

insert "seven," for the number of delegates to be assigned to Baltimore and Frederick counties. The fractions of these two counties were 3,631, and 4,082, being more than half the ratio. He did not understand why his friend from Frederick, (Mr. Biser,) who was upon the watch-tower to guard the interest of that county, had not been the first to demand this amendment.

If this amendment was not adopted, any precedent principle of right, upon which apportionment in Congress and every where else was founded, would be disregarded and subverted, and for what? To subserve the purposes of Allegany and Washington counties. The consideration designed to be given for this unhallowed surrender of the manifest rights of Baltimore and Frederick counties, will be too apparent from the votes and proceedings of this Convention to need any explanation from me.

Mr. TUCK raised the question of order, whether this amendment was not in substance, precisely the same as that just voted upon.

The PRESIDENT ruled the amendment to be out of order.

Mr. MITCHELL. I move so to amend the section, that each county in the State shall have one delegate, and the city of Baltimore 50; and I want to speak five minutes upon that. (Laughter.)

Mr. MCHENRY raised the question of order, inasmuch as the tendency of the proposition was to throw ridicule upon the subject before the Convention.

The President overruled the point of order.

Mr. MITCHELL. It may be out of order to make speeches here; but what do they do at the other end of the capitol? They meet together, a few of them, and form a Constitution for the people of Maryland. Are we to submit to this without being heard, by calling the previous question, and cutting off debates? I, for one, will never do it, sir. Sooner will I see the whole State of Maryland sunk in the Atlantic ocean, than I will be dictated to by a party caucus at the other end of the capitol. We have been charged with holding a caucus here, by which you were placed in the chair you now occupy. We were driven to hold this caucus, by the action of the gentleman from Harford and his associates. It cannot be denied. I will tell you another thing, Mr. President. I came here as a Whig, nominated as such, and I am going to battle it to the last moment, while there is hope of its existence in the State of Maryland. I have one word yet to say to the people of Baltimore. That city claims that she pays two thirds of the taxes of the State. I tell you that she does not pay one cent. She is nothing but brick and mortar. And whence do they deride their means of support? It is from the agricultural interest of the State of Maryland, and from the railroads and canals, built at the expense of the State.— They build up their palaces in Baltimore; take

all our money when they can get it; buy up our grain at a reduced price, and sell it for a larger one. They make the money, and through our means are prevented from starving, and enabled to make fortunes. The city of Baltimore has not a single particle of a claim to more representation. But in 1836, in our generosity, we gave them a representation equal to the largest county, when we could easily have prevented it. There is another thing of which I would like to speak. New York, Pennsylvania, and other States, have large inland towns, to counteract the influence controlling the great cities—

Here the hammer fell, and Mr. M. withdrew his amendment.

The question recurred upon adopting the amendment moved by Mr. FIERY.

Mr. TUCK demanded the yeas and nays; Which were ordered;

And being taken, resulted—yeas 46—nays 47, as follows:

*Affirmative.*—Messrs. Howard, Buchanan, Bell, Welch, Chandler, Ridgely, Lloyd, Colston, Constable, Chambers, of Cecil, Miller, McLane, Spencer, Grason, George, Wright, Thomas, Shriver, Johnson, Gaither, Biser, Annan, McHenry, Magraw, Nelson, Thawley, Stewart, of Caroline, Harcastle, Stewart, of Balt city, Sherwood, of Baltimore city, Presstman, Ware, Fiery, John Newcomer, Harbine, Michael Newcomer, Brewer, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Parke, Shower, Cockey and Brown—46.

*Negative.*—Messrs. Chapman, President, Morgan, Blakistone, Dent, Hopewell, Ricaud, Lee, Chambers, of Kent, Mitchell, Donaldson, Dorsey, Wells, Randall, Kent, Sellman, Weems, Dalrymple, Bond, Sollers, Brent, of Charles, Merrick, Jenifer, John Dennis, James U. Dennis, Crisfield, Williams, Hicks, Goldsborough, Eccleston, Phelps, Bowie, Tuck, Sprigg, McCubin, Bowling, Dirickson, McWaster, Hearn, Fooks, Jacobs Sappington, Stephenson Gwinn, Brent, of Baltimore city, Kilgour, Waters and Smith—47.

So the amendment was rejected.

Mr. JOHNSON then moved to amend said report of the committee on representation by inserting in the place of the second section the following:

The House of Delegates shall be composed of seventy-five members, to be apportioned among the several counties and city of Baltimore, pursuant to the ratios herein provided; according to their several numbers as shewn by the recent census of the United States, to be determined by adding to the whole number of free persons, including those bound to service for a term of years, three-fifths of all other persons, and allowing to each county one additional delegate for a fraction exceeding one half of the ratio, but each county shall be entitled to at least two delegates. The ratio shall be one delegate to every six thousand inhabitants of the said county and city, until the number of the House of Delegates shall be seventy-two, and thereafter the ratio shall be one