

Mitchell, Miller, Morgan, Mullikin, Murray, Negley, Nyman, Parker, Parran, Peter, Pugh, Purnell, Ridgely, Russell, Sands, Schley, Smith, of Dorchester, Stirling, Stockbridge, Swope, Sykes, Thomas, Todd, Valliant, Wilmer, Wooden—65.

*Nay*—Mr. Hatch—1.

Mr. STIRLING's substitute was accordingly adopted as an additional section of the legislative article.

Mr. THOMAS gave notice that he would hereafter, at the proper time, submit the following as an additional section:

"Sec. — Laws shall be passed by the legislature taxing, by a uniform rule, all moneys, credits, investments in bonds, stocks, joint stock companies or otherwise, and also all real and personal property, according to its true or actual value in money, and the tax payable thereon shall be paid to the county or city where the same is located at the time of its assessment or valuation, and the location of all stocks, bonds or other evidence of debt shall be in the county or city where the principal office of transacting the business of such company or corporation is located."

The convention then resumed the consideration of the 39th section of said report, which had been amended on motion of Mr. RIDGELY, so as to read as follows:

"Sec. 39. The governor, comptroller and treasurer of the State, are hereby authorized conjointly, or any two of them, to sell from time to time according to their best judgment, the State's interest in the works of internal improvement, whether as stockholder or creditor, also the State's interest in any banking corporation, and to apply the proceeds arising therefrom towards the payment of the public debt of the State; and after the public debt shall have been fully paid off, or the sinking fund shall be equal to its liquidation, the excess of such sales shall be set apart as a permanent fund for the support of public education; provided, however, that the power hereby conferred, shall only be exercised when the proceeds of such sales can be converted into a like amount of the public debt; and provided further, that the State's interest in the Washington branch of the Baltimore and Ohio railroad, shall be and is hereby reserved and excepted from the sale hereby authorized; and provided further, that the State's interest in, or claim against other works of internal improvement in the State, may be sold upon the best terms which may be obtained for the same."

An amendment had been submitted by Mr. DUVALL, to wit:

Add to end of section 39 the words, "provided however, that no such sale shall be binding on the State until the same shall have been ratified by the general assembly, after having been duly reported to the same."

To which Mr. PARRAN had submitted the following amendment:

Strike out all after the word "been," in the third line and insert the words, "duly reported to, and ratified by the general assembly at the first session thereof after such sale or sales."

Mr. STOCKBRIDGE. I wish to ask whether if these amendments are adopted and made a part of the section, we may not be embarrassed in reconsidering the adoption of the substitute offered by the gentleman from Baltimore county (Mr. Ridgely).

Mr. NEGLEY. I think we would better vote down the amendment of the gentleman from Montgomery (Mr. Duvall) and perfect the 39th article, and attach it afterwards.

Mr. RIDGELY. I would make the same suggestion. The house is now embarrassed in its desire to perfect the proposition adopted in consequence of the amendments pending. If that is negatived the proposition will be open to amendment and can be perfected in such manner as to suit the house.

Mr. HERR. I would suggest this difficulty. If we negative the pending amendment of the gentleman from Montgomery, it will be too late to act upon it. I would rather suggest that we adopt it, if the house is in favor of it, and then the other portion can be reconsidered and amended. If we negative it, we cannot again reach it without a motion to reconsider the vote by which it is negatived.

Mr. STOCKBRIDGE. I will suggest to the gentleman from Montgomery, that if he will temporarily withdraw the amendment, and renew it after the section shall have been perfected, that would probably disembarass the question.

Mr. DUVALL withdrew his amendment.

Mr. STOCKBRIDGE moved to reconsider the vote by which the section offered by Mr. RIDGELY was adopted, as a substitute for that reported by the committee.

The motion to reconsider was duly seconded.

Mr. STOCKBRIDGE. On a more careful examination of the section, since it was adopted, I find what appears to me to be a contradiction between different parts of the section.—The first proposition includes all works of internal improvement in the State. Then there is the proviso: "that the power hereby conferred shall only be exercised when the proceeds of such sales can be converted into a like amount of public debt." That is intelligible. "Provided further, that the State's interest in the Washington Branch of the Baltimore and Ohio Railroad shall be and is hereby reserved and excepted from the sale hereby authorized." That also is intelligible. But the next proviso seems to me to clash with the first proviso; it is this: "and provided further, that the State's interest in or claim against other works of internal improvement in the State may be sold upon the