

Ridgely, Robinette, Russell, Sands, Schley, Smith, of Carroll, Sneary, Stirling, Stockbridge, Swope, Thomas, Todd, Wickard, Wooden—66.

BASIS OF REPRESENTATION.

The convention resumed the consideration of the unfinished business, being the report of the committee on the basis of representation, which was on its second reading.

The following section was under consideration:

"Section 3. The white population of the State shall constitute the basis of representation in the house of delegates, and the apportionment of the delegates among the several counties and districts of the city of Baltimore shall be as follows: For every five thousand persons, or a fractional part thereof above one-half, one delegate shall be chosen until the number of delegates in each county and district of the city of Baltimore, shall reach five. Above that number, one delegate shall be chosen for every fifteen thousand persons, or a fractional portion over one-half thereof, until the whole number of delegates from each county and district of the city of Baltimore shall reach ten. Above that number, each county and district of the said city shall elect one delegate for every forty-five thousand persons, or fractional portion thereof above one-half. Upon this principle, and until the next federal census, or State enumeration of inhabitants, the house of delegates shall consist of eighty-two members, distributed as follows: Allegany, five members; Anne Arundel, two; each of the three districts in Baltimore city, seven; Baltimore county, six; Calvert, one; Caroline, two; Carroll, five; Cecil, four; Charles, one; Dorchester, two; Frederick, six; Harford, four; Howard, two; Kent, one; Montgomery, two; Prince George's, two; Queen Anne's, two; St. Mary's, one; Somerset, three; Talbot, two; Washington, five; Worcester, three."

The pending question was upon the motion of Mr. SCHLEY, to amend the section by striking out all after and including the words, "every fifteen thousand persons, or a fractional portion over one-half thereof," and inserting in lieu thereof the following:

"The next twenty thousand persons, or a fractional portion over one-half thereof, in each county and district of the city of Baltimore; above that number, each county and district of said city, shall elect one delegate for every eighty thousand persons, or fractional portion thereof above one-half. Upon this principle, and until the next national census or State enumeration of inhabitants, the house of delegates shall consist of seventy-nine members, distributed as follows: Allegany, five members; Anne Arundel, two; each of the three districts in Baltimore city, six; Baltimore county, six; Calvert, one; Caroline, two; Carroll, five; Cecil, four;

Charles, one; Dorchester, two; Frederick, six; Harford, four; Howard, two; Kent, one; Montgomery, two; Prince George's, two; Queen Anne's, two; St. Mary's, one; Somerset, three; Talbot, two; Washington, five; Worcester, three."

That portion of the section if so amended, would read—

"Above that number, one delegate shall be chosen for the next twenty thousand persons, or a fractional portion over one-half thereof, &c."

Mr. CLABKE. Before the vote is taken upon this amendment, I will submit a proposition which I suggested this morning. It is as follows: Strike out all after the first word "the" in the third section, and insert the following:

"Legislature, at its first session after the adoption of this constitution, and at its first session after the returns of each national census are published under the authority of Congress, shall apportion the members of the house of delegates among the several counties of the State and the city of Baltimore, according to the population of each, provided the whole number of delegates shall never exceed eighty-five members, and provided that each county and said city shall be divided into separate election districts of compact contiguous territory, the qualified voters in each of which districts shall at the time and in the manner in which delegates are chosen, elect one delegate, who has for one year next before his election, been a resident of the district from which he shall be elected. The apportionment of the delegates among the several counties and the city of Baltimore, shall remain the same as provided by the present constitution, until the second election held for members of the house of delegates, after the adoption of this constitution; and the general assembly shall hereafter elect United States senators, and all officers who are elected by the legislature, by a concurrent vote of the two houses, and not by joint ballot."

The PRESIDENT. The proposition of the gentleman from Prince George's (Mr. Clarke,) being in effect a substitute for the entire section, while the proposition of the gentleman from Frederick (Mr. Schley,) relates to but a portion of the section, the question will be first taken upon the proposition of the gentleman from Frederick.

Mr. BERRY, of Prince George's, asked for the yeas and nays upon this question, and they were ordered.

The question was then taken by yeas and nays, and resulted—yeas 43, nays 20—as follows:

Yeas—Messrs. Goldsborough, President; Annan, Audoun, Baker, Barron, Bond, Clarke, Cunningham, Cushing, Dail, Daniel, Dellinger, Earle, Ecker, Farrow, Galloway, Harwood, Hebb, Henkle, Hopkins, Hopper,