

of compensation. It may be that the legislature might fix it in such a way that it would not require even one thousand dollars to be paid. I think the legislature can be trusted to fix this compensation. If you put "one thousand dollars" in the constitution, it may be too little, or it may be too much. If they provide that, when the militia system is in operation, the adjutant general may be relieved of many of these duties, and be left to perform only some slight duties. In that case a thousand dollars a year is too much compensation.

The question was then taken upon the amendment of Mr. STIRLING, and it was adopted.

No further amendment was offered to this section.

Mr. WICKARD. I now move as an additional section, the following from the minority report:

"Section 4. The militia officers shall be chosen or appointed as follows: Captains, subalterns and non-commissioned officers shall be chosen by the written votes of the members of their respective companies; field officers of regiments and separate battalions by the written votes of the commissioned officers of their respective regiments and separate battalions to which they belong; brigadier generals and brigade inspectors by the field officers of their respective brigades; major generals, brigadier generals, and commanding officers of regiments or separate battalions, shall appoint the staff officers of their respective divisions, brigades, regiments or separate battalions."

Mr. RIDGELY. We have already provided, by adopting section three of the minority report, that "the general assembly shall provide for organizing, equipping and disciplining the militia, in such manner as shall be most effective to repel invasion and suppress insurrection, not incompatible with the laws of the United States." It appears to me that we have devolved upon the legislature the general power of organizing a militia system. I do not, therefore, think it proper that this convention should enter into the details of what that system shall be. The general power is conferred upon the legislature, and there I think it should be permitted to rest.

Mr. WICKARD. I will state that this section is drawn up in accordance with the constitutions of other States. The power is given to the militia of every State to elect their own officers.

Mr. STIRLING. I merely wish to say that I think it is a great deal better for the constitution to be silent upon this subject, and let the legislature, from time to time, provide whatever may be necessary. This State and this country are in a very anomalous condition at this time. I am not willing to fetter the legislature, and to decide now that the

militia shall elect their own officers. I am willing to let the legislature say so, if they choose. But there may be men called out to serve who are entirely hostile to the government that calls them out. And I am not willing to intrust such men with the selection of their own officers.

The question was upon agreeing to the amendment of Mr. WICKARD.

Upon this question Mr. WICKARD called for the yeas and nays, and they were ordered.

The question was then taken, by yeas and nays, and resulted—yeas 27, nays 35—as follows:

Yeas—Messrs. Abbott, Audoun, Baker, Barron, Belt, Billingsley, Blackiston, Brown, Chambers, Clarke, Dent, Durall, Ecker, Greene, Hebb, Hollyday, Horsey, Keefer, Lansdale, Lee, Marbury, Markey, Miller, Negley, Schlosser, Suary, Wickard—27.

Nays—Messrs. Goldsborough, President; Annan, Carter, Cunningham, Cushing, Daniel, Davis, of Washington, Dellinger, Farrow, Galloway, Hoffman, Hopkins, Hopper, Kennard, Lars, Mayhugh, McComas, Mullikin, Parker, Pugh, Purnell, Ridgely, Russell, Sands, Schley, Scott, Smith, of Carroll, Smith, of Worcester, Stirling, Stockbridge, Swope, Sykes, Thomas, Todd, Wooden—35.

The amendment was accordingly rejected.

Mr. PUGH. I move to reconsider the vote by which the amendment to the second section, proposed by the gentleman from Baltimore city (Mr. Audoun) was rejected. The amendment was to add to the section the following:

"And shall pass such laws as shall promote the formation of volunteer militia associations in the city of Baltimore, and every county, and secure to them such privileges or assistance as may afford them effectual encouragement."

I voted against it under a misapprehension. My impression at the time was that, by adoption of the section of the minority report, the legislature was authorized to make all these necessary arrangements. But I have been informed that they have so far failed to do so. They have hitherto failed to encourage the formation of volunteer companies throughout the State; and the inference is that they may so fail in the future.

The question was then taken upon the motion to reconsider, and it was agreed to.

The question recurred upon the amendment, and being taken, it was adopted.

No further amendment being offered to the report, the same as amended was then ordered to be engrossed for a third reading.

Mr. RIDGELY moved to suspend the rules, in order that the report might now be put upon its passage.

Mr. DENT. It occurs to me that it is rather premature to put this report upon its third reading now. The amendments have not been incorporated into the original report,