

BY THE SENATE, JANUARY 18, 1805.

GENTLEMEN OF THE HOUSE OF DELEGATES,

WE have had under consideration a bill which originated in your house, entitled, An act for the encouragement of learning in the several counties of this state, and for other purposes.

The senate having determined that the said bill is, under the constitution, to all intents and purposes a money bill, and cannot be altered or amended by their body; and as there are a number of details and regulations annexed to said bill, on which the senate would wish to have an opportunity of acting, such as the apportionment of the money, the appointment of the trustees, and pointing out the duties to be performed by the said trustees; and as we conceive the constitution is not gratified by the addition of the aforesaid details to a law appropriating money in the treasury, we have deemed it proper to send the bill back for your reconsideration, hoping that it may pass your house in such a manner as that the senate will be enabled to act, jointly with yourselves, in the regulations which they conceive necessary for carrying the said law into effect.

We beg leave to assure you, that the encouragement of learning in the several counties in this state is of primary consideration with the senate, and they feel an earnest desire to co-operate with your house in passing any constitutional law that will promote so desirable an object.

By order,

T. W. HALL, clk.

The senate adjourns until 6 o'clock, Post Meridiem.

POST MERIDIEM, 6 o'clock.

The senate met. Present the same members as in the morning.

The report and resolutions from the house of delegates on the subject of certain resolutions received from the state of Massachusetts, proposing an amendment to the constitution, was read the second time by especial order, dissented from, and sent to the house of delegates by the clerk.

The following message was read, agreed to, and sent to the house of delegates by the clerk.

BY THE SENATE, JANUARY 18, 1805.

GENTLEMEN OF THE HOUSE OF DELEGATES,

THE resolutions passed by your house, on the amendment to the constitution of the United States proposed by the commonwealth of Massachusetts, together with the report of the committee who framed them, have been taken by us into consideration. The senate were desirous to make certain alterations of the reasons that induced a rejection of the proposed amendment; but as those reasons were expressed in the report of your committee, over whom they could have no control, they have rejected them, and have originated other resolutions on the subject, and subjoined their reasons for the same, which reasons, if adopted, will, as they ought to appear the act of the legislature, and not merely those of a committee, confirmed by one branch. They are submitted to your consideration, and, we trust, will meet your approbation.

By order,

T. W. HALL, clk.

The following resolutions being propounded to the senate, were read the first and second time by especial order, assented to, and sent to the house of delegates by the clerk.

BY THE SENATE, JANUARY 18, 1805.

THE resolutions purporting to be the "doings of the legislature of the state of Massachusetts," having been laid before the legislature, by the governor of Maryland, and due deliberation having been had thereon, RESOLVED, That in the opinion of the legislature of Maryland, the amendment to the constitution of the United States, proposed by the commonwealth of Massachusetts, ought not to be adopted.

The state of Maryland, by the principle of representation adopted by the constitution of the United States, having its full influence in the councils of the union, it would be unwise to diminish or relinquish it. This principle ought not to be a source of clamour or complaint in any state where a mixed population doth not exist; in those states where it doth exist, they are subjected to additional taxation, as taxation is apportioned according to representation; this principle of representation was the result of a spirit of accommodation and mutual concession; it is one of those fundamental parts of the constitution which ought not to be invaded. The amendment proposed, in the opinion of this legislature, is calculated to shake the union, an event that cannot be too much dreaded. That patriotic and able statesman, the revered Washington, has emphatically recommended the inviolable preservation of the union. He observes "towards the preservation of their government, and the permanency of their present happy state, it is necessary that they not only discountenance irregular opposition to its acknowledged authority, but also that they resist, with care, the spirit of innovation upon its principles, however specious the pretext." "One method of assault," he proceeds, "may be to effect, in the form of the constitution, alterations which will impair the energy of the system, and thereby undermine what cannot be directly overthrown." Warned by so great an authority, although we acknowledge the propriety of amending when experience discloses defects, it behoves the people of the United States to touch, with awful caution, their great charter, more especially those peculiar principles contained therein, the effects of which were fully seen, and carefully deliberated on, before they were ingrafted into the constitution. When a full, fair and successful experiment of the wise, energetic and salutary provisions of our constitution has been made; when the administration of the government is so ably conducted in its various departments; when tranquillity, safety and happiness, are diffused throughout the union, equal rights protected, and the