the subject, I am satisfied that every decision which has ever been rendered in this State, sustains the doctrine as I have stated it here. In the matter to which the gentleman alludes, the rulings of the court went to the very extremest extent; even further than I have gone.

I will not detain the convention longer.—I will offer this amendment in order that the convention may expressly say that the law as it now exists shall not be changed; although I believe it would remain so notwithstanding the adoption of any of these clauses. If the convention is going into the business of marking out the duties of the legislature, or performing the functions of the general assembly, deciding beforehand what shall be the legislation of the State, I want the convention not to interfere with this point. To say that a man shall not be legally married, no matter what difficulties may surround him, and no matter what interest he may have in keeping the marriage a secret, that no matter what circumstances of this sort may influence him, it shall not be a legal and valid marriage unless he is married by some public minister or civil officer, and shall have his marriage registered, is an invasion of private liberty to which I for one will never give my assent.

Mr. MILLER called the previous question; and the call was sustained.

The question was first stated upon the amendment moved by Mr. BELT, to add to the original section the following:

"Provided however, that the general assembly shall not pass any law requiring the intervention of any minister of the gospel, or of any civil officer, or any registration as being necessary to the validity of any marriage which would otherwise be valid at common law, or under the existing laws of this State."

The amendment was rejected.

The question was then taken upon the following amendment submitted by Mr. SANDS:

Strike out all after "assembly," in the first line and insert:

"Shall pass laws providing that the rites of marriage between any persons inhabitants of this State, shall not be celebrated by any person within this State, unless by some minister of religion ordained according to the rites of his or her church, except in the case of persons, members of the Society of Friends, commonly called Quakers, or persons intermarrying with members of that persuasion, between whom the marriage rites may be celebrated by the mayor of any city of the State or any justice of the peace thereof, or in the manner usually practiced by the members of that denomination."

The amendment was rejected.

The question was then stated upon the following amendment of which Mr. STIRLING had given notice.

Strike out all after the word "assembly" and insert the following:

"Shall provide by law for the registration of births, marriages and deaths, and shall pass laws providing for the celebration of marriage between any inhabitants of this State not prohibited by law from marrying; and shall provide that any persons prevented by conscientious scruples from being married by any of the existing provisions of law, may be married by any judge or clerk of any court of record of this State."

Mr. HEBB demanded a division of the subject, being in favor of the first branch and opposed to the second.

The question then being on the first branch, viz:

"Shall provide by law for the registration of births, marriages and deaths, and shall pass laws providing for the celebration of marriage between any inhabitants of this State not prohibited by law from marrying."

Mr. DANIEL demanded the yeas and nays, and they were ordered.

The question being taken, the result was—yeas 19, nays 34—as follows:

Yeas—Messrs. Goldsborough, President; Abbott, Daniel, Davis, of Washington, Farrow, Harwood, Hebb, King, Markey, Mullikin, Nyman, Parker, Purnell, Smith, of Carroll, Stirling, Stockbridge, Swope, Todd—19.

Nays—Messrs. Annan, Belt, Blackiston, Bond, Brown, Clarke, Cunningham, Cushing, Dent, Duvall, Earle, Ecker, Edelen, Galloway, Hollyday, Hopkins, Hopper, Jones, of Somerset, Kennard, Lansdale, Lee, Marbury, McComas, Mitchell, Miller, Murray, Negley, Parran, Peter, Pugh, Russell, Sands, Sneary, Thomas—34.

When their names were called,

Mr. EDELEN said: For the reasons stated by my friend from Anne Arundel (Mr. Bond,) and reiterated by the gentleman from Prince George's (Mr. Belt,) and the fact that this is a subject with which I believe we as members of a constitutional convention have nothing to do, but coming peculiarly within the sphere of legislative action, I vote against this and every proposition submitted to the convention on the subject. I vote "no."

Mr. KENNARD said: While I have no objection to the views embraced in the original proposition of the gentleman from Harford, because I believe this is a matter properly belonging to the legislature, and do not wish to interpolate in the constitution matters of this sort, I vote "no."

The first branch of the amendment was accordingly rejected.

Mr. STIRLING. That kills the proposition. I will withdraw the other branch if there is no objection.

By general consent the second branch of the amendment was withdrawn.

The question recurred upon the amendment of Mr. RUSSELL to insert in the legislative article the following section: