

The question was stated to be on the amendment of Mr. DAVIS.

Mr. D asked the yeas and nays,
Which were ordered.

Mr. EGE suggested to the gentleman from Montgomery, [Mr. Davis,] so to modify the phraseology of his amendment as to say "for common school purposes." The term "education" was very indefinite.

Mr. DAVIS declined to modify. The word "education" comprehended, he thought, the object he had in view.

Mr. EGE. The term "education" comprehends much more than I desire. I shall be constrained to vote against the amendment.

The question was then taken on the amendment of Mr. DAVIS,

And the result was as follows :

Affirmative.—Messrs. Chapman, President, Blakistone, Dent, Hopewell, Ricaud, Lee, Chambers, of Kent, Donaldson, Dorsey, Wells, Randall, Sellman, Weems, Merrick, Jenifer, Ridgely, James U. Dennis, Crisfield, Dashiell, Hicks, Goldsborough, Constable, McLane, Bowie, Sprigg, Bowling, Spencer, McMaster, Fooks, Biser, Annan, Stephenson, Stewart, of Caroline, Hardcastle, Schley, Fiery, John Newcomer, Harbine, Davis, Kilgour, Weber, Slicer and Smith—43.

Negative.—Messrs. Buchanan, Bell, Lloyd, Colston, Miller, Grason, George, Thomas, Gaither, Sappington, McHenry, Thawley, Gwinn, Stewart, of Baltimore city, Brent, of Baltimore, Prestman, Ware, Neill, Michael Newcomer, Hollyday, Parke, Ege, Cockey and Brown—24.
So the amendment was agreed to.

The question recurred on the adoption of the amendment as amended.

Mr. PRESTMAN desired to enquire of the gentleman from Montgomery, [Mr. Davis] whether it was the object of his amendment to give to the Legislature, without limit, the power to appropriate the public money for schools.

Mr. DAVIS said that the gentleman from Baltimore city, [Mr. Prestman] was as capable of interpreting the language of the amendment as he, [Mr. D.] was.

Mr. PRESTMAN suggested that the gentleman should answer affirmatively or negatively.

Mr. DAVIS said he had no hesitation in saying that he did wish the Legislature to appropriate a sufficient sum for that purpose—sufficient to educate every child in the State of Maryland, without a single exception.

Mr. PRESTMAN. My object is answered. I wish the Convention to understand that the appropriation is to be without limit.

Mr. THOMAS moved a re-consideration of the vote just taken. He regretted the necessity of trespassing upon the time of the Convention, but he felt it his duty to call the attention of gentlemen to the fact that the mode of representation in Maryland was not based upon the popular will of the people of Maryland. Without particular reference to the past, he could say, that every one in Maryland knew that the funds of the public treasury, for purposes of education, had not been fairly apportioned.

Mr. T. went on to say that he was not willing to have his vote on the journal on this question without explanation. If there was any prospect that justified the expectation that there would be a fair republican apportionment of representatives in the Legislature, he might feel less hostile to a proposition to confer upon that body a power like that proposed. But foreseeing that no Legislature will be organized by this Convention that will give to the majority of the people the power to make our laws, he was not disposed to encourage an expenditure of the public money for purposes of education. Without this article in the Constitution, the Legislature would have power to do this, but he would not encourage the exercise of this power. He would, if he could, take the power away, and leave to the several counties and to the city of Baltimore authority to establish schools within their respective limits. In support of this, his position, he explained the manner in which education funds had heretofore been disposed of by the State Legislature. Maryland had advanced a large sum to defend the country during the revolutionary war, which had been paid to the State by the United States. That part of this fund which had been received from the General Government, and which was set apart for the purposes of education, had not been fairly distributed. It was divided between the counties and the city of Baltimore, not according to population, but by an arbitrary rule, that gave to Frederick with her population of thirty-five thousand white inhabitants, very little more than the smallest county in the State. The State had derived also a considerable revenue by a tax of twenty cents on the hundred dollars of bank stock, the largest portion of which tax was paid by citizens of Baltimore city and of the western counties. The income of the State from this source had been divided by the Legislature into equal parts, and one part had been given to each of the counties and to the city of Baltimore, without the slightest regard to the great inequality that existed in the population of these several communities. This he thought was not right. If there there is any fund that ought to be distributed according to the white population of the State, it is the fund intended for education. The Legislature in making such a distribution ought to feel that every white child in the State is equally an object of its regard, no matter where its residence may be in the State, from the sea-beaten beach of Worcester, to the Western boundary of Allegany. This had not been the case heretofore. Some of the small counties have a school fund more than they want, while other counties are compelled, and Baltimore city is compelled, to tax heavily the property of the people within their limits, to maintain a system of common schools. Seeing this, he was disposed to restrict the legislative power on this subject. And would prefer that each county and city should provide and maintain its own system of common schools. Admonished by the past injustice of the Legislature on this subject, and having no reason to hope for better in the future, he must vote against any article like that before us. At the same time he protested earnestly against be-