

the committee on the legislative department of the government

The question pending before the Convention on yesterday, being on the adoption of the amendment offered by Mr. CONSTABLE, and amended on the motion of Mr. McHENRY.

Mr. BROWN moved to strike out the words "or to meet the just liabilities of the State incurred previously to the adoption of this Constitution."

[These words were yesterday proposed by Mr. McHENRY and accepted by Mr. CONSTABLE, as a modification of his proposition.]

Mr. McHENRY said, he did not desire to detain the Convention, nor was he so arrogant as to suppose that any remarks which he could submit would counter-balance the force of the opposition which the distinguished gentleman from Frederick, (Mr. Thomas,) had yesterday made. He, (Mr. McH.) must, however, be permitted to disclaim any intention to authorise the State to borrow money for schemes of stock-jobbing. He doubted whether the words of the amendment conveyed any such signification. No man in the State, or out of it, was more opposed than himself, to the corruption and iniquity of stock-jobbing and trading with the public money. He read and explained his amendment. In the event of such a convulsion as had swept over the country in 1837, again occurring, it was probable that a deficit in the treasury of the State far exceeding fifty thousand dollars, might take place. It was to meet a case of that kind, as any other case in which the faith of the State was justly and properly pledged, that he had offered his amendment. If any gentleman of more experience than himself, would suggest a form of words which would meet the object he had in view, and would not be liable to the exceptions taken to his own, he, (Mr. McH.) would cheerfully adopt it. They had all the same object at heart—the maintenance untarnished of the faith and honor of the State.

Mr. BROWN said, that no man would question the purity of the motive, or the singleness of the object of the gentleman from Harford, (Mr. McHenry.) But in his, (Mr. B.'s) judgment, the amendment would bear a construction which the gentleman himself did not intend should be put upon it. It seemed to him, (Mr. B.) that the amendment gave to the Legislature the power to adopt the very course indicated in the amendment of the gentleman from Charles, (Mr. Merrick,) and which had been voted down by the Convention.

He, (Mr. B.) could not vote for the proposition of the gentleman from Cecil, [Mr. Constable] so long as this provision remained in it. If the gentleman would strike out this provision, he [Mr. B.] would vote for the amendment rather than for the proposition of the gentleman from Queen Anne, [Mr. George.]

Mr. CONSTABLE expressed his desire again to modify his amendment, by striking out the provision offered by the gentleman from Harford, [Mr. McHenry,] yesterday, and accepted by himself. He, [Mr. C.] would withdraw that branch of the amendment, if no objection was made.

Mr. McHENRY said, there would be no objection on his part.

Some conversation followed, after which

Mr. CONSTABLE modified his proposition by striking out the words "or to meet the just liabilities of the State, incurred previously to the adoption of this Constitution?"

Mr. McHENRY now moved to amend the amendment of Mr. CONSTABLE, by inserting the following in place of the words just stricken out:

"Or absolutely necessary to enable the State to discharge in good faith its just liabilities incurred previously to the adoption of this constitution."

Mr. McH. said, it seemed to him that if there was any force in the meaning of words, the amendment as now modified by him, could not be liable to the objections urged against it yesterday by the distinguished gentleman from Frederick, (Mr. Thomas.)

Mr. THOMAS remarked that, as special reference had been made to him by the gentleman from Harford, (Mr. McHenry,) he, [Mr. T.] would respond simply by saying, that he could not vote in favor of the proposition. He did not deem it necessary to enter again upon a statement of the objections which he had indicated. He preferred the amendment of the gentleman from Queen Anne's, [Mr. George.]

Mr. McHENRY said:

He had hoped, that the gentleman from Frederick, (Mr. Thomas,) would find that the amendment, as now modified, was free from the objection which had been urged yesterday. He was sorry that so important a proposition had so feeble an advocate as himself. He could only express the hope that it would recommend itself to the favor of the Convention, and he would ask the yeas and nays on its adoption.

Mr. GRASON rose, he said, to call the attention of the Convention to the question as it now stood. It would be remembered that the two articles submitted by his colleague, [Mr. George] had been adopted by an almost unanimous vote. But many members of the body, upon reflection, were apprehensive that the restraints placed upon the legislature were not sufficient, and, therefore, it was suggested to his colleague, that it might be advantageous that the articles might be reconsidered, with a view so to amend them, as to prevent the legislature in the most positive terms, from again embarking in any wild or extravagant schemes. For his own part, he was satisfied with the two articles in the form in which they had been adopted; because, in the course of his experience, he had found that when men were anxious to obtain too much, they were apt to obtain less than they originally asked.

It seemed to him that the restrictions imposed by the amendment of his colleague, were sufficient to secure the people from the imposition of further burthens. He was satisfied that, if these articles had been a part of the original Constitution, the State would not at this day have been incumbered with one cent of debt.

But as it was a matter of great importance to prevent the legislature from contracting a large