

Upon this question Mr. LANSDALE called for the yeas and nays, and they were ordered. The question was then taken by yeas and nays, and resulted—yeas 15, nays 48—as follows:

Yeas—Messrs. Belt, Billingsley, Blackiston, Brown, Chambers, Clarke, Dent, Duvall, Henkle, Hollyday, Horsey, Lansdale, Lee, Marbury, Miller—15.

Nays—Messrs. Goldsborough, President; Abbott, Annan, Audoun, Baker, Barron, Carter, Cunningham, Cushing, Daniel, Davis, of Washington, Dellinger, Ecker, Farrow, Greene, Galloway, Hebb, Hoffman, Hopkins, Hopper, Keefer, Kennard, Larsh, Markey, Mayhugh, McComas, Mullikin, Negley, Parker, Pugh, Purnell, Ridgely, Russell, Sands, Schley, Schlosser, Scott, Smith, of Carroll, Smith, of Worcester, Sneary, Stirling, Stockbridge, Swope, Sykes, Thomas, Todd, Wickard, Wooden—48.

The amendment was accordingly rejected.

Mr. DAVIS, of Washington. I move to strike out the words "forty-five" and insert the words "sixty-five." I do this for the benefit of my colleague (Mr. Negley.) Under the section as it now stands he is exempt from military duty. And as he is very anxious that everybody shall perform military duty, I am sure he will vote for my amendment.

The question was then taken upon the amendment of Mr. DAVIS, of Washington, and it was rejected.

Mr. BELT. I move to amend the section by adding the following:

"Provided, however, that no one shall be regarded as being capable of serving in the militia of this State, unless he shall first take the oath prescribed in this constitution for civil officers under the same."

Mr. HEAS moved the previous question on the section, which was seconded and the main question ordered.

The first question was upon the amendment of Mr. BELT, and being taken the amendment was rejected.

The question was then upon agreeing to the section as amended.

Upon this question Mr. DENT called for the yeas and nays, and they were ordered.

The question was then taken by yeas and nays, and resulted—yeas 47, nays 15—as follows:

Yeas—Messrs. Goldsborough, President; Abbott, Annan, Audoun, Baker, Barron, Carter, Cunningham, Cushing, Daniel, Davis, of Washington, Dellinger, Ecker, Farrow, Galloway, Greene, Hebb, Hoffman, Hopkins, Hopper, Keefer, Kennard, Markey, Mayhugh, McComas, Mullikin, Negley, Parker, Pugh, Purnell, Ridgely, Russell, Sands, Schley, Schlosser, Scott, Smith, of Carroll, Smith, of Worcester, Sneary, Stirling, Stockbridge, Swope, Sykes, Thomas, Todd, Wickard, Wooden—47.

Nays—Messrs. Belt, Billingsley, Blackiston,

Brown, Chambers, Clarke, Dent, Duvall, Henkle, Hollyday, Horsey, Lansdale, Lee, Marbury, Miller—15.

The section as amended was accordingly adopted.

Section two was then read as follows:

"Section 2. It shall be the duty of the general assembly to provide for and perfect from time to time the enrolment of the militia, and also for its effectual organization, and to make for this purpose such a division of the State into military districts as may secure these results, and in so doing to especially pass such laws as shall promote the formation of volunteer militia associations in the city of Baltimore, and every county, and to secure to them such privileges or assistance as may afford them effectual encouragement."

Mr. WICKARD. I move the following, which is section three of the minority report, as a substitute for this section:

"The general assembly shall provide for organizing, equipping, and disciplining the militia, in such manner as shall be most effective to repel invasion and suppress insurrection, not incompatible with the laws of the United States."

The question being taken upon the substitute, upon a division—yeas 45, noes not counted—it was adopted.

Mr. RIDGELY. I move to further amend this section by inserting after the words "the general assembly shall provide" the words "at its first session, after the adoption of this constitution."

Mr. STOCKBRIDGE. I hope that amendment will not be adopted, unless there is something else put with it. It imposes an obligation upon the general assembly at its first session but none thereafter. Practical defects by the thousand may be developed as the system progresses, but this amendment imposes no obligation upon the general assembly to rectify them. I hope the amendment will be so changed as to impose a lasting obligation upon the general assembly.

Mr. RIDGELY. I will modify the amendment, so that it shall read "at its first session after the adoption of this constitution, and from time to time thereafter as the exigency may require."

The amendment as modified was then adopted.

Mr. STOCKBRIDGE. I move to amend the section by transposing the words "not incompatible with the laws of the United States" at the end of the section, to after the words "in such manner."

The amendment was adopted.

Mr. BELT. I desire to offer an amendment, and I wish to say a word or two on it before the vote is taken. I have no objection in the world, excepting the general objection I have stated here so often, to have a clause inserted in the constitution, directing the legislature to provide for organizing the militia of the