

Mr. RIDGELY moved to postpone the consideration of said section and amendment, (with a view to its more mature consideration.)

Determined in the affirmative.

Mr. FITZPATRICK moved to amend said report by adding at the end thereof, as an additional section, the following :

"Sec. 41st. The Legislature shall, at the second session after the adoption of this constitution, provide by law for exempting from execution not more than five hundred dollars worth of the household furniture, or other property belonging to each family in this State."

Pending the question on this amendment,

The Convention adjourned until Monday morning at 10 o'clock.

MONDAY, March 3, 1851.

The Convention met at ten o'clock.

Prayer by the Rev. Mr. GRAUFF.
The journal of Saturday was read.

THE LEGISLATIVE DEPARTMENT.

The Convention resumed the consideration of the special order of the day, being the report of the committee on the legislative department of the government.

HOMESTEAD EXEMPTION.

The pending question was on the following amendment, offered on Saturday last by Mr. FITZPATRICK, as an additional section to the report:

"Sec. 41st. The Legislature shall at the second session after the adoption of this Constitution provide by law for exempting from execution not more than five hundred dollars worth of the household furniture, or other property belonging to each family in this State."

Mr. STEWART, of Caroline, moved to amend said amendment, by striking out the word "five," and inserting in lieu thereof "seven."

Mr. PRESSMAN said, he did not see the gentleman from Allegany, (Mr. Fitzpatrick,) who had offered the amendment, in his seat. Perhaps, it would be well that the amendment should be passed over informally for the present.

Mr. WEBER said, his colleague, (Mr. Fitzpatrick,) had no desire that the proposition should be passed over, in consequence of his absence.

Mr. MITCHELL said, it struck him, that if this proposition was agreed to, it would be impossible for a poor man to get any credit; and credit was as necessary as money to a poor man—in fact, more so. He was in favor, as every man who knew him would testify, of doing all he could for the poor. But if the sum of five hundred dollars should be exempted—if he was only worth that sum or less, who would take his note? No one—because he would have no sort of guaranty for the payment. Upon this ground, and upon no other, he should oppose the proposition.

Mr. McMASTER. To carry out the view of the gentleman from Kent, (Mr. Mitchell,) I move to strike out "five" hundred, and insert "one" hundred.

Mr. SHRIVER. I call for a division of the question.

Which was ordered.

The motion to strike out was rejected.

Mr. HARBINE desired to enquire of the gentleman from Caroline, (Mr. Stewart,) whether his amendment made it obligatory on the legislature to exempt from execution, seven hundred dollars worth of property. The original proposition was that any sum not exceeding five hundred dollars should be exempted.

Now, if he understood the proposition of the gentleman from Caroline, (Mr. Stewart,) it made it obligatory on the legislature to exempt seven hundred dollars. He, [Mr. H.] thought that this matter ought to be left to the legislature. Without any such provision, the legislature had the right and the power to exempt property from execution. The fact that they did not do it, rendered it probable, that they did not think it requisite that it should be done. He thought that the original proposition was the best.

Mr. STEWART, of Caroline, said, that the objection which he had to the section as it now stood, was that it left the matter vacillating and uncertain. One year \$200 might be exempted—another year \$300—and so on. It would be a constant subject of change and discussion. If any thing was to be done, he thought that the amount ought to be fixed, and that the Legislature should have no power to change it. Whatever the amount was it should be certain.

As to the objection of the gentleman from Kent, (Mr. Mitchell,) it was true that a poor man might not under this article obtain any more credit than if he had nothing, but he would certainly be so much better off. By this amendment, this amount would be secured to the party and his family.

Mr. WRIGHT (very imperfectly heard by the reporter,) was understood to express his concurrence in the views expressed by the gentleman from Kent, (Mr. Mitchell,) and he, (Mr. W.) trusted that the Convention would not fix upon any sum to be exempted.

He referred to an act which had heretofore been passed by the Legislature, exempting property from execution to the amount of \$50. The law created much feeling all over the State of Maryland, and petitions flowed in from all quarters, and that families were left houseless and unprovided for, because no one would trust them; and that they were prevented from obtaining credit by the very steps which the Legislature had taken for their protection. He hoped that the views of the gentleman from Kent, (Mr. Mitchell,) would be carried out—that no steps would be taken: but that the whole matter would be left to the Legislature to make such provision as the exigencies of the time might call for.

Mr. MITCHELL said, he understood perfectly the object his friend from Caroline, (Mr. Stewart,) had in view. It was to benefit the poorer class of our citizens. But his friend was mista-