

ty in regard to charges—for he was opposed to any invidious distinctions against the citizens of this State, or in favor of citizens of other States. Incorporated companies had been in the habit of charging less rates of transportation for passengers coming from Wheeling to Baltimore, than from Cumberland to Baltimore, making a discrimination against our own citizens. He did not propose to interfere with vested rights under any existing contract or charter, but proposed that no charters should be granted or renewed, or given, without requiring this uniformity of rates. The proposition was just and equitable, and he hoped it would be adopted.

Mr. JOHNSON would vote with pleasure for this proposition, if it made a uniform system. For eighteen years his life had been dedicated either in public or private capacity, to protecting or defending both railroads and canals, but he thought that this discrimination was invidious. Laws which had been made were subject to repeal, and he had been called on a hundred times to have them repealed.

Mr. McHENRY was under the impression that this was a subject for the Legislature, and was not proper to be incorporated into the Constitution. He should, therefore, vote against it, whether it was correct in itself or not. He moved the previous question.

The demand for the previous question was seconded, and the main question ordered, viz :

On agreeing to the proposition of Mr. BRENT.

Mr. BRENT, of Baltimore city, moved that the question be taken by yeas and nays;

Which being ordered,

Appeared as follows :

*Affirmative*—Messrs. Chapman, Pres't, Morgan, Lee, Sherwood, of Talbot, John Dennis, Constable, Miller, Bowie, Dirickson, McMaster, Jacobs, Shriver, Johnson, Gaitner, Biser, Stephenson, Thawley, Hardcastle, Brent, of Baltimore city, Sherwood, of Baltimore city, Michael Newcomer, Hollyday, Fitzpatrick, Smith and Shower—25.

*Negative*—Messrs. Blakistone, Dent, Donaldson, Wells, Randall, Kent, Howard, Bell, Lloyd, Colston, Williams, Hicks, Hodson, Goldsborough, Eccleston, Phelps, McLane, Tuck, Sprigg, McCubbin, Bowling, Spencer, Grason, George, Wright, Fooks, Thomas, Annan, McHenry, Magraw, Carter, Gwinn, Stewart, of Baltimore city, Ware, Schley, Fiery, Neill, John Newcomer, Harbine, Waters, Cockey and Brown—42.

So the amendment was rejected.

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

“That it shall be the duty of the Legislature, whenever a majority of the delegates from the Eastern Shore shall require it, to pass an act authorising the qualified voters of the Eastern Shore of this State, at the next regular election thereafter, to determine for or against a withdrawal of that part of the State of Maryland, known as the Eastern Shore, from the Western Shore, for the purpose of uniting the same with the State of Delaware; provided such withdrawal and

union be peaceable, mutual, and in accordance with the authority of the Congress of the United States.”

Mr. HICKS moved that the question be taken by yeas and nays;

Which being ordered,

Appeared as follows :

*Affirmative*—Messrs. Lee, Sellman, Bell, Sherwood, of Talbot, John Dennis, Hicks, Hodson, Goldsborough, Eccleston, Phelps, Bowie, McCubbin, Dirickson, McMaster, Fooks, Jacobs, Johnson, Biser, Thawley, Hardcastle, Brent, of Baltimore city, Neill, Michael Newcomer, Killgour, Fitzpatrick, Shower and Brown—27.

*Negative*—Messrs. Chapman, Pres't, Morgan, Blakistone, Dent, Donaldson, Wells, Randall, Kent, Howard, Welch, Lloyd, Colston, Williams, Constable, Miller, McLane, Tuck, Sprigg, Bowling, Spencer, Grason, George, Wright, Thomas, Shriver, Gaitner, Annan, Sappington, Stephenson, McHenry, Magraw, Carter, Gwinn, Stewart of Baltimore city, Sherwood of Baltimore city, Ware, Schley, Fiery, John Newcomer, Harbine, Waters, Anderson, Weber, Hollyday, Smith and Cockey—46.

So the amendment was rejected.

Mr. PHELPS desired to call the attention of the Convention to a fact with regard to its business. They had passed a resolution determining that no new business should originate on Monday, and that no report should be acted upon except reports from the revisory committee. Unless they should now take up the legislative report, so that it could be referred to the committee on revision, it could not be taken up at all.

Mr. THOMAS desired the Convention to take up the third section of the legislative report, heretofore passed over informally, fixing the terms of senators. It would be remembered that the gentleman from Anne Arundel struck out one senator, with the intention of leaving in office the seven senators elected last fall; and qualifying those senators holding over, so as to leave four others of the other class, added to the seven, to constitute one half of the Senate. He was in favor of leaving the Senate as it stood in the bill originally reported—the whole Senate to be elected in November next. He desired the Convention to dispose of the question, that the bill might go to the committee on revision.

Mr. BOWIE was utterly opposed to taking up this branch of the legislative report. They had already, according to his understanding, thoroughly settled the question. He recollected that the question had been debated, and the vote was taken, and it was determined that the present senators, without regard to their politics, were not to be disturbed. They had been elected by the people, and he went upon the same ground that he took in relation to the Governor, that being in office, and having been elected by the people, they should not disturb him. He then stated that he would take the same course with regard to the senators, because they had been elected by the people.

So far as his understanding of the question