

that their constituents will not sanction this constitution because this language is adopted. If they will remember that the sale is not ordered by the constitution, and that they will have the full chance of discussing it in the election of the legislature that is to act upon it, that argument comes to nothing at all. The sale cannot be made until the conditions and terms have been prescribed by the legislature. It is the only argument I have heard of any weight against this proposition; but if you put in a provision here that for all time hereafter, so long as this constitution stands, the State's interest in these works shall not be sold, the same reason will apply to all the other unproductive works. I cannot vote for the adoption of the majority report with this provision in it for these three works.

Another argument has been made that there is danger that the Baltimore and Ohio Railroad will buy up this canal. Now it seems to me that if they buy it at all they will have to come into the market as a purchaser in competition with every other purchaser. Those gentlemen who own the coal lands in Allegany county have invested thirty millions in another work, and they will be the persons most interested in purchasing this canal, if it is to be profitably worked at all. I do not think there is any danger of the Baltimore and Ohio Railroad Company trying to get the control of it, because the capacity of that road for the transportation of coal has been worked I think for the last eight or nine years almost to its utmost extent. There is coal enough in Allegany county, if the transportation of it comes this way to tide water, to Baltimore or to Alexandria, to keep up both these great works. There need not be any competition between them.

Mr. PUGH. I have said upon this subject all that I desire to say. I only hope that the convention will adhere to the vote of last Wednesday, and adopt again what they have already adopted, prohibiting the sale of these three works.

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

The question being taken the result was—yeas 20, nays 47—as follows:

**Yeas**—Messrs. Annan, Baker, Cunningham, Ecker, Farrow, Galloway, Greene, Hebb, Hopkins, Hopper, Keefer, Murray, Pugh, Robbinette, Smith, of Carroll, Stirling, Stockbridge, Todd, Wickard, Wooden—20.

**Nays**—Messrs. Abbott, Audoun, Belt, Blackiston, Bond, Brown, Carter, Chambers, Clarke, Daniel, Davis, of Washington, Dellinger, Earle, Gale, Harwood, Hatch, Henkle, Hoffman, Hollyday, Horsey, Johnson, Jones, of Cecil, Kennard, King, Lansdale, Larsh, Lee, Mace, Marbury, Maybugh, McComas, Miller, Morgan, Negley, Nyman, Parker, Parran, Purnell, Ridgely, Russell, Schley, Scott,

Smith, of Worcester, Sneary, Turner, Valiant, Wilmer—47.

The amendment was accordingly rejected.

Mr. CLARKE moved to amend the section by striking out the last clause, being all after the word "and," in line fifteen, and inserting "provided further, that no sale or contract of sale of the State's interest in the Chesapeake and Ohio Canal, the Chesapeake and Delaware Canal, and the Tide Water Canal Companies, shall go into effect until the same shall be ratified by the ensuing general assembly."

Mr. SCHLEY submitted the following amendment to the amendment:

Amend by adding: "and provided further, that the State's interest in the Chesapeake and Ohio Canal Company shall not be sold for less than five millions of dollars."

Mr. CLARKE. My amendment places the section in this condition; that the governor, comptroller and treasurer constitute a board to make the sale. They have the power to exchange the stock and bonds of the Baltimore and Ohio Railroad Company for the indebtedness of the State at par value. It further provides that the State's interest in the other works, the bank stocks, &c., may be sold, subject to such regulations and conditions as the legislature may prescribe, excepting the Washington Branch of the Baltimore and Ohio Railroad. Hence they have first to pass a law providing regulations and conditions before the board can sell. With reference to these three canals, it further provides that after the sale shall be made by this board, subject to those rules and regulations, then the sale of those three works shall be ratified by the legislature afterwards, to prevent the possibility of the board exceeding its power, and not complying with the conditions prescribed by the legislature. That is an additional safeguard.

Mr. DUVAL. I give notice that I will offer the following amendment to the amendment of the gentleman from Prince George's (Mr. Clarke) to add the following:

"And unless the said purchaser or purchasers of the Chesapeake and Ohio Canal shall in proper form secure to the holders of scrip and other creditors of said company the payment of such scrip and debts within twenty years from the date of such sale, with annual interest at six per cent."

Mr. SCHLEY. I have heard the amendment just submitted by the gentleman from Prince George's (Mr. Clarke.)

Mr. CLARKE (in his seat.) It is exactly your amendment, to be ratified by the ensuing general assembly.

Mr. SCHLEY. I know it is; and to that extent I can give the section my support. I have already stated that I would not consent to any sale of the Chesapeake and Ohio Canal at a sacrifice. While advocating the general policy that the State should divest itself of