

*Affirmative*—Messrs. Chapman, Pres't, Morgan, Dent, Lee, Donaldson, Wells, Kent, Buchanan, Bell, Welch, Chandler, Lloyd, Sherwood of Talbot, Colston, John Dennis, Williams, Hicks, Hodson, Goldsborough, Eccleston, Phelps, Constable, McCubbin, Thomas, Shriver, Gaither, Biser, Sappington, Stephenson, McHenry, Nelson, Gwinn, Stewart of Baltimore city, Ware, Schley, Neill, Michael Newcomer, Kilgour, Waters, Weber, Hollyday, Fitzpatrick and Brown—43.

*Negative*.—Messrs. Randail, Miller, McLane, Bowie, Tuck, Spencer, George, Dirickson, McMaster, Hearn, Fooks, Jacobs, Magraw, Thawley, Hardcastle, Fiery, Harbine, Brewer, Smith, Parke, Shower and Cockey—22.

So the Convention laid the motion on the table.

Mr. JOHN NEWCOMER moved to reconsider the vote of the Convention, on the article submitted by Mr. DONALDSON, on the 11th of April, prescribing the mode of altering the Constitution.

Mr. N. considered this as amongst the most important provisions of the new Constitution. For a long time he had been opposed to Conventions; and this Convention convinced him stronger than ever, that they should not have Conventions very frequently.

He opposed the calling of a Convention up to 1844, after that, he found that the people desired it, and he accordingly yielded. He desired to have a plan adopted, to change the Constitution hereafter, without the calling of a Convention.

Mr. HARBINE said:

That it seemed to him that this was one of the most important provisions, they could adopt in the new Constitution. Every one who knew any thing, in relation to what they had done, would recollect that they had but one provision for amending any defects which might be found to exist in the Constitution, and that was by calling a Convention once in ten years. He thought that some mode should be adopted which would not conflict with the existing one, and by which the organic law might be amended without subjecting the people of the State to the cost of another Convention, and a delay of ten years.

Mr. BOWIE concurred with the gentleman from Washington county, as to the importance of this provision. They had engrafted upon the Constitution, as one of its cardinal principles, that the sense of the people should be taken every ten years whether there should be a Convention or not. It acknowledged the great principle that the people had a right to change their form of government whenever they pleased, according to the mode prescribed in the Constitution, by a Convention. He asked if it was necessary that they should be confined to that mode. They gave them the largest liberty, but would they not, provide some other mode more convenient by which to change it in the mean time? Were the people to wait, under the burden of the judicial system they had imposed upon them, ten years before they could obtain relief? He hoped not. By an article of the Constitution al-

ready adopted, they had conferred on the people the right to change the Constitution by a Convention. They gave them that privilege. They recognised the doctrine that they had the right to do it, but in the mean time it would be proper that the Legislature might do it upon submitting their action to the people for ratification.

He understood that it was now attempted to engraft in the Constitution, a provision that the Legislature might change the Constitution by two successive acts, leaving the people to decide whether there was a necessity to call a Convention. What objection could there be to that? He asked gentlemen if they meant to entail the evils of this Constitution whatever they might be, upon the people for ten years, and thus put them to the necessity of calling a Convention at the end of that time. He thought that Conventions for many years to come, would be held not in high repute in this State. He hoped if they should reconsider, they would adopt this as an auxiliary mode in aid of the one now adopted.

Mr. THOMAS made some further remarks.

The question was then stated to be on agreeing to the motion to reconsider.

Mr. BOWIE demanded the yeas and nays,

Which being ordered,

Appeared as follows:

*Affirmative*—Messrs. Chapman, Pres't Morgan, Blakistone, Dent, Lee, Chambers of Kent, Donaldson, Wells, Randall, Kent, Buchanan, John Dennis, Williams, Hicks, Hodson, Goldsborough, Eccleston, Phelps, Bowie, Tuck, Sprigg, McCubbin, Bowling, Dirickson, McMaster, Hearn, Fooks, Jacobs, Johnson, McHenry, Schley, Fiery, Neill, John Newcomer, Harbine, Kilgour and Smith—37.

*Negative*—Messrs. Howard, Bell, Welch, Lloyd, Sherwood of Talbot, Colston, Constable, Miller, McLane, Spencer, Grason, George, Wright, Thomas, Shriver, Gaither, Biser, Annan, Sappington, Stephenson, Magraw, Nelson, Carter, Thawley, Hardcastle, Gwinn, Stewart of Baltimore city, Brent of Baltimore city, Sherwood of Baltimore city, Ware, Michael Newcomer, Brewer, Anderson, Weber, Hollyday, Fitzpatrick, Parke, Shower, Cockey and Brown—40.

So the Convention refused to reconsider.

The Convention then resumed the consideration of the report of the committee on the Legislative Department;

Mr. BRENT of Baltimore city, offered the following as an additional section to said report:

"The Legislature shall not hereafter incorporate any company for the transportation of freight or passengers, without providing that there shall be uniform rates or charges for such transportations in any given distance, shall any further privileges or indulgence be granted by any future law to any existing company, incorporated for the transportation of freight or passengers without providing and requiring that there shall be uniform rates or charges for such transportation in any given distance."

Mr. BRENT said that he offered this proposition to obtain perfect equality, he did not care how or upon whom it operated—a perfect equality.