

in the first place, it would be useless for him to attempt to arrest a locomotive under full head of steam. He had made the point of order *bona fide*; but the gentleman had thrown himself off the track before he concluded his remarks. The gentleman had denounced party, and repudiated it. How did he justify the districting of Baltimore city alone? It was a commercial community, he says, with interests necessarily antagonistic to those of the producers in the rural districts. And the gentleman coming from a rural district, for the purpose of reducing and districting the opposite interest, wished to district the city of Baltimore.

Was not this party feeling but sectional strife? But was that purpose accomplished? Would the representatives of Baltimore become less commercial or more favorable to the agricultural interest, because elected under the district system rather than by general ticket? Would not the whole delegation, even if districted, lie upon the side of Baltimore, in such a contest as the gentleman described? But why not divide the county delegations also? Why not paralyze them by districting them? Could his reason be any other than that he chanced to come from a rural district, and that his interests were identified with the counties? The gentleman had commended the Baltimore delegation to harmony. He would assure the gentleman that while there had been an honest difference of opinion between members of the Baltimore delegation upon some questions, yet the common prejudice and common hostility upon the part of the counties had made them a unit upon this and upon the judiciary question, and thus he, (Mr. Brent,) hoped they would remain to the end of the chapter.

Mr. HOWARD then obtained the floor, but yielded at the request of

Mr. BRENT, of Baltimore city, who inquired if an amendment was in order.

Mr. BUCHANAN, in the Chair. There are two pending already.

Mr. BRENT, of Baltimore city. Only two pending?

Mr. BUCHANAN, in the Chair. That is enough.

Mr. HOWARD. I intended to be guilty of a piece of usurpation and to trespass upon the prerogative of my friend from Carroll, (Mr. Brown) by moving the previous question. I desire, however, that the gentleman from Baltimore shall first offer his amendment.

Mr. BRENT, of Baltimore city, then offered the following as a substitute for the amendment offered by Mr. CHAMBERS, of Kent, and the amendment proposed by Mr. JOHNSON:

"It shall be the duty of the legislature at its first session after the adoption of this Constitution, to pass a bill for taking the sense of the qualified voters of this State at the next ensuing general election of delegates, touching the basis of representation in the House of Delegates, and providing that at such election the voters shall vote for or against "population as the basis;" and if a majority of the votes as then cast shall be for population as the basis, the legislature at

its next ensuing session, shall proceed to reapportion the representation in the House of Delegates upon the basis of population according to federal numbers or upon gross population, so as to elect delegates upon such basis by general ticket in each county and the city of Baltimore; and if a majority of the ballots cast at such general election shall have inscribed on them the words "district the State," then the legislature shall divide the whole State into contiguous and compact districts equal as near as may be to each other in respect to population."

Mr. HOWARD then renewed the demand for the previous question.

The PRESIDENT stated that an amendment being pending to the original proposition, the substitute offered by Mr. BRENT, of Baltimore city, was not in order.

After conversation in regard to the decision of the Chair,

Mr. BRENT appealed from the decision;

And the question being put, "Shall the decision of the Chair stand as the judgment of the Convention?" It was

Decided in the affirmative.

So the amendment was ruled out of order.

The question then recurred on seconding the demand for the previous question.

On a motion of Mr. MORGAN,

The Convention was called.

On motion of Mr. SHERWOOD, of Baltimore city,

Further proceedings under the call were dispensed with.

The question then recurred on the motion of Mr. HOWARD, for the previous question,

Mr. BOWIE moved the question be taken by yeas and nays;

Which motion was not sustained.

The previous question was then seconded.

The question was then stated to be on the amendment offered by Mr. JOHNSON to the proposition of Mr. CHAMBERS.

Mr. CHAMBERS. Have I the privilege of accepting the amendment as a part of my proposition?

The PRESIDENT. The Chair thinks not, unless it is done by unanimous consent.

Objection was made.

Mr. CHAMBERS. The gentleman from Frederick and myself had a distinct understanding, that we should take the vote on the several propositions, *seriatim*, first on the districting of the city of Baltimore, second on the mode of districting as proposed in my proposition, and then on the proposition to district the counties.

Mr. THOMAS. I only spoke as an individual; I cannot prescribe a rule for the House. I withdrew my amendment with that understanding.

The question was again stated to be on agreeing to the amendment of Mr. JOHNSON.

Mr. STEWART, of Baltimore city, demanded the yeas and nays, which were ordered, and being taken, were as follows:

*Affirmative*—Messrs. Chapman, Pres't., Dent, Hopewell, Ricaud, Lee, Chambers of Kent, Mitchell, Donaldson, Dorsey, Wells, Randall,