

Gwinn, Stewart of Baltimore city, Brent of Baltimore city, Sherwood of Baltimore city, Prestman, Ware, Fiery, Harbine, Michael Newcomer, Kilgour, Brewer, Waters, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Parke, Shower, Cockey and Brown—78.

So the amendment was rejected.

Mr JACOBS, when his name was called, desired it to be stated on the Journal, that he voted aye on this question, not that it reflected his, or his constituents' sentiments; as both he and his constituents are opposed to all compromise on the question of representation; but with a view to secure, under cover of this vote, something better than the proposition itself.

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

"Shall consist of sixty-seven members, to be apportioned among the several counties according to the following ratio: Every county shall elect one delegate for every seven thousand souls it may contain, and for every fraction above half of said number, there shall be allowed to every county having such excess, one additional delegate; the city of Baltimore shall be entitled to the same number of delegates as the county which shall be entitled to the largest representation, and no county shall have less than two delegates;"

Mr. TUCK rose to the following point of order, that the amendment offered by Mr. John Newcomer, was not in order, for the reason that it was substantially the same as that offered by Mr. SCHLEY, and rejected by the Convention.

The CHAIR ruled the amendment to be in order because that part of the amendment offered by Mr. PHELPS, was rejected, leaving Mr. SCHLEY's amendment relating to the subject of the House of Delegates still unacted upon.

Mr. DORSEY then offered as a substitute for said amendment, the following:

Art. 2. The House of Delegates shall, until altered by the Legislature as hereinafter provided for consist of eighty-three members; to be apportioned amongst the counties and city of Baltimore, as follows: one delegate to each county and the city of Baltimore as the representative of the territory thereof; and one delegate for every eight thousand of its inhabitants, and one for every fraction thereof, exceeding four thousand, until the entire population of the county or city to the number of forty thousand shall be represented; and for every thirty thousand inhabitants of any county or the city of Baltimore above the said forty thousand, one additional delegate shall be elected in such county or city. And after every decennial census, the General Assembly of Maryland shall adjust the representation in the House of Delegates according to the principles contained in this article of the Constitution. And in order that each and every portion of the city of Baltimore may be fairly represented, and its various interests protected in the Legislature; for the purpose of electing delegates thereon, the city of Baltimore shall be divided into ten districts, as follows: The first

and second wards as now laid off, shall constitute district No. 1; the third and fourth wards, district No. 2; the fifth and sixth wards district No. 3; the seventh and eighth wards, district No. 4; the ninth and tenth wards, district No. 5; the eleventh and twelfth wards, district No. 6; the thirteenth and fourteenth wards, district No. 7; the fifteenth and sixteenth wards, district No. 8; the seventeenth and eighteenth wards, district No. 9, and the nineteenth and twentieth wards, district No. 10. The qualified voters in each of said districts shall at the time and in the manner, in which delegates are chosen, elect one delegate, who has been for one year next before his election a resident of the ward from which he shall be elected; and has in all other respects the requisite qualifications of a delegate.

Art 3. Of the eighty-three members constituting the House of Delegates, Allegany county shall elect four, Anne Arundel county four, Baltimore city ten, Baltimore county six, Carroll county four, Caroline county two, Calvert county two, Cecil county three, Charles county three, Dorchester county three, Frederick county six, Harford county three, Howard county three, Kent county two, Montgomery county three, Prince George's county four, Queen Anne's county three, St. Mary's county three, Somerset county four, Talbot county three, Washington county five, and Worcester county three.

Mr. CRISFIELD asked for a division of the question.

The question was then stated on the first branch of the substitute, being in these words:

"The House of Delegates shall, until altered by the Legislature as hereinafter provided for, consist of eighty-three members, to be apportioned amongst the counties and city of Baltimore as follows: One delegate to each county and the city of Baltimore as the representative of the territory thereof;"

Mr. CRISFIELD demanded the yeas and nays, which were ordered, and being taken, resulted yeas 37, nays 53—as follows:

*Affirmative*—Messrs. Chapman, Pres't, Morgan, Blake, Stone, Dent, Hopewell, Ri'aud, Lee, Chambers, of Kent, Mitchell, Donaldson, Dorsey, Wells, Randall, Kent, Weems, Dalrymple, Bond, Sollers, John Dennis, James U. Dennis, Crisfield, Williams, Hicks, Goldsborough, Eccleston, Phelps, Bowie, Tuck, Sprigg, McCubbin, Dirickson, McMaster, Heain Fooks, Jacobs, Kilgour and Waters—37

*Negative*—Messrs. Sellman, Merrick, Jenifer, Howard, Buchanan, Bell Welch, Chandler, Ridgely, Lloyd, Colston, Constable, Chambers, of Cecil, Miller, McLane, Spencer, George, Wright, Thomas, Shriver, Johnson, Gaither, Biser, Annan, Sappington, Stephenson, McHenry, Magraw, Nelson, Thawley, Stewart of Caroline, Harcastle, Gwinn, Stewart, of Baltimore city, Brent, of Balt. city, Sherwood, of Baltimore city, Prestman, Ware, Fiery, John Newcomer, Harbine, Michael Newcomer, Brewer, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Smith, Parke, Shower, Cockey and Brown—53.

So the first branch of the amendment was rejected.