

Mr. DORSEY said:

That there seemed to be a sufficient guard against the too ready division of counties in the provision that the population to form the new county, must be at least fifteen thousand, and that the remaining population shall not be less than twenty thousand. The expenses also in the new county would be five or six times as great as in the old one, at first, on account of the necessity of erecting new buildings, etc. They would not go lightly and give up all their interest in the public buildings, the court house, jail, etc.—There was danger, however, that the old counties would wish to retain them. For example, if the old county or counties should happen to be whig and the new county democratic, or *vice versa*, there would be a political objection. It ought not to be put in the power of the old counties, to retain those who desired to establish a new county, against their will.

Mr. BROWN demanded the yeas and nays,

Which were ordered,

And being taken,

Resulted yeas 9, nays 45, as follows:

*Affirmative*—Messrs. John Dennis, James U. Dennis, Hicks, Phelps, McMaster, Biser, Stephenson, Schley and John Newcomer,—9.

*Negative*—Messrs. Chapman, President, Morgan, Blakistone, Hopewell, Ricard, Chambers, of Kent, Mitchell, Donaldson, Dorsey, Wells, Randall, Sellman, Sollers, Howard, Buchanan, Welch, Sherwood of Talbot, Dashiell, Williams, Bowie, Sprigg, George, Dirickson, Hearn, Annan, McHenry, Nelson, Thawley, Gwinn, Brent, of Baltimore city, Sherwood, of Baltimore city, Ware, Fiery, Michael Newcomer, Davis, Kilgour, Waters, Anderson, Weber, Hollyday, Slicer, Fitzpatrick, Shower, Cockey and Brown—45.

So the twenty-third section as amended was rejected.

The Convention then proceeded to consider the following amendment offered by Mr. BLAKISTONE, on the 7th of March, as the 43d section to the legislative report:

"Section 43. That it shall be the duty of the Legislature, so soon as the public debt shall have been fully paid off, to cause to be transferred to the several counties and the city of Baltimore, stock in the internal improvement companies equal to the amount respectively paid by each towards the erection and completion of said works, at the then market value of said stock. It shall further be the duty of the Legislature, after the public debt shall have been fully paid off, and the sinking fund shall be sufficient to redeem the same at maturity, to appropriate such portions of the annual revenue of the State stocks in the internal improvement companies in this State, (after deducting so much, together with the other annual revenues of the State, as may be necessary to meet the current expenses and any sudden exigencies that may arise,) equally among the said counties and the city of Baltimore, having a just regard to the several amounts paid by each into the State Treasury, and the advantages and disadvantages resulting to each respectively from the construction of said works

of internal improvement—the said stocks and revenue, when paid over, to be under the direction and control of the county authorities of the several counties and the Mayor and the City Council of Baltimore respectively, to be by them applied to purposes of education, and such other purposes as the said county and State authorities may deem proper."

Mr. BLAKISTONE said, that when this clause was up before, objection seemed to be urged from some quarters to it, from the fact that it proposed to transfer to the counties and the city of Baltimore, stock in internal improvements, with a view of obviating the objection then urged against the section, he had endeavored to modify it by substituting another in lieu thereof.

He had endeavored to examine, so far as he could, the various acts of Assembly which had been adopted in relation to this subject, so as to modify the clause which he had proposed to introduce, that it might embrace each and every act of Assembly, and the various reasons which had been adopted, having reference to this subject.

The first act of the Legislature making any large appropriation of the public fund for works of internal improvement in Maryland, passed in the year 1834. Previous, however, to 1834, in 1833, a resolution was passed by the General Assembly, providing for the particular mode in which the school funds should be distributed. It was number 47, session of 1833. He would read it:

*Resolution relative to the Common School Fund, passed 1833.*

"Resolved by the General Assembly of Maryland, That the treasurer of the western shore be, and he is hereby, authorised to distribute and pay over to each of the several counties of this State, and to the city of Baltimore, or to the person or authorities in each now authorised to draw for and receive their respective quotas of the free schools fund, to be ascertained by distributing the one half of said fund among the said counties and the city of Baltimore in exact proportion to the amount of the white population of each respectively, as ascertained by the last census of the United States; and by dividing the other half of said fund into twenty equal parts, and allotting to each county and the city of Baltimore one of said parts."

Thus it would be perceived that he had reference to the school fund which had been created from a bonus arising from the incorporation of banks, and that it was anterior to the passage of the appropriation by the General Assembly of 1834, an appropriation, he believed, of some two or three millions of dollars to aid in the construction of the Baltimore and Ohio rail road, of the Chesapeake and Ohio canal, and of the Susquehanna rail road. In the Act of 1834, making appropriations for these works of internal improvement, reference was had to the resolution of December session, 1833, and it also provided, that in certain contingencies, when the public debt should be paid off, when there would be no longer use for the sinking fund, the works of improvement being so profitable, [they looked to