

That the gentleman from St. Mary's appeared to think that there was a moral obligation resting upon them, to carry out the peculiar phraseology and meaning of the proposition he had introduced. If they would examine the subject, they would see that the school fund up to 1835, was not derived from taxation. They obtained it from bank bonuses, a per centage on bank dividends, etc., etc. He would ask the gentleman from St. Mary's, whether he considered the resolution of 1833 as making a fair, equitable and just apportionment of this school fund?

Mr. BLAKISTONE was very much inclined to believe he voted for it, and thought he would do so again.

Mr. BROWN desired to know what the resolution did? It gave to the white population of each county, to be apportioned to the counties according to the white population, one-half.—Nobody objected to this. But what next? It gave the other half to the counties and the city of Baltimore, each county as one. How this thing passed the legislature he did not know. He was not a member at the time. He objected to the inequality of the system, for under it, a county with a small white population, obtained nearly as much as a county with a large white population. And yet they boasted about educating the children of the State.

It was an act of gross injustice, which should be undone as soon as they could act upon it. If they would examine the legislation of the State, they would find that a large amount of money had been expended for educational purposes. They had the academy fund, and in the commencement of the system, the smallest counties received as much as the largest counties. It was true, however, that one or two of the larger counties had received no increase of the academy fund, by a special act of Assembly. No man would stand up and say that the apportionment among the counties was just and equitable, and yet the gentleman from St. Mary's desired to make it a constitutional provision. The act of 1836, was very unjustly drawn. It was in the hands of skilful men, and so framed as to do gross injustice. And now the gentleman came forward and told them that they must put this provision in the Constitution, and thus perpetuate an act of injustice, or if they did not do it, they would commit a moral delinquency. Then he, [Mr. B.] was obliged to carry out what, in his best judgment, was grossly unjust, or he was subject to the attack of the gentleman.

He made these remarks simply to vindicate his course. He spoke from memory, having examined the subject a few years ago. He always had considered the apportionment of the school fund, to be as unequal as gentlemen, like his friend from Prince George's (lawyer) could possibly make it. Their bills were pretty much drawn up out of doors. From 1833, to the present day, the school fund had been distributed unequally and unjust among the counties of the State; assigning as large an appropriation to the small counties, as it did to the large ones. The very question arose, had not the advantages to the State worked out injustice? He, for one, would give his word

of honor to the gentleman from St. Mary's, that he would not vote for any clause in the Constitution to perpetuate this state of things.

The question was then taken on the amendment of Mr. GWINN,

And it was rejected.

The question being on agreeing to the amendment moved by Mr. BLAKISTONE.

Mr. BRENT demanded the yeas and nays on his amendment,

Which were ordered.

Mr. DORSEY said that the alteration proposed by the amendment, was a very unjust one. The money was to be distributed, not in proportion to the white population of the several counties as it existed at the time when the fund to be divided was contributed, but in proportion to the white population of the counties, as it might be, perhaps, fifteen or twenty years hence. The population of Baltimore city having greatly increased, as he hoped and believed it would do, Baltimore, though now entitled to less than one-third part of the fund, if now divided, would at the time when the money was distributable, upon the basis of white population, receive more than a moiety.

If the distribution were to be made upon the white basis, it ought to be apportioned amongst the counties according to their white population at the time their contributions to the fund were made. And if at that time the population of Baltimore was but one-fifth of that of the whole State, and the amount contributed by it was but one-fifth of the whole contributions of the State, yet in ten years to come it would probably be entitled to one-half the fund; and if it were devisable some thirty years hence, the white population of Baltimore would entitle it to claim two-thirds of the amount to be distributed; whilst the counties which had contributed four-fifths of the amount, and had at the time a white population of four times the number of Baltimore city, would receive but half the amount paid to the city. This might be justice according to the principles of numbers, "which makes might right," but not according to any other system of ethics or politics.

He hoped they would divide the money according to the white population, as it was at the time when the contributions were made, and not at the time when the debt was to be paid.

Mr. BRENT, of Baltimore city, said that he would modify his amendment so as to avoid the alternative, and altered it so as to make it read as follows:

"Provided that the said funds shall be distributed so as to return the proportions respectively paid in by each county and Baltimore city, and the residue to be distributed equitably according to the white population of this State, for purposes of education."

Mr. BOWIE said that if he understood the question, it was that the acts of 1833, '34, had reference only to the school fund—a fund which, as every body knew, was not raised by taxation upon the people of the different counties; nor by the counties in their municipal character as such, but