

upon the counties under any circumstances whatever. Their right to political existence and equal representation, was reserved to each, and whenever it is changed, modified or abolished, it must be done by their own free consent, or acquiescence. Under this agreement they entered into the compact of government in 1776, and have remained until this day. But some of them have suffered by their rights being impaired by a change made in the Constitution in 1836, in which they have acquired.

Mr. McMahan, in his history of Maryland, in speaking of the system of representation adopted in the Constitution of 1776, says:

"With reference to the several counties of the State, the principle of our present system of representation in the House of Delegates, is perfect equality, because of distinct county interest, without regard to difference in territory or population."

And again he says: "This system imparts to the State the character of a confederacy of counties, and unless so regarded, it has no governing principle."

And again he says, when speaking of this probable permanency. "There is, however, one alteration of it, relating only to the representation of the city of Baltimore, which, it is believed, the justice and magnanimity of the State will yet accord to her. This proposes merely to increase the number of her delegates to four, so as to place her on an equality with the counties. It received the sanction of the Legislature at the session of 1824, but was not confirmed as the Constitution requires, at the ensuing session. * * *

On that occasion it was resisted, not so much on account of its immediate objects and effects in raising the representation of Baltimore to an equality with that of the several counties, as for its supposed tendency to extend the hand of innovation to the whole system, and to strengthen her claims for a farther increase. Without regarding it as the beginning of innovation, it was difficult to find an argument of justice or expediency, upon which the bill could be resisted. By the very grant of a partial representation, this city is admitted as a distinct member of the quasi-confederacy, having distinct interest" &c.

And now, Mr. President, after having examined into the history of this State thoroughly, only a small portion of which I have found it convenient to cite as authority, but leaving an abundance still behind, I have come to the conclusion, that the present government is constituted of a confederacy of counties, each one being a party to the compact, and that each county has yet reserved rights, among which is the right to political existence and individuality.

FRIDAY, March 7, 1851.

The Convention met at ten o'clock.
Prayer was made by the Rev. Mr. GRAUFF.
The roll was called, and a quorum being pres-

ent, the journal of yesterday was read and approved.

Mr. JOHN NEWCOMER presented a petition of sundry citizens of Washington county, praying that a provision may be made in the new Constitution, that the privilege to sell intoxicating liquor shall not be granted to any person in any part of the State, except the same shall first be sanctioned or approved of by a majority of the votes in the district where the same is to be sold.

Which was read, and

Referred to the select committee already appointed on that subject.

HOWARD COUNTY.

Mr. DORSEY rose and asked the Convention at this time to take up and consider the report heretofore presented by him, in relation to making Howard District a county. He did not intend himself to discuss it, he said, and he had no reason to suppose that it would occupy more than a few minutes of the time of the Convention.

Mr. BROWN suggested that the unfinished business of the morning hour of yesterday, would come up to-day as a matter of course.

The PRESIDENT replied, that the unfinished business of the morning hour would come up as a matter of course; but that it might be postponed by the vote of a majority of the Convention.

Mr. DORSEY said, the report would probably not occupy more than five minutes.

Mr. BROWN replied, that it was probable that the unfinished business could be disposed of in the same length of time. He hoped that the Convention would dispose of that in the first instance.

The PRESIDENT inquired, whether the gentleman from Anne Arundel, (Mr. Dorsey,) persisted in his motion.

Mr. DORSEY. I should like to have the sense of the Convention upon it. And he made the motion accordingly.

Mr. PRESTMAN intimated his opinion that the report would lead to discussion.

Some conversation followed on a point of order.

Mr. DORSEY asked the yeas and nays on his motion, which were ordered, and being taken, resulted as follows:

Affirmative—Messrs. Chapman, Pres't., Blakistone, Dent, Hopewell, Chambers of Kent, Mitchell, Donaldson, Dorsey, Wells, Randall, Kent, Sellman, Weems, Dalrymple, Sollers, Bell, Ridgely, Crisfield, Dashiell, Hicks, Hodson, Goldsborough, Eccleston, Sprigg, McCubbin, Bowling, Grason, McMaster, Fiery, John Newcomer, and Davis—33.

Negative—Messrs. Ricaud, Lee, Lloyd, Colston, Chambers of Cecil, McCullough, Miller, Spencer, George, Fooks, Thomas, Shriver, Gaitler, Biser, Annan, Sappington, Stephenson, Magraw, Thawley, Hardcastle, Gwinn, Sherwood of Baltimore city, Prestman, Ware, Schley, Neill, Michael Newcomer, Weber, Hollyday, Slicer, Parke, Ege, Cockey, and Brown—32.

So the Convention determined to proceed to the consideration of the said report.

The report was read as follows: