

tions. Will the gentleman now propose to follow out the rule of the General Assembly which said that it should be divided into two parts?

Mr. BLAKISTONE replied, that such was not the object of his proposition. He would explain. In 1833, a resolution was adopted by the Legislature apportioning the school fund. In 1834, the first appropriation of any large amount for works of internal improvement was made by the Legislature. This act also made a distribution, and referred to the resolution of 1833. In 1836, the eight millions bill passed. The gentleman would perceive now, that the resolution of 1833 applied solely to the existing school fund, and whatever amount of revenue might accrue under the act of 1834. There was no particular appropriation of funds by the act of 1836. But in 1840, when it became necessary to levy taxes to meet the indebtedness of the State by paying the interest thereon, a provision was incorporated that the fund paid in the different counties and the city of Baltimore should be distributed according to the amount paid in. His proposition embraced that view, that the appropriation of 1834 should be applied according to the resolution of 1833; but that the appropriation arising from the eight millions loan regulation, should be distributed among the counties and the city of Baltimore in proportion to the amount respectively paid by them. Does the gentleman understand it?

Mr. GWINN. Perfectly.

Mr. BROWN asked the yeas and nays, which were ordered.

Mr. HOWARD wished only to say that he should vote in the negative, merely upon the ground that he had no reason to think that the Legislature would violate the faith of the State. He did not like to place an injunction upon the Legislature directing them to preserve the faith of the State. He saw no reason to apprehend that they would violate it. He thought it would be casting a reflection upon the Legislature, if they should pass this amendment.

Mr. BUCHANAN concurred in the remarks of the gentleman from Baltimore county. He, (Mr. B.) had precisely the same difficulty, and he thought his friend from St. Mary's had better withdraw the proposition. It would give him great pleasure to vote with him, but it would seem like a reflection upon the Legislature.

Mr. GWINN did not concur with the gentlemen who had preceded him. In 1833, the Legislature undertook to apportion the school fund, giving one-half to the counties and city of Baltimore, as units, and apportioning the remaining half among them according to the number of white inhabitants which they contained. This rule is evidently unjust. Counties, as counties have certainly no claim to a fund for purposes of education. Municipal divisions do not require instruction in primary schools; but the population of these districts do require it, and the claim of a white citizen in one of these, stands upon an equality with a white citizen in any other. The only proper rule of apportionment is one

regulated by the number of individuals in each county.

Mr. DAVIS begged leave to inform the gentleman from Baltimore city, that in 1833, the people of that city held a town meeting, and sent a delegation to Annapolis to ask the Legislature to pass the very law to which he [Mr. Gwinne] had referred; and one of the reasons for asking the Legislature to pass this law, was because it provided an equitable distribution of the school fund. He had the proceedings of the meeting at his room, and would obtain them.

Mr. GWINN could only reply, by stating that the city of Baltimore had changed its mind since 1836, and he presumed in 1853, a change might also take place.

Mr. BRENT, of Baltimore city, desired the gentleman from St. Mary's to amend his proposition, so as to say that by existing laws, the fund which distributed according to the proportions paid in.

Mr. BLAKISTONE desired every body to understand the position which he had taken. There was no concealment about it. If his object was not accomplished, the gentleman could see by the act, whether it was or not. The resolution passed in 1833, distributed the school fund in this proportion—one-half according to the white population, and the balance was divided into twenty-one equal parts, giving to each county, and to the city of Baltimore, an equal share. In the law making appropriations for works of internal improvement for the Baltimore and Ohio rail road, for the Susquehanna rail road, and for the Baltimore and Ohio canal, passed in 1834, reference was had to the resolution of 1833 so that whatever fund which might arise to the State from these appropriations, was to be distributed in the same way. In 1836, the eight millions bill was passed.

Mr. BRENT, of Baltimore city, desired the gentleman to say, if from an examination of the law, he did not believe that the fund was, by existing law, pledged to an equitable distribution among the counties and city of Baltimore, either according to population, or according to the proportion paid in?

Mr. BLAKISTONE replied that he would answer the gentleman in a few moments.

All the provisions, up to 1834, were covered by the resolution of 1833, to be distributed in this ratio: One-half according to the white population, and the other half divided equally among the counties and city of Baltimore. In 1840, when it became necessary to raise, by taxation, a fund to meet the State's indebtedness, and to save the State from bankruptcy, a provision was incorporated, that each county and the city of Baltimore should receive back this fund in the proportion that they contributed. For instance, if the city of Baltimore paid in a hundred thousand, and the county paid in ten thousand, Baltimore received ten times the benefit of the county. This was the object,—this was the principle.

Mr. HOWARD. That does not include the law of 1833.