

Branching from these explanatory remarks—

Mr. SOLLERS concluded his explanation.

Mr. BROWN demanded the previous question—and gave notice that he would not withdraw it. It was time that the debate should be brought to close.

Mr. EGE asked Mr. BROWN to withdraw, to enable him to make a few remarks.

Mr. BROWN declined to withdraw.

The question was then taken on the demand for the previous question, and there was not a second.

The question then recurred on the amendment of Mr. SPENCER.

Mr. MERRICK intimated that a proper time, when a suitable occasion should offer, and that he supposed would be when the report of the committee on public works came up for consideration, he intended to show that if the provisions of the act of 1836 had been complied with, the evil day which had caused us so much sorrow, would not have come on Maryland. It was in the contemplation of the Convention, he believed, when the report of the committee on education shall be taken up for discussion, to adopt some mode for the support of public schools, which will be free from the objections of gentlemen who oppose the present proposition.

Mr. EGE replied to the charges which, at least by construction, were made against him and those who voted with him, in the course he was pursuing with reference to the subject of education. He could only say that he was taking his course on his own personal responsibility to his constituents, and that the charge of demagoguism, so far as he was concerned, fell harmless. He repelled the idea that this Convention was a humbug, and expressed a hope that no gentleman would permit himself to be driven by the mere fear of ridicule from an honest perseverance in the line of duty. He knew not why local and popular rights should be withheld on no better ground than that they are advocated by a certain class of political men.

He came here for the purpose of sustaining certain prominent principles, and of these, education was one which he intended to stand by to the last, against any force which might oppose him; nay, if he stood alone in the Convention. If his people were to say that his course did not meet their approbation, he would yield obedience to their voice and resign his seat here. As to the question of the election of judges, he reminded gentlemen that the judges of Israel were elected by the people. And he asked, whether any one, of any party, could be found to vote for a judge whom he deemed incompetent to perform the duties of his office. He referred to the satisfactory result of the application of the elective principle to the people of New York, and asked why it should be assailed as demagoguism when we are only attempting to introduce the same principle here which had been successful there? He was of opinion that justice was rendered without perversion in other States of the Union where judges were elected by the people, and that the fountains of justice was quite as pure there as they are in this State. It had been alleged that

every thing is to be done here by party influence, and that the cry is, "stick to your party!" He was of no party here, and he left others to pursue that course which was thought right; and let his acts to be judged of by his own constituents. This Convention had been called into existence by the voice of the people. It was at first opposed by those in power. But the clarion of Reform sounded from the western hills of Maryland until power began to tremble. The people have called for reform in a voice of thunder, which will make itself heard here. He concluded with stating, that when he rose he merely designed to show the unequal operation of the amendment of the gentleman from Montgomery.

Mr. SOLLERS briefly explained.

The question then again recurred on the adoption of the amendment of Mr. SPENCER.

Mr. DORSEY called for a division on striking out.

Which was ordered.

Mr. McHENRY said that the objection which, in his opinion, lay against the amendment of the gentleman from Montgomery, would be also against the amendment of the gentleman from Queen Anne's, (Mr. Spencer.) The true mode is to draw the money required for the object, at the time when wanted, from the people by taxation. The gentleman from Calvert was right in his opinion, that the people are opposed to the contraction of any further debt by the State. The amendment of the gentleman from Queen Anne's might, if adopted, lead to serious embarrassment. He, (Mr. McH.,) desired to prevent the Legislature from exercising any power to loan the credit of the State for any object. He intimated that he had an amendment which he proposed to offer.

Mr. McHENRY then moved to amend said amendment, by adding at the end thereof, the following:

"The credit of the State shall not, in any manner, be given or loaned to or in aid of any individual, association or corporation, nor shall the General Assembly have the power, in any mode, to involve the State in the construction of works of internal improvement, or in any enterprise which shall involve the faith or credit of the State."

Mr. SPENCER, (some members not being present, he said, when he offered his amendmet,) repeated his explanation of it, and gave notice of his intention, if it should prevail, to follow it up with another amendment, which he read.

Mr. SOLLERS suggested to Mr. McHENRY a modification of his amendment, which is embodied in it as given above.

The question was then stated to be on the said amendment, as modified.

Mr. McHENRY asked the yeas and nays,

Which were ordered, and

Being taken, resulted as follows:

*Affirmative*—Messrs Chapman, Pres't, Blakistone, Dent, Hopewell, Dorsey, Wells, Kent, Sellman, Weems, Sollers, Merrick, Bell, Welch, Chandler, Ridgely, Lloyd, Colston, James U. Dennis, Dashiell, Hicks, Hodson, Goldsborough, Eccleston, Chambers of Cecil, Miller, Sprigg, Bowling, McMaster, Fooks, Shriver, Biser, Sap-