

The CHAIR, (Mr. Ware,) here stated that his attention had been called to the twenty-first rule, which provides that a motion to postpone to a day certain, a motion to lay on the table, &c., should be taken without debate. The chair therefore felt himself called upon to arrest the further progress of this debate, the whole of which was clearly out of order.

Thereupon the question was stated to be on the motion of Mr. SCHLEY to postpone the consideration of the Representation question until *Monday week*.

Mr. STEWART, of Baltimore city, asked the yeas and nays which were ordered, and being taken, resulted as follows:

*Affirmative*—Messrs. Morgan, Wells, Dalrymple, Jenifer, Sherwood of Talbot, Sappington, Brent of Baltimore city, Schley, Fiery, Neill, John Newcomer, Harbine, Kilgour, Waters and Smith—15.

*Negative*—Messrs. Buchanan, Pres't., (*pro tem.*) Lee, Chambers of Kent, Donaldson, Dorsey, Randall, Kent, Sellman, Weems, Brent of Chas., Merrick, Howard, Bell, Welch, Lloyd, Dickinson, Crisfield, Dashiell, Williams, Hicks, Hodson, Goldsborough, Eccleston, Phelps, Chambers of Cecil, McCullough, Miller, McLane, Bowie, Sprigg, McCubbin, George, Wright, Dirickson, McMaster, Shriver, Biser, McHenry, Nelson, Stewart of Caroline, Hardcastle, Gwinn, Stewart of Baltimore city, Sherwood of Baltimore city, Ware, Brewer, Weber, Hollyday, Slicer, Fitzpatrick, Parke, Shower and Cockey—53.

So the Convention refused to postpone to *Monday week*.

The question then recurred on the motion to postpone to Monday next.

And by yeas 13, noes 43, that motion also was rejected.

Mr. NEILL moved that the Convention proceed to the consideration of the several reports of the committee on Representation.

Mr. MERRICK said it seemed to him that the Convention was getting into a very confused state. This body, he presumed, expected to adjourn at some time or other. All these matters which we have gone through, will have to be submitted to a committee of revision and details, who will have to systematise our work, and arrange it in the order in which every article shall appear in the Constitution. Now he thought if we intend to get through with our business in any reasonable time, that we ought to complete some one of the reports which we have had before us, and let it pass into the hands of the committee of details, in order that they may be at work at it, during the hours when the Convention is not in session, or whenever they may be able to do so. In this way such parts of the Constitution as we have voted upon, can be put in order for the final sanction of the body, while the body itself is progressing with the other; by which both delay and confusion will be avoided at the close of the session.

Mr. M. did not think that he was transgressing the rules. He was discussing, with sober seriousness, a proposition addressed to the judgment of

gentlemen who had as great an interest in the business as he had. He was endeavoring to bring them to consider, for a moment, the propriety of devoting the few hours that might be necessary to perfecting some branches of business which had been brought very nearly to a conclusion. It seemed to have escaped the notice of gentlemen, that all the subjects, after having been acted upon, would have to go, as a matter of course, before a committee of detail, to be carefully selected by the presiding officer, which would have to arrange and systematise the business upon which they would be called to act, and put it in the shape in which they would desire that it should appear on the records of the proceedings of the Convention, as the final action of the body. This process would be necessary. If they should postpone the completion of every thing until all had been done that the Convention had to do, they would have to remain sitting there as a body waiting for the committee of detail, to perfect their labors. It was therefore wise, proper and expedient, in every view that could be taken of the subject, to bring a portion of the business to that state of forwardness, which would justify the appointment of the committee of which he had spoken. He hoped the Convention would do this.

His friend from Queen Anne, had suggested that they proceed to consider a matter upon which all would be ready to act, and which they could dispose of in a few hours.

Mr. GWINN interposing, called the gentleman to order, on the ground that he was discussing the subject of postponing the bill, which motion was not before the Convention.

The PRESIDENT was of the opinion that the remarks were not in order. The Convention had refused to postpone the further consideration of the bill, and the tendency of the gentleman's remarks was to a postponement of the bill under consideration. The chair was of the opinion that a motion to postpone the bill to a later day other than Monday next, would be in order, but no other motion.

Mr. MERRICK. No motion has been yet made.

Mr. GWINN. The gentleman cannot enter into the discussion until he states his motion or proposition.

Mr. MERRICK. I have none to make. I am discussing the question before the Convention.

Mr. BOWIE. I rise to a question of order. I will make the point of the relevancy of the remarks of the gentleman to the subject under consideration. I will propose to show my friend, that he must be out of order. Suppose, after making his speech, and urging upon the Convention the propriety of postponing this question, (which under the rules is not debateable,) he makes his motion to postpone, nobody else can debate it.

Mr. MERRICK. I am not violating the rules.

Mr. BOWIE. The argument the gentleman is making, is totally irrelevant to the subject before the Convention.

The PRESIDENT. The Chair thinks that unless the gentleman from Charles, makes a proposition, he is not in order.