the Constitution, be instructed to report by *articles*, such propositions as are to be submitted by them for the adoption or rejection of this body," &c.

His, (Mr. D's,) reason for the motion to strike out the clause itself, was, he thought, that in the

old Constitution better. Mr. D. read the two. The provision of the old Constitution, he thought, expressed every thing quite as explicitly, and in fewer words.

Mr. CHAMBERS, of Kent, suggested that he supposed the idea to have been, to make an article of each branch or department of the government, and then to sub-divide the articles into sections.

Mr. PHELPS concurred in the explanation given by Mr. CHAMBERS, and said, that the committee on the legislative department had framed the phraseology of their report, in accordance with that contained in other reports, and had not thought proper to depart from the usual manner of expression.

As to the substitute amendment proposed by the gentleman from Anne Arundel, (Mr. Dorsey,) he, (Mr. P.,) had no objection to it. He felt himself placed, however, in an unenviable position in regard to this report. He was not prepared, in the absence of the chairman of the committee, (Mr. Johnson,) to make a report himself.

That gentleman came here a few days ago, and was anxious to leave the next day. His report was submitted to the committee, and was just read with the understanding that each member of the committee might dissent from the report, or offer any amendments to it. Subsequently, the chairman of the committee, had stated to him, [Mr. P.,] that he probably might not be here when the report was taken up, and had asked him, [Mr. P.,] to take charge of it in his absence. He had answered generally, that he would endeavor, in the best way he could, to carry out the design of the report.

He concurred with the gentleman from Anne Arundel, (Mr. Dorsey,) that the language of the old Constitution was more concise and expressive than that of the report.

Mr. BOWIE. I accept the amendment then;

Mr. DORSEY, (referring to the resolution on the journal,) submitted that it would be better to arrange the provisions of the report with a view to having them numbered from beginning to end. It would prevent mistakes. He thought that the resolution showed that the intention of the Convention was such as his amendment indicated. He was not tenacious about it, but he thought its effect would be beneficial.

Mr. MERRICK said, he thought it was not material whether the word "article" or "section" was used. Yet, he thought, that perhaps, for the reason suggested by the gentleman from Kent, (Mr. Chambers,) it might be better to use the word "section."

He concurred in the opinion expressed by the gentleman from Anne Arundel, (Mr. Dorsey,) that the words of the old Constitution were preferable to those of the report.

Mr. DORSEY remarking, that the verbal amendment he had proposed, would be applicable to other reports, withdrew that amendment, intending to offer it again hereafter.

The question then was on the motion of Mr. DORSEY, to strike out the said first section of the