

in twenty years. Why those who claim to be *par excellence* the friends of the people should undertake to restrict them in this way, I do not understand. I am for giving them that privilege every ten years.

The question being taken the amendment was not agreed to.

No further amendment was offered to this section, or to the report.

The report was then ordered to be engrossed for its third reading.

Mr. CUSHING. There has been no change made in this report by this convention, and therefore the necessity for our seeing it engrossed does not exist. I therefore move to suspend the rules, in order that this report may now be read the third time and put upon its passage.

The question being taken upon the motion to suspend the rules, upon a division—ayes 40, nays 19—it was agreed to.

The report was then read the third time.

The question was upon the passage of the report.

The question being then taken by yeas and nays, (under the rule) it resulted—yeas 46, nays 18—as follows:

Yeas—Messrs. Goldsborough, President; Abbott, Annan, Audoun, Baker, Bond, Carter, Cunningham, Cushing, Daniel, Davis, of Washington, Deisinger, Earle, Ecker, Farow, Greene, Hatch, Hebb, Hopkins, Hopper, Jones, of Cecil, Keefer, Kennard, King, Larsh, Markey, McComas, Mullikin, Murray, Negley, Parker, Pugh, Purnell, Robinette, Russell, Sands, Schley, Smith, of Carroll, Smith, of Worcester, Suary, Stirling, Stockbridge, Swope, Sykes, Valliant, Wickard, Wooden—46.

Nays—Messrs. Blackiston, Briscoe, Brown, Chambers, Dennis, Gale, Harwood, Horsey, Johnson, Lansdale, Lee, Marbury, Miller, Morgan, Parran, Peter, Turner, Wilmer—18.

The PRESIDENT announced that the report was rejected for want of the requisite vote in its favor, under the following clause of rule forty-four:

“But should a report or article on its final passage be declared rejected for the want of a majority of the members elected,” &c.

Mr. STIRLING. I think it was the universal understanding of the members of the convention that that rule was repealed.

The PRESIDENT. By reference to page 108 of the journal, it will be perceived that rules forty-two and forty-three were the only rules amended.

Mr. CUSHING. If according to those rules, as amended, permit the passage of an article by the votes of a majority of the members present, do not they control the construction of this forty-fourth rule?

The PRESIDENT. Rule forty-two now reads: “All questions, except those otherwise herein provided for, shall be determined by a majority of the members present.”

Mr. CUSHING. I think the action of the convention in amending those rules shows what was the sense of the convention upon this subject, and that it was that the votes of a majority of the members present were sufficient for the passage of any report or article.

Mr. HEBB. I will move to reconsider the vote just taken upon the adoption of this report.

The question being taken, the motion to reconsider was agreed to.

The question recurred upon the adoption of the report.

On motion of Mr. HEBB,

The further consideration of the report was postponed until to-morrow.

Mr. HEBB gave notice that on to-morrow or some subsequent day he would move to amend rule forty-four by striking out the word “elected” and inserting the word “present.”

APPOINTMENT, TENURE OF OFFICE, &c.

On motion of Mr. STOCKBRIDGE, The convention proceeded to consider the report of the “committee to consider and report respecting tenure of office, duties and compensation of all civil offices not embraced in the duties of other standing committees, which was on its second reading.

Section one was read as follows:

BOARD OF PUBLIC WORKS.

“Section 1. The governor, the comptroller of the treasury and the treasurer, shall constitute the board of public works, who shall exercise a diligent and faithful supervision of all public works in which the State may be interested as stockholder or creditor, and shall appoint the directors, in every railroad or canal company which the State has the legal power to appoint directors, which said directors shall represent the State in all meetings of the stockholders of every railroad or canal company in which the State is a stockholder; it shall be the duty of the said board of public works to receive from time to time the rate of tolls adopted by any company, use all legal powers which they may possess to obtain the establishment of rates of tolls, which may prevent an injurious competition with each other to the detriment of the interests of the State, and so to adjust them as to promote the agriculture of the State; the said board of public works shall keep a journal of their proceedings, they shall hold regular sessions in the city of Annapolis, on the first Monday in January, the first Monday in April, the first Monday in July, and the first Monday in October, in each year, and oftener if necessary, at which sessions they shall hear and determine such matters as affect the public works of the State, and the legislature may confer upon them the power to decide; they shall at each regular session of the legis-