

from Cecil, (Mr. Constable.) That section did not mention the crime of assault and battery at all, and the idea that because an indictment was necessary in the case of an "infamous crime," and also in "assault and battery," therefore assault and battery was an infamous crime, was quite untenable. That fifth section had nothing to do with the question. That gentleman had also spoken without his usual consideration when he said "forgery" was not a crime at common law. He read from Blackstone's commentaries to show what was intended by "infamous crimes," and also to prove that forgery was a common law offence.

Mr. CONSTABLE reiterated what he had before said in reference to the subject.

Mr. McHENRY hoped that the amendment would be adopted. The language of the Constitution should be such as will be intelligible to all, not merely to the legal profession, who could not at all times comprehend it; for we have had to-day some proof of the glorious uncertainty of the law. He hoped, therefore, that the terms adopted, would be intelligible to those who usually constituted our Legislatures. There was, in the good old times of merry England, a Parliament which obtained the name of the Blessed Parliament, and this was because not a single lawyer had a seat in it. It was, by no means, impossible that we should one day see in this State a Blessed Legislature.

Mr. PRESSTMAN, (interrupting,) said. The gentleman could find no man in the State, out of the profession, who could define felony.

Mr. McHENRY replied that he had only meant to show that there were great discrepancies of opinion among the lawyers, as to the words first used. Probably there would be difficulty in getting at a correct and precise definition of any word.

Mr. PHELPS said that this same provision was in the report on the Elective Franchise. In that report the provision went no further than to place the power in the hands of the Legislature. It was so in that report, and he thought the Legislature should have the same power here.

Mr. STEWART, of Caroline, said it was generally understood that the committees appointed early in the session, would report on the subjects referred to their charge. They had various duties assigned to them; and the duty assigned to one committee ought not to be permitted to run into the duty of another. This clause had been inserted in the report on the Elective Franchise; and, if gentlemen would turn to that report, they would find an amendment which, included all which he had moved to strike out. It is similar; and the advantage of having all the laws on one subject included in one bill, must be apparent to all. No man looking for the provision against bribery would think of turning to the legislative report to find it. If it related to the subject of voting at elections, he would naturally turn to the report on the Elective Franchise; and, if he could not find it there, he would probably come to the conclusion that there was no provision in the Constitution concerning it.

Mr. PHELPS said that the report of the com-

mittee on the Elective Franchise had not been finally disposed of, but had only been gone through with in committee of the whole. There had been, as yet, no action on it on the part of the House on the Elective Franchise report. Nothing had been decided in reference to it. It depends on the action of the House whether it shall be a part of the fundamental law or not. If the clause of disfranchisement should not remain in the report on the Elective Franchise, it ought to be in this. If it should be determined to insert the clause of disfranchisement, the Legislature need not to pass any law on the subject, because it will be contained in the Constitution. He hoped the section would remain as it is.

The question then again recurred, and was taken on the amendment of Mr. STEWART, of Caroline, and by ayes 25, noes 27,

The amendment was rejected.

The question recurred on the section as amended.

On motion of Mr. BRENT, of Baltimore city, Said section was amended by inserting after the word "person" in the fourth line, these words, "who may hereafter be."

The amendment was agreed to.

The section, as amended, was then adopted.

Mr. McHENRY gave notice that on to-morrow he should move to reconsider the 21st section of the report.

And the Convention adjourned until to-morrow at ten o'clock.

FRIDAY, February 28, 1851.

The Convention met at ten o'clock.

Prayer was made by the Rev. Mr. GRIFFITH.

The roll was called, and

The journal of yesterday was read and approved.

THE COMPROMISE.

The PRESIDENT laid before the Convention the following communication from His Excellency the Governor of Alabama:

EXECUTIVE CHAMBER,
Montgomery, Ala., Feb. 18, 1851. }

Hon. J. G. CHAPMAN:

SIR: I have the honor to acknowledge the receipt of yours of the twelfth of December, with the accompanying "Report of the committee of the Maryland Reform Convention, on the late acts of Congress, forming the compromise, &c." Maryland has spoken frankly and patriotically. I sincerely hope her voice may receive a harmonious response from the North, the East and the West—the South will be true to the Union so long as the "sacred charter of our rights" is respected and honored, and the general government manifests a willingness and ability, "to enforce the laws made for our protection."