

The PRESIDENT. The section as it stands would allow the citizens of one election district of Somerset county, to attach themselves to Worcester county, for instance, without the consent of the people of Worcester county, provided they could obtain the consent of the legislature. It was with that view that I voted for the amendment proposed by the gentleman from Montgomery (Mr. Duvall,) which gave the citizens of each county a right to determine the question.

Mr. HEBB. The object of the report, as it was at first drawn, was to obtain the consent of a majority of the legal voters residing in the two counties out of which the new county was to be formed, and also the consent of a majority of the legal voters of the part to be formed into a new county. The committee would not consent to it, but preferred it in the way the report now stands, that it should only require the consent of a majority of the legal voters of the portion about to form the new county. I was myself in favor of requiring the consent not only of that portion of the old counties about to form the new county, but also of a majority of the legal voters residing in each of the counties out of which the new county is to be formed.

In relation to what the gentleman from Baltimore city (Mr. Stirling) has said with regard to my amendment embracing more than I intended, he is mistaken. It says that the question of county lines shall be submitted to the people of the counties. So far as I am aware the legislature has never yet changed a county line without taking a vote of the people of the county where they would have it. It was done in Baltimore county, I think.

The PRESIDENT. I recollect that in the case of Howard county a petition was before the legislature a long time before any change was made.

Mr. HEBB. As to changing county lines, if we take a part of one county and add it to another county, we form new counties, although of the same name. My amendment simply raises the question whether the people of the old counties shall be consulted. Those who are in favor of that will vote for my amendment; and those opposed to it will vote against.

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

The question being taken, the result was—yeas 26; nays 27—as follows:

Yeas—Messrs. Goldsborough, President; Bond, Brown, Clarke, Davis, of Washington, Dellinger, Duvall, Earle, Edelen, Galloway, Greene, Hebb, Hollyday, King, Lee, Mitchell, Morgan, Murray, Nyman, Parran, Purnell, Schley, Scott, Smith, of Worcester, Sneary, Wickard—26.

Nays—Messrs. Abbott, Annan, Audoun, Barron, Brooks, Cunningham, Cushing, Daniel, Ecker, Hatch, Hopkins, Hopper, Markey, Mayhugh, McComas, Parker, Robinette,

Russell, Sands, Stirling, Stockbridge Swope, Sykes, Thomas, Todd, Valliant, Wooden—27.

The vote of Mr. ECKER having been misunderstood by the clerk, the amendment was declared adopted—yeas 27, nays 26.

Mr. ECKER. The clerk called my name on the wrong side. I voted in the negative.

Mr. STIRLING. That changes the result.—The amendment was lost.

The PRESIDENT. It must be reconsidered; the vote was announced before the correction was made.

Mr. ECKER. Can I move to reconsider? I am recorded as having voted in the majority.

Mr. HEBB. I move to reconsider.

Mr. KING. The motion to reconsider is not seconded.

The PRESIDENT. Any gentleman voting in the majority could second the motion to reconsider, of course. If not the president would exercise his authority to have the clerk correct the vote.

The motion to reconsider was agreed to.

The question being again taken on the adoption of the amendment submitted by Mr. HEBB, the result was—yeas 27, nays 27—as follows:

Yeas—Messrs. Goldsborough, President; Bond, Brown, Clarke, Davis, of Washington, Dellinger, Duvall, Earle, Edelen, Galloway, Greene, Hebb, Hollyday, King, Lee, Mitchell, Morgan, Murray, Nyman, Parran, Purnell, Robinette, Schley, Scott, Smith, of Worcester, Sneary, Wickard—27.

Nays—Messrs. Abbott, Annan, Audoun, Barron, Brooks, Cunningham, Cushing, Daniel, Ecker, Farrow, Hatch, Hopkins, Hopper, Markey, Mayhugh, McComas, Parker, Russell, Sands, Stirling, Stockbridge, Swope, Sykes, Thomas, Todd, Valliant, Wooden—27.

The amendment was therefore not agreed to.

Mr. KING moved to strike out "shall" in line one, and insert "may."

Mr. STIRLING. I think that is perfectly proper. It now imposes upon the legislature the duty of making changes. Certainly all that is intended is to confer the power.

The motion was agreed to.

The PRESIDENT. I would like to know what construction is placed upon the expression "the limits about to form said county?"

Mr. SANDS. I put this construction upon it. Suppose five districts of Howard county? and three districts of Baltimore county, should be formed into a new county, then the five districts of Howard county and the three districts of Baltimore county would be the limits which would decide the question.

The PRESIDENT. Then the amendment moved by the gentleman from Montgomery should have been adopted to make it clear.

Mr. SANDS. I think it very clear now.

Mr. KING. I do not think we have got this quite right yet. I do not see any provision in this section for taking the sense of