

Blackiston, Bond, Briscoe, Brown, Chambers, Cunningham, Cushing, Dail, Daniel, Davis, of Charles, Dellinger, Dent, Earle, Ecker, Edden, Farrow, Galloway, Harwood, Hebb, Holyday, Hopkins, Hopper, Horsey, Jones, of Cecil, Jones, of Somerset, Kennard, King, Larsh, Lee, Markey, McComas, Mitchell, Miller, Morgan, Mullikin, Murray, Negley, Parran, Pugh, Purnell, Russell, Sands, Smith, of Carroll, Smith, of Dorchester, Sneary, Stirling, Stockbridge, Swope, Sykes, Thomas, Todd, Valiant, Wilmer, Wooden—58.

As their names were called,

Mr. BARRON said: I would be afraid to vote for this; and therefore I vote "no."

Mr. PUGH said: I vote "no" upon this proposition, for the reason that I intend, if no other member does so, to move a reconsideration of that moved by the gentleman from Baltimore city. I vote "no."

The amendment was accordingly rejected.

#### ASSISTANT SECRETARY.

By unanimous consent, Mr. CUSHING submitted the following order:

*Ordered*, That the president of the convention be authorized to appoint an assistant secretary of the convention, to serve during the indisposition and absence of Mr. Cole, and that the person so appointed receive the same compensation as is paid to the secretary.

The order was agreed to.

#### LEGISLATIVE DEPARTMENT—MARRIAGE.

Mr. THOMAS moved a reconsideration of the vote taken last evening by which the amendment offered by Mr. STIRLING was rejected.

The motion was seconded by Messrs. PUGH and ECKER.

The motion to reconsider was agreed to.

The question was stated upon the adoption of the following amendment to Mr. RUSSELL's amendment to the article submitted by Mr. STIRLING last evening:

Strike out all after the word "assembly," and insert the following:

"Shall provide by law for the registration of births, marriages and deaths, and shall pass laws providing for the celebration of marriage between any inhabitants of this State not prohibited by law from marrying; and shall provide that any persons prevented by conscientious scruples from being married by any of the existing provisions of law, may be married by any judge or clerk of any court of record of this State."

Mr. THOMAS. I will state, in explanation of my vote to reconsider, that I desired the adoption of the original section introduced by the gentleman from Harford county (Mr. Russell,) and thinking that that would pass, I voted against this amendment. As that was voted down, I am now willing—

Mr. STIRLING. Will the gentleman allow me to raise a question of order? I offered

my proposition as an amendment to the original proposition of the gentleman from Harford, which original proposition has been rejected. It strikes me that it is necessary to reconsider that too. The thing I propose to strike out is gone. I voted against the proposition of the gentleman from Harford, and I move a reconsideration of the vote upon that in order to get at this question.

Mr. CHAMBERS. The convention has expressed by a decided vote a feeling of opposition to the proposition, and the last vote, taken by yeas and nays, shows that no change of opinion is to be expected upon the subject.

Mr. STIRLING. I am opposed to that proposition, and wish to reconsider only in order to enable the house to get at the proposition I offered.

Mr. CHAMBERS. That is the very proposition upon which I propose to say a word. We have upon our statute book a provision with regard to the registration of marriages, births and deaths.

Mr. STIRLING. No, sir.

Mr. CHAMBERS. Yes, sir; there is an existing clause upon the statute book, and in many instances the provision there made is practically used. Do I understand the gentleman to dissent?

Mr. STIRLING. No, sir; I understand now to what the gentleman alludes.

Mr. CHAMBERS. There is not a spot of land in the State of Maryland that does not belong to some parish by legislation. It is a civil distribution of the State. In every parish there is or should be a person termed a register, and a book in which by law it is his duty to record marriages, births and deaths. This has been done very much, but very much less than it should have been done. In very many cases this book will be hereafter very important evidence in tracing pedigree. Persons cannot be compelled, and it is not proposed now to pass a law compulsory upon individuals, to have those records made. Why make further provision upon this subject, to compel persons who do not choose to avail themselves of the opportunity already existing? This provision obviously imports that we adopt the idea of marriage solemnized merely as a civil contract. I do not exactly know the idea which leads the gentleman from Baltimore to desire the reconsideration of this proposition. It strikes me that it requires no legislation upon the subject.

Mr. STIRLING. If the gentleman will allow me I will inform him. I much preferred that this whole subject should be let alone; but I offered this proposition last night in good faith, for the purpose of meeting the difficulty in the way of the original proposition of the gentleman from Harford (Mr. Russell,) with regard to which considerable feeling was manifested by some portion of the convention. I believed that my proposition