

principle contained in the proposition submitted by the gentleman from Baltimore city; but for the reason assigned by the gentleman from Washington (Mr. Negley,) I shall be compelled to vote against it. If there was any provision made for the education of the negro, I should have no objection to it. It would be impracticable in Talbot county. For that reason only, I vote "no."

The amendment was accordingly rejected.

The question recurring upon the adoption of the amendment submitted by Mr. Todd; On motion of Mr. PUGH,  
The subject was divided.

The question then being on the first clause of the amendment, as follows:

"It shall be the duty of the orphans' court of the several counties and the city of Baltimore to bind, until they arrive at the age of twenty-one years for males and eighteen years for females, all negroes emancipated by the adoption of this constitution, who are minors, and incapable of supporting themselves, or whose parents are unable to maintain them, subject to such regulations as are now or may hereafter be prescribed by law."

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

The question being taken, the result was—yeas 51, nays 20—as follows:

**Yeas**—Messrs. Goldsborough, President; Annan, Belt, Billingsley, Blackiston, Bond, Briscoe, Chambers, Crawford, Cunningham, Daniel, Davis, of Washington, Dent, Duvall, Farrow, Galloway, Greene, Hebb, Henkle, Hodson, Hoffman, Hollyday, Hopper, Horsey, King, Lansdale, Larsh, Lee, Markey, McComas, Mitchell, Miller, Morgan, Mullikin, Negley, Nyman Parran, Peter, Purnell, Ridgely, Sands, Smith, of Carroll, Smith, of Dorchester, Smith, of Worcester, Sneary, Swope, Sykes, Todd, Turner, Valliant, Wilmer—51.

**Nays**—Messrs. Abbott, Audoun, Brooks, Cushing, Dellinger, Ecker, Hopkins, Keefer, Kennard, Murray, Parker, Pugh, Russell, Schley, Schlosser, Stirling, Stockbridge, Thomas, Wickard, Wooden—20.

When their names were called,

Mr. AUDOUN said: I shall vote against every proposition looking to placing in the organic law of this State anything which tends towards slavery of any kind. There is sufficient law now upon the statute books to provide for negro apprenticeship. I voted against open unvarnished slavery; I now vote against slavery whitewashed. I vote "no."

Mr. ECKER said: As I have not had an opportunity to speak on this question during its discussion before the house, I would take this opportunity to explain my vote. When the proposition of my friend from Caroline (Mr. Todd) was introduced, I was favorably impressed with it, and was inclined to vote for it, but on examination I find in the Code all laws necessary in the case. And after hearing a number of speeches from gentle-

men on both sides, and also observing that it had created quite a sensation with the opposition, they put me in mind of trout fishing on a warm summer's day; for no sooner was the "bait" thrown out, than every one caught at it. I vote "no."

Mr. NEGLEY said: Regarding this as no system of slavery whatever, being as distinct from it as light is from darkness, regarding it as a measure for the good of the free negro himself, and not at all reinstating him in any condition of slavery, not affecting his status of freedom under the 23d article of the bill of rights, but calculated to operate for the benefit of the section of the State where it will exist, I vote "aye."

Mr. PUGH said: I called for a division of this question simply because it contained two distinct substantive propositions. I do not intend to support either. I vote "no."

Mr. SANDS said: The proposition as modified is exactly in substance that which I offered as a substitute. For that reason I vote "aye."

Mr. SCHLEY said: I have no objection to the proposition as it stands; but deeming it superfluous, I vote "no."

The first branch of the section was accordingly adopted.

The question recurring upon the second clause of the amendment, to wit: "and in all cases the preference shall be given to their former masters, when in the judgment of said courts they are suitable persons to have charge of them."

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

The question being taken, the result was—yeas 45, nays 27—as follows:

**Yeas**—Messrs. Goldsborough, President; Annan, Belt, Billingsley, Blackiston, Bond, Briscoe, Chambers, Crawford, Cunningham, Dent, Duvall, Edelen, Galloway, Henkle, Hodson, Hoffman, Hollyday, Horsey, King, Lansdale, Larsh, Lee, Markey, McComas, Mitchell, Miller, Morgan, Mullikin, Negley, Nyman, Parran, Peter, Purnell, Ridgely, Smith, of Carroll, Smith, of Dorchester, Smith, of Worcester, Sneary, Swope, Sykes, Todd, Turner, Valliant, Wilmer—45.

**Nays**—Messrs. Abbott, Audoun, Brooks, Cushing, Daniel, Davis, of Washington, Dellinger, Ecker, Farrow, Greene, Hebb, Hopkins, Hopper, Keefer, Kennard, Murray, Parker, Pugh, Russell, Sands, Schley, Schlosser, Stirling, Stockbridge, Thomas, Wickard, Wooden—27.

When their names were called,

Mr. HEBB said: I prefer leaving it to the discretion of the courts, and I vote "no."

Mr. NEGLEY said: Seeing no reason why the former owner of the indentured negro should not have the benefit of his services, if in the opinion of the orphans' court he is a suitable person to have them, I shall certainly vote "aye."