

VOTES AND PROCEEDINGS, NOVEMBER SESSION, 1810. 53

On motion by Mr. Archer, That the following be added to the said bill? to wit:

“Whereas it hath been declared by the declaration of rights, that every person ought to contribute his proportion of public taxes for the support of government, according to his actual worth in real or personal property: And whereas the stock of the different incorporated banking companies in the state of Maryland, amounts to the enormous sum of six millions nine hundred and fifty thousand dollars, which, if taxed in the same proportion with the other personal and real property of our citizens, would bring into the treasury an annual revenue of nearly forty thousand dollars, subject to the appropriation of the legislature, for purposes beneficial to the interests of the community, for the diffusion of useful knowledge, and the cultivation of the sciences, among the poorer classes of our fellow citizens, objects almost indispensable in a government whose fundamental principle is the liberty of man, for the opening and improvement of roads, and the cutting canals: And whereas the independent freemen of the state, having had these laudable objects in view, have, since assembly, loudly called for the taxation of bank capital, without effect, it would be improper and contrary to the wishes of our constituents to incorporate other banking companies, in addition to those which have been already chartered, without declaring it to be the opinion of this legislature, that the property of the opulent should not be protected by the impenetrable shield of law, from contributing its proportionable part to the support of that government by which so many valuable and exclusive privileges and immunities are granted, and that the important rights by this act intended to be chartered away, and which are vested originally in the people, should not be transferred without a compensation in some measure adequate to the magnitude of the grant; therefore, Be it enacted, that the directors of the Franklin Bank of Baltimore, shall pay unto the treasurer of the western shore the sum of ——— dollars, on or before the first day of March, 1813, otherwise this act, and every part thereof, shall expire and be utterly void.”

The question was put, That the blank therein be filled up with 35,000 dollars? Determined in the negative.

On motion by Mr. T. Hall, the question was put on 15,000 dollars? Determined in the negative.

On motion by Mr. Archer, the question was put on 10,000 dollars? The yeas and nays being required, appeared as follow:

A F F I R M A T I V E.

Messrs	Comegys Marriott R Hall Warfield	Stevens Eccleston Bennett Frazier	Cross Bowie Mackubin Boyle	Emory Wilson Handy Quinton	Archer Forwood Streett	Willis P Bayard T Hall	Downey Gaither Abram Jones	Wharton J Bayard A Browne	28
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N E G A T I V E.

Messrs	Neale Gardiner Ireland Grahame	Dorsey Rogerson M'Pherson Harryman	Randall M Brown Spencer Wainwright	Jackson Arnold Jones Dennis Mollitt	Groome F Hall Miers T Williams	Schley Swearingen Cockey Davis	Jump Bland Martin Bowles	W Williams Hilleary Perry	31
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So it was determined in the negative.

On motion by Mr. A. Browne, the question was put on 6,000 dollars? Resolved in the affirmative.

On motion by Mr. Archer, the question was put, That the following words be added to the said amendment? to wit: “and three thousand dollars annually thereafter.” The yeas and nays being required, appeared as follow:

A F F I R M A T I V E.

Mess	Comegys Marriott Warfield	Eccleston Bennett Frazier	Cross Bowie Mackubin	Emory Quinton Archer	Streett Willis	P Bayard T Hall	Downey Gaither	Abram Jones Wharton	20
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N E G A T I V E.

Messrs	Neale Gardiner Belt R Hall Ireland	Grahame Dorsey Rogerson M'Pherson Harryman	Randall M Brown Stevens Spencer Wainwright	Arnold Jones Dennis Mollitt Physick Groome	F Hall Boyle Miers Wilson Handy	T Williams Schley Swearingen Cockey Forwood	Davis Jump Bland Martin Bowles	Hilleary Perry J Bayard A Browne	39
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So it was determined in the negative.

The speaker having declared that it was out of order to offer the preamble as an amendment, an appeal to the house from the decision of the chair, was called for by Mr. Archer, and the question was put, That the house concur with the opinion of the chair? Resolved in the affirmative.

The question was then put, That the house assent to the enacting clause of said amendment? Determined in the negative.

On motion by Mr. Thomas Hall, the question was put, That the following be added to the said bill? “And be it enacted, That all the surplus monies over six per cent. arising from this institution, shall be paid into the treasury of the state of Maryland.” Determined in the negative.

On motion by Mr. Bowles, the following order was read: ORDERED, That the bill, entitled, An act to incorporate the stockholders in the Franklin Bank of Baltimore, be postponed until to-morrow, and the question put, That the house assent thereto? Determined in the negative.

On motion by Mr. Comegys, the question was put, That the same be postponed until the 13th instant? Determined in the negative.

The question was then put, Shall the said bill pass? The yeas and nays being required, appeared as follow: