

Mr. DANIEL demanded the yeas and nays, and they were ordered.

Mr. BERRY, of Prince George's. If this motion does not prevail, I shall have to be excused to-morrow; for I have important business which will confine me to my room to-morrow.

Mr. BARRON. I hope the gentleman will withdraw the call for the yeas and nays. The gentleman slips away as often as any of us, and perhaps a little more.

Mr. DANIEL. I have been here night and day, and that gentleman has been away nearly every night, and a good deal of the time during the day.

The question being taken, the result was—yeas 42, nays 34—as follows:

*Yeas*—Messrs. Goldsborough, President; Audoun, Barron, Belt, Berry, of Prince George's, Blackiston, Bond, Briscoe, Chambers, Clarke, Dail, Davis, of Charles, Dennis, Duvall, Edelen, Galloway, Harwood, Hatch, Henkle, Hollyday, Hopkins, Horsey, Johnson, Jones, of Cecil, Jones, of Somerset, Kennard, King, Lansdale, Larsh, Lee, Marbury, Mitchell, Miller, Morgan, Parran, Peter, Ridgely, Robinette, Russell, Smith, of Dorchester, Thomas, Wilmer—42.

*Nays*—Messrs. Abbott, Annan, Baker, Brown, Cunningham, Cushing, Daniel, Davis, of Washington, Dellinger, Earle, Ecker, Farrow, Greene, Hebb, Hopper, Keefer, Mullikin, Murray, Neg'ey, Nyman, Parker, Pugh, Purnell, Sands, Schley, Smith, of Carroll, Sneary, Stirling, Stockbridge, Swope, Sykes, Valiant, Wickard, Wooden—34.

When his name was called,

Mr. RUSSELL asked to be excused from voting, but not being excused, voted "no."

The motion was accordingly adopted.

Mr. HEBB. When the convention adjourns to-night, I understand to be the effect of that.

Mr. KING. The motion was, "when the convention adjourns to-day."

Mr. STIRLING. The order was that the convention hold evening sessions on the evening of every day on which the convention shall be in session, except Saturday. If we adjourn over to-night it does not conflict with the order, but if we adjourn to-day we violate that order.

The PRESIDENT ruled that upon adjournment the convention stand adjourned until Monday next, at 12 o'clock.

#### THE PUBLIC WORKS.

Mr. NEGLEY, from the majority of the select committee on the 39th section of the report of the committee on the legislative department, and amendments thereto, submitted the following report:

"The undersigned members of the special committee, to whom was referred the 39th section in the report of the committee on the

legislative department, and the proposed amendments thereto, beg leave to submit the following majority report, recommending the following as section 39 in the aforesaid report:

"Sec. 39. The governor, comptroller, and treasurer of the State are hereby authorized conjointly, or any two of them, to exchange the State's interest in the Baltimore and Ohio Railroad Company for an equal amount of the bonds or registered debt now owing by the State, and subject to such regulations and conditions as the general assembly may from time to time prescribe, to sell the State's interest in the other works of internal improvement, whether as a stockholder or a creditor, also the State's interest in any banking corporation, and receive in payment the bonds and registered debt now owing by the State, equal in amount to the price obtained for the State's said interest; provided, that the interest of the State in the Washington Branch of the Baltimore and Ohio Railroad be reserved and excepted from sale; and that at the election to be held for the adoption or rejection of this constitution, the sense of the people shall be taken for or against the selling of the State's interest in all the works of internal improvement or other corporations.

"All of which is respectfully submitted.

PETER NEGLEY,  
DANIEL CLARKE,  
JOS. H. AUDOUN,  
ISAAC D. JONES,  
C. S. PARRAN."

Mr. STIRLING, from a minority of said committee, submitted the following report:

"The undersigned, a minority of the special committee to which was referred the 39th section of the report of the committee on the legislative department, are not able to concur in the report of the majority for the reason that after full investigation of the subject, and consideration of the wide difference of opinion which exists in the convention, they think it inexpedient to make any provision in the constitution for the sale of the public works.

It is not the duty of the convention to act on the subject as it is not necessarily or primarily a constitutional subject, though under some circumstances it might have been expedient so to do.

The undersigned are satisfied that any action the convention may take will dissatisfy a large part of the people, and they deem it wise to avoid all matters that may tend to produce side issues on the adoption of the constitution by the people.

The undersigned doubt whether any plan from this committee can command a majority of the convention, and the time of the convention will be taken up by mere amendments and more debate, they therefore recom-