

Mr. DORSEY did not see how the division of Anne Arundel county would increase the weight and influence of the city of Baltimore, in the amount of representation it would give to Howard district. There was not such a strong sympathy between Howard county and Baltimore city, as to justify such an opinion. He had, however, no peculiar interest or feeling upon the subject. He believed that it was the wish of a majority of the people of Anne Arundel county, that a division should take place.

The yeas and nays were then taken on the motion of McMASTER to reconsider, with the following result:

*Affirmative*—Messrs. Ricard, Chambers, of Kent, Mitchell, Sollers, John Dennis, James U. Dennis, Dashnell, Williams, Hicks, Hodson, Eccleston, Phelps, Sprigg, Dinckson, McMaster, Carter, and Davis—16.

*Negative*—Messrs. Chapman, President, Morgan, Donaldson, Dorsey, Wells, Randall, Sellman, Howard, Buchanan, Welch, Ridgely, Sherwood, of Talbot, Colston, Goldsborough, McCullough, George, Shriver, Biser, Annan, Stephenson, McHenry, Magraw, Nelson, Thawley, Stewart of Caroline, Gwinn, Brent of Baltimore city, Sherwood of Baltimore city, Ware, Schley, Fiery, Neill, John Newcomer, Michael Newcomer Kilgour, Waters, Anderson, Weber, Hollyday, Sicer, Fitzpatrick, Smith, Shower, Cockey and Brown—46.

So the Convention refused to reconsider their vote.

The Convention then resumed the consideration of the order of the day, being the report of the committee on the legislative department.

The President stated the question to be on agreeing to the motion of Mr. DONALDSON, to reconsider the fourth section of the report.

Mr. DONALDSON said that the gentleman from Frederick, [Mr. Thomas,] who had objected to this section being reconsidered, was not present, and he did not wish to have the question taken therefore, merely renew the motion, that on tomorrow he would move a reconsideration of the 4th section of the report.

Mr. BROWN renewed the notice of his intention to move a reconsideration of the 17th section of said report.

On motion of Mr. McHENRY, the Convention proceeded to consider the report of the committee on the Executive Department.

The question pending was on the following amendment offered by Mr. McHENRY as an additional section to the report:

Sec. Every bill, resolution or act, which shall have passed the General Assembly, shall before it becomes a law, be presented to the Governor; if he approve he shall sign it, but if not, he shall return it with his objections, to that House in which it shall have originated, who shall enter the objections at large on their journal and proceed to reconsider it. If, after such reconsideration, two-thirds of each house shall agree to pass such bill, resolution, or act, it shall become a law. But in all such cases the votes of both

houses shall be taken by yeas and nays, which shall be entered on their respective journals. If any bill, resolution or act, shall not be returned by the Governor within five days after it shall have been presented to him, the same shall become a law in like manner as if he had signed it, unless the General Assembly by its adjournment, prevent its return, in which case it shall not be a law.

Mr. McHENRY said:

You, Mr. President, and members of the Convention, will bear me witness that I have not been in the habit of occupying unnecessarily your time. Conscious that opinions are formed on mature reflection, and are influenced by considerations which can be more effectively brought to bear in social intercourse than in public debates; well knowing that eloquence of the highest order seldom changes a vote in deliberative bodies; it has accorded with my perceptions of utility as well as with my deficiencies as a speaker, to have obtruded my views rarely in open session, though by no means inactive or listless, while the arduous task of "framing a new Constitution and form of government" has been tediously progressing.

But it seems now absolutely my duty, as the mover of the important provisions under consideration, to endeavor to develop the reasons and motives, which induced me to bring it before this enlightened body. I rely, however, much more on the intrinsic merits of the proposition itself, and on the patriotism and freedom from prejudice of those whom I have the honor to address, than on any argument which I may be able to urge or any force which my unskilful advocacy may possess.

We have before us no new question. It is much older than this country, much older even than our knowledge of the race from whom we trace our descent! The idea of checking the legislative power, by the veto of one man responsible to the whole people, originated in republican Rome, where it was found a most efficient safe-guard against the encroachments of the patricians, a very potent means of resistance to the oppressions of the dominant class!

I will not attempt to trace this essential feature, in nearly all the constitutional governments, of which we have any knowledge, through the various plans, in which it has been exhibited in different countries and ages. But, before passing to our own times and country, I will remark that in England, the veto power, before it fell into disuse, was employed oftener to protect the people against the nobles than to guard the prerogatives of the throne; more frequently to repel, in behalf of the commonality, the usurpations of the aristocracy, than for the security of the crown itself.

The reasons why this salutary check upon Legislation was not engrafted on the Constitution of Maryland, in 1776, are very obvious. The Governor, by that Constitution, was the mere creature, as well as the Executive agent of the Legislature. Of course he could not interfere, by his veto, any effective check upon its action.