

Affirmative—Messrs. Chapman, President Morgan, Blakistone, Dent, Hopewell, Ricaud, Chambers of Kent, Mitchell, Donaldson, Dorsey, Wells, Kent, Sellman, Weems, Bond, Merrick, Jenifer, Buchanan, Bell, Colston, James U. Dennis, Crisfield, Phelps, Constable, Chambers of Cecil, Miller, George, Jacobs, Thomas, Shriver, Biser, Sappington, Stephenson, McHenry, Nelson, Thawley, Stewart of Caroline, Gwinn, Prestman, Michael Newcomer, Kilgour, Holyday, Parke and Brown—44.

Negative—Messrs. Lee, Ridgely, Lloyd, Grason, Wright, McMaster, Fooks, Gaither, Hardcastle, Stewart of Baltimore city, Sherwood of Baltimore city, Ware, Fiery, John Newcomer, Harbine, Brewer, Weber, Slicer, Fitzpatrick, Shower and Cockey—19.

So the vote was reconsidered.

Mr. MERRICK then moved to amend the said section by adding at the end thereof the following:

“But it shall be competent for the legislature at any time, when it can do so, to pay off its outstanding bonds, or any part thereof, by an issue of other bonds or stocks bearing a less rate of interest and for no greater amount than the amount redeemed or paid off.”

Some conversation followed between Messrs. THOMAS and MERRICK, as to the propriety of laying the section over informally for the present.

Mr. CONSTABLE offered the following, as a substitute for the original section:

1. The legislature shall have no power to contract debts or borrow money except to repel invasion or suppress insurrection.

2. They shall have no power to authorise any subscription on the part of the State to the capital stock or shares of any canal, rail road, plank road, turnpike, banking, exchange, insurance, manufacturing or mining corporation, or of any other corporation or association whatsoever; nor shall they invest or embark any of the funds of the State, either directly or indirectly, in any trade, business or adventure of mining, manufacturing, commercial and marine, or of any other description whatsoever.

3. They shall not be authorised to loan the credit of the State, in any form or for any purpose whatsoever.

4. They shall have no power to appropriate money for any purpose, or to any object for which they are not authorised to raise the sum so appropriated by a general State tax.

5. They shall be authorised to impose State taxes for the following purposes, and none other whatsoever: For the defence of the State, payment of the principal and interest of the public debt, to defray the necessary expenses of the government, for the improvement and preservation of the public property, and for the establishment of a uniform system of public schools throughout the State, adequately endowed to educate every white child within its limits.

6. They shall have no power to except from the operation of any law, imposing a general

State tax, any other property than that owned by the State, or by a county, city, or other municipal corporation and burial grounds; nor shall they by law or otherwise enter into any contract or other expedient, or devise to exempt, or which shall operate as an exemption or suspension, wholly or partially of any other property, or body corporate, or of any person worth over two hundred dollars, from contribution, rateably and equally to such general tax, according to his or its actual worth in real or personal property. §

The consideration of the section was then postponed until Tuesday next.

The thirty-fourth section of the report was then read as follows:

Sec. 34. The General Assembly may confer upon _____ of the several counties, such powers of local legislation and administration as they may prescribe, provided, however, that all laws conferring such powers shall be general in their nature, and shall extend to all the counties of the State.

Mr. PHELPS, moved to amend said section by filling the blank in said section with these words “the Levy court or commissioners of the tax as the case may be.”

Mr. JOHN NEWCOMER moved to insert “the county courts.”

Mr. PRESTMAN moved to strike out the section. (It was, he said, wholly impracticable, if intended for the city of Baltimore.)

Mr. JOHN NEWCOMER withdrew his amendment.

Some explanatory conversation followed, on the part of Messrs. PHELPS, DORSEY, PRESTMAN, CHAMBERS, of Kent, BROWN and RIDGELY.

Mr. PRESTMAN said it seemed to be the general impression of the Convention, that the city of Baltimore was not to be reached by the section. If this was so, he should not press his amendment.

Mr. PHELPS withdrew his amendment.

The question then recurred on the motion of Mr. PRESTMAN to strike out the section.

Mr. GWINN offered an amendment, (not to be found on this day's journal, but which will be found in the proceedings of the succeeding day.) Its general object was to give to the Mayor and City Council of Baltimore the exclusive right to open streets, &c.

Mr. GWINN briefly explained the necessity of the amendment.

Mr. PRESTMAN said he was more satisfied than ever that the section of the report could not have any application to the city of Baltimore. If so, he would regret to see the amendment of his colleague prevail—not because he was opposed to it, but because it would give the appearance that the whole section was intended to apply to the city of Baltimore.

Mr. CHAMBERS, of Kent, dissented from this view, and did not understand that the same general feature of the law did not apply to the city of Baltimore as well as to other portions of the State.