

tion; and as an approach to what I regard as right I vote for this proposition, "aye."

Mr. HEBB said: The majority of this house having solemnly decided heretofore that this report should stand as it is, I feel bound to vote against all changes; and I vote "no."

Mr. MAYHUGH said: I have not heard a single argument in favor of this amendment, and no argument can be adduced in favor of it; and I therefore must vote "no."

Mr. NIXON said: As it would disturb the foundation upon which this whole apportionment is based, and violate it in one particular, and I do not see why you might not as well violate it in a thousand, I vote "no."

Mr. SCHLEY said: I felt strongly tempted to vote for the proposition of the gentleman from Kent, but am restrained by two considerations; first, an unwillingness to violate the principle adopted here, and secondly, a desire to stand by the action of the majority as the report was agreed upon. I vote "no."

The amendment was accordingly adopted.

BALTIMORE COUNTY.

Mr. HOFFMAN. I move to suspend the fifty-third rule for the purpose of making a motion to open the report of the committee for the purpose of amending it in reference to Baltimore county by adding one to her delegation, giving her "seven" delegates instead of "six."

Mr. BRISCOE. I understand my proposition that I offered this morning to be pending.

The PRESIDENT. But one proposition can be entertained at a time.

Mr. BRISCOE. I made the motion notwithstanding.

The PRESIDENT. The gentleman was not in order if he did make the motion.

Mr. CLARKE. Before voting upon the motion of the gentleman from Baltimore county, I should like to have some explanation upon what ground the proposition is based. We had from the gentleman from Kent (Mr. Hollyday) some reason for his proposition.

Mr. RIDGELY. We have a population of 46,722; and under this apportionment we get but six delegates; while Carroll county, with a population of 22,525, gets five delegates. Our people are complaining very much about this apportionment. We think the rule works very unjustly to us; and that it has been arbitrarily fixed in this respect. We hope the convention will grant us this one; and we shall not then be represented according to population as fully as other counties. I hope the convention will grant us this one member, for the sake of the constitution; for the sake of satisfying our constituents. We want them to vote for this constitution, and to give a strong majority for it.

Mr. MILLER. I hope that motion will not prevail. When the minority report of the committee on the basis of representation was before the body, Baltimore county was repre-

sented in that by eight delegates. She chose, however, not to accept that apportionment which would give her eight delegates, and give to some other counties one more delegate; but she chose to adopt this principle, arbitrary rule—call it what you choose—cutting down my county, Anne Arundel, one representative, and cutting down other counties in the State, and giving her six delegates. I say now let Baltimore county stand or fall upon that. What claim has she, according to the basis fixed in this report of her own adoption, for other counties, to another member? The basis of 5,000 for each delegate up to a population of 25,000, will give her five delegates. Then the principle or arbitrary rule which they saw fit to adopt, has cut them down, and has cut down Baltimore city. In order to prevent the too large delegation which would result in Baltimore city, they have chosen to say that the next 20,000 shall give her one more delegate. Then that will give her the sixth delegate, and will leave only 1,722 for the fraction over. For that fraction, I do not think she has the least claim upon the principle or the rule to ask for another delegate.

Mr. SANDS. Mr. President—

The PRESIDENT. The question of suspending the 53d rule is not debatable.

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

The question being taken, the result was—yeas 35, nays 29—as follows:

Yeas—Messrs. Goldsborough, President; Barron, Briscoe, Carter, Chambers, Cunningham, Daniel, Earle, Ecker, Galloway, Greene, Hoffman, Hollyday, Hopkins, Hopper, Kennard, King, Larsh, McGomas, Mullikin, Parker, Pugh, Purnell, Ridgely, Sands, Scott, Smith, of Carroll, Smith, of Worcester, Stirling, Stockbridge, Swope, Sykes, Thomas, Wickard, Wooden—35.

Nays—Messrs. Abbott, Annan, Baker, Belt, Billingsley, Blackiston, Bond, Clarke, Cushing, Davis, of Washington, Dellinger, Dent, Duvall, Farrow, Hebb, Horsey, Keefer, Lee, Markey, Mayhugh, Miller, Murray, Negley, Nyman, Parran, Russell, Schley, Todd, Turner—29.

When their names were called, Mr. CLARKE said: I have one word to say with reference to the vote I shall give upon this proposition. I voted in favor of the proposition to amend so as to give Kent county two delegates instead of one. It was with great hesitation that I was brought to vote for that amendment; and it was simply upon this ground: I was opposed, when the convention had adopted a basis of representation here, to departing one iota from the actual operation of the rule—for I will not call it a principle. I yielded only upon the assertion of the gentlemen that Kent county really had population enough to be entitled to two members.