

session. He desired that before they adjourned, they should act upon it, and in such a way that it might redound to the benefit of the present and future generations.

Mr. BUCHANAN moved to amend the section by adding at the end thereof, the following proviso:

"Provided, that if denominational schools be established in any of the counties or the city of Baltimore, they shall receive their equitable proportion of the fund."

Mr. JACOBS moved further to amend the section by adding the following:

"Provided that in the establishment of said adequate school fund, taxation upon real and personal property shall not be resorted to."

The CHAIR ruled this amendment to be out of order, there being two amendments already pending.

Mr. SPENCER moved to postpone the consideration of the report and amendments until the first day of August next.

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

Which being ordered,

Appeared as follows:

Affirmative—Messrs. Ricaud, Lee, Cambers, of Kent, Bond, Sollers, Howard, Bell, Welch, Ridgely, Lloyd, Sherwood, of Talbot, Colston, John Dennis, Williams, Hicks-Goldsborough, Eccleston, Phelps, Constable, McLane, Bowie, Sprigg, Spencer, George, Wright, Thomas, Shriver, Gaither, Biser, Annan, Sappington, Thawley, Hardcastle, Gwinn, Stewart, of Baltimore city, Brent, of Baltimore city, Ware, Schley, Neill, John Newcomer, Harbine, Michael Newcomer, Hollyday, Ege, Cockey and Brown—45.

Negative—Messrs. Chapman, Pres't., Morgan, Blakistone, Dent, Hopewell, Donaldson, Dorsey, Wells, Sellman, Weems, Brent, of Charles, Buchanan, Chandler, Dashiell, Miller, McCubbin, Dirickson, McMaster, Hearn, Fooks, Jacobs, Stephenson, McHenry, Carter, Fiery, Davis, Kilgour, Brewer, Waters, Anderson, Weber, Fitzpatrick, Smith, Parke and Shower—35.

So the report and amendments were postponed.

Mr. BLAKISTONE submitted the following as an article of the constitution:

"That it shall be the duty of parents suitably to provide for and educate their children, and whenever any parent shall be unable suitably to provide for and educate his or her child or children, it shall be the duty of the State suitably to provide for and educate such child or children, and particularly indigent orphans, so that each white child in this State may be suitably provided for and educated at the public expense, when their own means, or that of their parent or parents are insufficient for such purpose; provided, however, that nothing herein contained shall in anywise be construed to change, alter or diminish the force and effect of the provision of this Constitution, in relation to the disposition of the common school fund, in accordance with previous acts and resolutions of the General Assembly, and the funds arising from works of internal improvements in this State, by such acts and re-

solutions disposed of. That it shall be the duty of the Legislature to enact such laws as may be necessary to carry out the provisions of this article, so soon as the financial condition of the State will, in the judgment of the Legislature, justify it."

Mr. SPENCER moved for a division of the question on the first branch of said amendment, down to the word "children" inclusive, in the fifth line.

Mr. THOMAS moved to lay the whole subject on the table;

Mr. BLAKISTONE moved that the question be taken by yeas and nays,
And being ordered,

Appeared as follows:

Affirmative.—Messrs. Ricaud, Lee, Sellman, Bond, Sollers, Brent of Charles, Howard, Bell, Welch, Chandler, Ridgely, Lloyd, Sherwood of Talbot, Colston, John Dennis, Williams, Hicks, Jacobs, Thomas, Shriver, Biser, Annan, Sappington, Stephenson, Carter, Thawley, Stewart of Caroline, Gwinn, Brent of Baltimore city, Ware, Schley, Fiery, Neill, John Newcomer, Harbine, Michael Newcomer, Brewer, Hollyday, Fitzpatrick, Parke, Ege, Cockey and Brown—51.

Negative.—Messrs. Chapman Pres't, Morgan, Blakistone, Dent, Hopewell, Dorsey, Wells, Randall, Weems, Dalrymple, Buchanan, Dashiell, Eccleston, Constable, Bowie, Sprigg, McCubbin, Bowling, Dirickson, McMaster, Fooks, McHenry, Stewart of Baltimore city, Davis, Kilgour, Anderson, Smith and Shower—28.

So the whole subject was laid on the table.

Mr. DAVIS then offered the following, as an article in the Constitution, stating that he did so in good faith, and that it would be a monument to any State that would adopt it.

"Wisdom and knowledge, as well as virtue, diffused generally among the body of the people, being necessary for the preservation of their rights and liberties, and as these depend on spreading the opportunities and advantages of education in the various parts of the country, and among the different orders of the people, it shall be the duty of Legislatures and magistrates, in all future periods, of this State, to cherish the interests of literature and the sciences, to encourage private societies and public institutions, rewards and immunities, for the promotion of agriculture, arts, sciences, commerce, trades, manufactures and a natural history of the country, to countenance and inculcate the principles of humanity and general benevolence, public and private charity, industry and frugality, honesty and punctuality in their dealings, sincerity, good humor, and all social affections and generous sentiments among the people."

Mr. MICHAEL NEWCOMER moved to lay the amendment on the table.

Mr. SMITH demanded the yeas and nays, which were not ordered.

The motion of Mr. NEWCOMER was then agreed to, and so the article was laid on the table.

Mr. McHENRY moved the following, as an article in the Constitution:

"It shall be the duty of the Legislature, at or