

tives chosen in each county, and three senators; which is an arbitrary rule.

I do not mean to press the consideration of this report of the minority upon the attention of this convention. I know full well, for experience in this house has already taught me the sad lesson that anything coming from the minority side of this house, is likely to find little support or favor here. Although perhaps by some gentlemen it might be regarded as just and equal in its operation to each and every part of the State, yet I fear that its pater- nity will stamp it with the seal of condemnation. We have merely attempted to sketch out some general principles by which we think the convention should be governed; and upon those general principles I have submitted these few desultory remarks, which I may hereafter elaborate more fully.

I shall be content to meet gentlemen upon either side of the house who may present here a proposition in which I can see that justice is done to each and every part of the State. But I will never, for one, give the sanction of my vote to a plan that ignores nearly one-third of the whole population of this State upon the question of apportionment. I will never give my assent to a rule that is in contravention of every principle that governed the action of our fathers upon this subject from the earliest records of our constitution down to the present time. In the constitution of 1776 this principle did not enter. The reform party in the days of 1836 discarded it and adopted federal numbers, which takes the gross population, excluding only two-fifths of the slaves. The men of 1850 did not perceive the propriety and wisdom of excluding from the enumeration the free and slave population of the State, and adopted gross numbers as the basis of representation.

This population has ever been regarded in Maryland as a proper element constituting the basis of representation, and will not now, I trust, be rejected when the free population of the State is about to be increased by the accession of nearly one hundred thousand of emancipated slaves.

Gentlemen who have voted for the abolition of slavery cannot point to its temporary existence in our midst as a reason for the adoption of the exclusive white basis. If the people by their votes give vitality and force to the action of this body, slavery will no longer exist in the State, and our legislation on this subject should be shaped to meet the new order of things.

[The half hour having expired, the hammer fell.]

Mr. BERRY, of Prince George's. I think I have a right to claim that if the convention are now prepared to vote upon this proposition, it should be voted upon, section after section.

The PRESIDENT. The question is upon the substitute of one report for the other.

Mr. BERRY, of Prince George's. I claim that this is part of the report of a standing committee of this body, appointed by the chair for the purpose of considering and reporting upon this question. The majority of the committee have made one report, and the minority another. It is equally the report of a standing committee, and stands in the same relation to the house as the majority report. I offer it as a substitute for the majority report, to be read by sections as the majority report is; and I think I have a right to claim under parliamentary law, that it shall be considered in the same way. I cannot see the difference or discrimination between the minority and majority report, when both come from a standing committee of the body.

Mr. JONES, of Somerset. I suggest whether or not it is competent to ask for a division of the question. If there be several distinct propositions in an amendment, I believe it is competent to ask for a division, taking the vote upon each distinct proposition. The different sections being distinct propositions, come under that rule.

The PRESIDENT. There are two reports before the convention; a majority and minority report. It is the privilege of the minority, under parliamentary rules, to move to substitute their report in the place of the majority report. The majority report comes up properly for the consideration of the house. The gentleman from Prince George's moves to substitute the minority report in lieu of the majority report, for the consideration of the convention. That question involves the consideration of the two reports, whether the house will entertain the majority or the minority report. That is substantially the question. That being the effect, and the minority report being an entire proposition submitted to the consideration of the house, the house must decide, that question. After they have decided that question, it is then within the province of the house to proceed with the report, on its second reading, and amend it so as to perfect it. This does not come under the provision referred to by the gentleman from Somerset (Mr. Jones,) being a proposition in effect asking the sense of the house whether they will entertain the majority or minority report.

Mr. CLARKE. Is it not competent to read this report section by section, for any amendment to be offered, the minority report being offered as a substitute?

The PRESIDENT. It is a privilege conceded under parliamentary rules for the friends of the measure to perfect it before the question is brought to a vote of the convention.

Mr. BERRY. If this should be voted down, as a substitute for the majority report, may I