Mr. Scott. I will not ask to have it withdrawn, if the result is to be what the Chair has stated.

Mr. Clarke. Before we determine to amend the Journal, I would like to know how the question would then stand.

The President. The withdrawal of the original proposition to amend disposes of all pending propositions to amend, and leaves the article as it was reported by the Committee, and subject to amendment.

Mr. Clarke. Then I object to the amendment of the Journal. I would rather vote upon the question as it now stands.

The President. The House can relieve itself from its difficulties by voting down the pending amendments, when the question will come up on the article as originally reported, which will then be open to amendments.

Mr. Clarke. Is it necessary to vote upon an article upon its second reading unless the previous question is called upon pending amendments? For instance, when the proposition of the gentleman from Alleghany, (Mr. Greene,) was adopted, it become the 14th article of the report, and there was no occasion for a vote upon it, unless other amendments were offered to it, and the previous question was called upon the pending amendments.

Mr. Stirling. The proposition of the gentleman from Alleghany, (Mr. Greene,) was adopted not as the article, but in place of the amendment of the gentleman from Cecil, (Mr. Scott.) Some members may have voted for the proposition of the gentleman from Alleghany, because they wanted to thereby get rid of the one submitted by the gentleman from Cecil; while they would have voted against the proposition of the gentleman from Alleghany had it been brought forward as an independent proposition to stand in the place of this 14th article. I know that it did so get votes, merely as a substitute for the amendment first offered. And I understand the Chair to rule that after a proposition is adopted it cannot be amended except on the third reading by permission of the House under the rules.

The President. It can be amended by adding to it; not by striking out any portion of it. This was the case this morning; the question was upon the amendment of the gentleman from Cecil, (Mr. Scott,) as amended by putting in it the phraseology of the proposition of the gentleman from Baltimore city, (Mr. Stirling.) The gentleman from Harford, (Mr. Galloway,) moved to amend the proposition as amended, by striking out all after the word at the commencement, and inserting other words which he proposed. The Chair ruled that out of order, as it was not competent to move to strike out what the House by its vote had declared should be inserted. The only way that could be accomplished was by reconsidering the vote adopting it in place of the original proposition to amend. Having been adopted, it can only be amended by adding to it; but it is not competent to move to strike out what the House has declared deliberately its purpose to put in.

Mr. Negley. The amendment of the gentleman from Baltimore city (Mr. Stirling) having been withdrawn, after the vote adopting it having been reconsidered, the question was upon the original amendment offered by the gentleman from Cecil, (Mr. Scott.) To that amendment the gentleman from Harford (Mr. Galloway) moved an amendment, and the question is now upon that amendment to the amendment.

The President. That is the question now before the House.

Mr. Negley. I hope it will be adopted, for it varies but little from the article as originally reported. It substitutes the word "prohibited" for the word "abolished" at the end of the first clause, and leaves out the words "on persons or property" in the last clause. In every other respect it contains the words and spirit of the original article. And those of us, therefore, who were in favor of the article originally reported by the Committee on the Bill of Rights, can obtain what we desire, by voting for the amendment of the gentleman from Harford, (Mr. Galloway.) It has been fully discussed, and I believe we have all made up our minds on it.

Mr. Hebb. What has become of my motion to amend the Journal, so that it shall read that the amendment of the gentleman from Cecil (Mr. Scott) was withdrawn?

Mr. Scott. I do not desire to have my amendment withdrawn.

The motion to amend the Journal not being pressed to a vote, was tacitly passed over.

Mr. Galloway. I feel a delicacy in obtruding myself upon the attention of the House at this time; but I desire to say a few words, and but a few in favor of the amendment I have offered. In preparing this amendment I tried to adhere as closely to the original article, as it came from the hands of the committee, as I possibly could, and I have therefore made but two or three changes in the words of the article. This article is one which has met with the approbation of the people of this State for a long period of time. It is adapted to every section of the State, and I have never yet heard a single murmur uttered against it. And even when some four or five years ago the question of calling a Convention was presented to the people, they voted it down, showing clearly that they had no objection to this article at that time, or any other article in the Declaration of Rights or the Constitution.

Now if there is a disposition here to impose a capitation tax, or in other words a poll tax, I do hold that such a tax is grievous and oppressive, and ought to be prohibited. It is a tax upon our young men, who own no property, and who stand to-day as the safeguard