

contingencies which they did not expect now.] the Act of Assembly looked to the fact that whatever might be coming from these works of internal improvements should be distributed among the counties and the city of Baltimore for the purposes of education. He supposed that the feeling was then, as now, that some system should be adopted by which the principle of education should be carried out generally through the whole State, and reference was had in the Act of Assembly of 1834 to this principle.

In 1836 came what was called the eight millions bill. He had examined this for the purpose of seeing if there was any particular appropriation in the law of 1836. He had found none, but had found that when it became necessary to meet the interest upon the debt which had been created by the law of 1836, by a tax upon the people, that there was a provision incorporated in the act of Assembly, of 1840, which required the treasurer to keep an accurate account of the money paid into the treasury by the counties and the city of Baltimore, with a view to an ultimate distribution of that particular fund, from that particular source, to each and every county in the State, and the city of Baltimore, in proportion to the amount that they had contributed. For the purpose of carrying out the views entertained by the Legislature, by different individuals, and by the people of the State at large, upon whom these laws had been made to operate, it was proposed to introduce a clause in the Constitution, which should require the Legislature to carry out in good faith, substantially, all of these various acts of Assembly and resolutions in relation to this fund. He would read it for the information of the Convention, before proceeding to make any further remarks. This was the clause he proposed to incorporate:

"Sec. 43. That it shall be the duty of the Legislature to carry out in good faith the several acts of Assembly, and the several resolutions passed by the General Assembly in relation to the disposition of the school fund, and also in relation to the disposition of the revenues arising from stocks of the State in works of internal improvement."

It seemed to him that there could be no diversity of opinion in the Convention, about the propriety of adopting such a proposition. The argument which had been used in opposition to the other proposition, was that by some means or other the control of these works of internal improvement, might pass out of the hands of the State into the hands of private individuals or of corporations.

No such objection could possibly apply to the article which he now proposed to incorporate, because his sole object was that each and every county in the State and the city of Baltimore, should receive their just proportion in conformity with the contract which had been entered into between the State and people, because he considered it as a contract, for the people had paid their money with the expectation of getting it back at some time, when he would require the Legislature to do no act by which these works of

internal improvement might be made unprofitable by the action of individuals, or corporations, in the State of Maryland. This would do no injustice to any portion of the State. It would give every portion a fair proportion of revenue from these sources and at the same time reserve to the State a controlling power over these public works. This was very important; indeed, he looked upon it as one of the most important acts of the Convention. They should give the people an earnest—they who had been so long patiently, and if not willingly, certainly very promptly, praying their taxes for the purpose of redeeming the character of the State—it was necessary that they should have an earnest, and one about which there could be no mistake—an earnest beyond the possibility of cavil, that they would ultimately, (if they should go on as they heretofore had,) relieve the State from debt, that they will ultimately realize the benefit they would have realized anterior to this from these works of internal improvement. The people had heretofore been disappointed, and if in addition to this, when they had been told that by making an appropriation of two or three millions dollars for works of internal improvement, they would advance the prosperity of the State, instead of giving them a remuneration, they should call upon them for additional taxes, when they had made the promise at the time the money was asked, that they were ultimately to derive benefit from them, if they should add this to their disappointment, and thus give them reason to believe that they had no right to expect that the State was acting honestly toward them, he apprehended it would raise a state of feeling which no one present would like to see manifested.

He sincerely hoped that this section would be adopted by a unanimous vote, because the only effect, the only tendency, the only intention and purpose of the proposition, was to carry out, in good faith, to the people of the whole State, the several contracts, implied or expressed, which had been entered into between them and the State, with a view to induce them willingly to put their shoulder to the wheel, to get the car of State out of the mire, and to place it on *terra firma*. The people had done this, and had a right to expect that the contract should be fully carried out.

Mr B. then withdrew the proposition heretofore offered by him, and substituted in lieu thereof, the following:

Section 43. That it shall be the duty of the Legislature to carry out in good faith the several acts of Assembly, and the several resolutions passed by the General Assembly in relation to the disposition of the school fund, and also in relation to the disposition of the revenues arising from stocks of the State in works of internal improvement.

Mr. GWINN desired to ask the gentleman a question, in order that he might understand the proposition. He believed that the proposition, as it originally stood, provided that these stocks should be divided among the counties and the city of Baltimore in proportion to their contribu-