

ton, Stephenson, McHenry, Nelson, Carter, Gwinn, Brent of Baltimore city, Sherwood of Balt. city, Fiery, Brewer, Weber, Smith Parke, Ege, and Cockey—27.

So the article was laid on the table.

On motion of Mr. HOWARD,

The Convention took up for consideration the report submitted by him on the 26th of April, as chairman of the committee on the militia, as follows:

SEC. It shall be the duty of the Legislature to pass laws for the enrollment of the militia, to provide for re-districting the State into divisions, brigades, &c., to pass laws for the effectual encouragement of volunteer corps, either by the payment of an annual sum not exceeding one dollar to every member of a company regularly mustered and reported to the Adjutant General, or by some other mode which may induce the formation and continuance of at least one volunteer company in every county, and division in the city of Baltimore.

Mr. HOWARD said that this section would leave the great mass of the militia as they were now. It was founded upon the principle that it was of great consequence to the State to preserve in existence the volunteer corps. There was not one in existence out of the city of Baltimore; and in that city they were fast tumbling to pieces. This corps was the only efficient police in times of trouble, and it was proposed to encourage its formation and continuance.

Mr. H. proceeded to narrate several instances within his own personal knowledge, in which this force had been efficient in suppressing tumults.

Mr. SHRIVER offered as a substitute for said report the following:

"It shall be the duty of the Legislature to pass laws for the enrollment of the militia, to provide for districting the State into divisions, brigades, &c., and to pass laws for the effectual encouragement of volunteer corps by some mode which may induce the formation and continuance of at least one volunteer company in every county and division in the city of Baltimore."

Mr. SCHLEY moved to amend said article by striking out the words "not exceeding one dollar."

Which amendment Mr. HOWARD accepted.

The question then recurred and was put on the adoption of substitute as offered Mr. SHRIVER; and

Determined in the affirmative.

Mr. STEPHENSON moved further to amend said substitute by adding the following:

"The militia of this State shall be composed of all able bodied white male citizens between the ages of eighteen and forty five years, except such as are, or may hereafter be exempt by the laws of the United States, or of this State."

Determined in the negative.

Mr. BOND moved to amend the substitute, by adding the following:

"Company, battalion and regimental officers, (staff officers excepted,) shall be elected by the

persons composing their several companies, battalions and regiments."

Determined in the negative.

On motion of Mr. CHAMBERS of Kent, The substitute was amended by striking out the words "&c.," and inserting in lieu thereof, "battalions, regiments and companies."

The article was then adopted as amended.

Mr. DORSEY submitted the following article:

ART Every officer of this State, the Governor excepted, the entire amount of whose pay or compensation, received for the discharge of his official duties, shall exceed the annual sum of three thousand dollars, shall keep a book in which shall be entered every sum or sums of money received by him or on his account as a payment or compensation for his performance of official duties, a copy of which entries in said book, verified by the oath of the officer by whom it is directed to be kept, shall be annually returned to the treasurer of the State for his inspection, and that of the General Assembly of Maryland; and each of such officers when the amount by him for the year, shall exceed the sum of three thousand dollars, shall annually pay over to the treasurer the amount of such excess by him received, subject to such disposition thereof as the Legislature may deem just and equitable. And any such officer failing to comply with the said requisition, shall be deemed to have vacated his office, and be subject to suit by the State for the amount that ought to have been paid into the treasury.

Mr. SOLLERS was opposed to this article. He wished the salaries to be such as would enable the poorest man to hold any office within the gift of the people. It was only in monarchical governments where the elite were the representatives, and where their income from the rent-roll was sufficient to support them, that the salary could safely be put below the expenses of the station.

Mr. DORSEY said he knew of no reason why the prosecuting officer should receive so much more than the judges. He considered the duties of the judge more laborious and more important than those performed by any prosecuting officer.

A debate here ensued between Messrs. SOLLERS and DORSEY, arising from a misunderstanding by each, of remarks made by the other, and concluding with a disclaimer upon the part of each of having intended any personal allusion to the other.

Mr. STEWART of Caroline, moved to amend the article by inserting after the word "Governor," the words "and the prosecuting attorneys of the State."

Determined in the negative.

Mr. HOWARD moved the previous question, and being seconded,

Mr. GWINN moved for a division of the question upon the article down to the word "Maryland," inclusive in 10th line.

Mr. DORSEY moved that the question be taken by yeas and nays,

Which being ordered,