

by any judge or clerk of any court of record of this State."

Mr. CHAMBERS. That proposition and substitute being before the house, I move to lay the whole proposition on the table.

Mr. HEBA. I suggest that that carries the whole legislative report.

Mr. CHAMBERS. I have no such purpose at all. I withdraw the motion. But this is an independent motion of the gentleman from Harford, to add to the report a specific proposition. Cannot that proposition be laid upon the table?

The PRESIDENT. The subject before the house is the report on the legislative department, and the proposition is an amendment to that. To lay an amendment upon the table carries the entire report.

Mr. SANDS moved to strike out the words "births" and "deaths" from Mr. STIRLING'S amendment.

Mr. CHAMBERS. I think the difficulty may be obviated. I think the expressed sense of the house may be fully carried out by adopting the first branch of the proposition of the gentleman from Baltimore, which covers a very important subject, and perhaps one which may be made more useful than under the present arrangement. Then by declining to adopt the remainder of the section, and taking the first branch as a substitute for the proposition of the gentleman from Harford, we shall have adopted the view expressed in the vote by the yeas and nays taken this morning. If in order, I will move to divide the proposition of the gentleman from Baltimore (Mr. Stirling,) and ask the house to adopt the first branch of it.

The PRESIDENT. The gentleman is not in order. The gentleman from Howard (Mr. Sands) has moved to amend the amendment.

Mr. THOMAS. When I gave way to my colleague (Mr. Stirling,) to enable him to move a reconsideration of the original proposition, I was giving the reasons why I voted against this proposition last night. I voted against it simply because I thought that the proposition of the gentleman from Harford should have been passed by this Convention. I refrained last night from making any remarks, for the reason that the gentleman from Cecil (Mr. Pugh) so fully explained my views and feelings, that I considered it unnecessary. I only desire to say now, in reply to the gentleman from Kent, and the gentleman from Anne Arundel, in relation to the state of the law as it now exists, that I have it from the gentleman from Harford himself, that the Quaker society had been knocking at the doors of the legislature of Maryland for years and years for the purpose of having this amendment made, and that they have always failed to get that justice done which they ought to have, and the only hope they now have is to get this provision incor-

porated into the constitution, so as to compel the legislature to make it.

I think it is but an act of justice to them. If people outside of the persuasion desire to marry one inside, those inside cannot get married without violating one of the rules of their church, and subjecting themselves to church censure. We should allow them to have a mode and manner in which they can be married without violating the dictates of their consciences. I say that the refusal of the Convention to pass a provision like this, is against public policy, and is an outrage against the rights of this class of our community. These are the reasons which induce me to ask a reconsideration of the vote upon the proposition of the gentleman from Baltimore (Mr. Stirling,) which I conceive to meet the views presented by the gentleman from Harford, and at the same time it gives us a registration law in relation to births, marriages and deaths, which I think should have been passed long ago.

The gentleman from Kent (Mr. Chambers) tells us that there is a registration law in existence. I ask him if the law for registration in the parishes to which he refers does not exclusively apply to the Episcopal church?

Mr. CHAMBERS. Certainly not. It is open to all.

Mr. THOMAS. As Methodist, Presbyterian, and other churches do not have such a provision they do not think of having the registration made, and nine-tenths of the people do not know there is such a law in existence. I am perfectly content that it should be provided for in any way so as to invite everybody to come in.

I should like to know the reason for the registration of marriages and not of births and deaths. I am inclined to think there is some misapprehension about it. At some future period it may be very important to have some evidence in this country. It is not here as with our ancestors in great Britain that the first male is the heir-at-law; but the doors are thrown open to an indefinitely large number of heirs-at-law. In two or three generations, in consequence of the locomotive character of our people, and the wide surface over which our country is extended, this law will become by and by exceedingly important. It is so now. I have known claims prosecuted in Europe recovered by virtue of the entry in a parish register. Such entries are by law evidence. Parents therefore are providing for those who are to come after them most important documents, by having births, marriages and deaths recorded by the register. Certainly I cannot perceive any reason for the important amendment before the house, to provide for the registration of marriages and not of births. Why should we register the marriages if not the births?

Mr. SANDS. I will reply to my friend's question by saying that our country differs so