

Mr. MERRICK expressed surprise at the reluctance of the House to come to a direct vote. He had not expected that any opposition would have risen, or he would not have reported these resolutions. He was astonished when some gentlemen say they were not prepared to vote. He felt apprehensive that there was something behind, which he was unable to comprehend. It was the desire of the committee that the House should say if they would adopt either of the basis in the resolutions. He believed that every gentleman was prepared to give his vote, that the opinions of all were made up on the subject before they came to the Convention;—and all that the committee asked was that this opinion should be expressed by the House. He did not believe any gentleman on this floor was influenced by fear. It was necessary that the House should agree as to the basis, and having settled this great controlling principle, the committee would be able to agree on a report. Then the subsequent action of the House also would be rendered easy. It will become a mere matter of figures if numbers should be decided on, and if not, it would be a plan of compromise. The settlement of the question by the Convention would also have the effect of settling public opinion on this subject.

Mr. TUCK. I call for a division on the amendment. It is nothing more nor less than an affirmation of that which the committee have called upon us to deny.

Mr. PRESSTMAN suggested that his amendment was not susceptible of division. It would be seen that it required the population basis in the House, and a mixed basis in the Senate. The two basis were embraced in one proposition, in order that they might not be separated. He wished to have the sense of the House on the basis of population in the House of Representatives, and of territory and population in the Senate, and he thought the two propositions could not be divided. He would withdraw his amendment.

The PRESIDENT (in reply to the enquiry of Mr. PRESSTMAN) stated that the amendment offered by him, (Mr. P.,) was divisible.

Mr. PRESSTMAN. Then I withdraw it.

Mr. BLAKISTONE. I then offer the first part of that amendment as my own proposition.

The amendment was as follows:

"That the committee on representation and apportionment be requested to report a plan of apportionment and representation, making numbers the basis of representation to the House of Delegates."

Mr. CHAMBERS, of Kent. I suggest to the gentleman (Mr. BLAKISTONE) to modify the proposition so far as to introduce the word "exclusively."

Mr. BLAKISTONE modified the amendment accordingly, and demanded the previous question.

Mr. JOHNSON called for the reading of the amendment, which was again read.

Some conversation followed on a point of order.

Mr. BROWN enquired of the PRESIDENT what

would be the question if the previous question was sustained?

The PRESIDENT said that under the rule as amended, the question would be simply on the amendment of the gentleman from St. Mary's, (Mr. BLAKISTONE.)

The question was taken, and by ayes 41, noes 34, the previous question was seconded. And the main question was ordered to be now taken.

Mr. SPENCER asked the yeas and nays on the amendment, which were ordered.

Mr. BRENT, of Baltimore city. I move that the Convention now adjourn.

Mr. GWINN. I ask the yeas and nays.

Mr. BOWIE. I rise to a point of order. Is it in order for any gentleman to move an adjournment when the Chair is in the act of putting a question?

The PRESIDENT. The Chair had put the question.

Mr. BOWIE. The yeas and nays have been ordered.

The PRESIDENT. Yes, but the Secretary had not commenced calling the roll. The motion to adjourn is a privileged motion, and may be made at any time except when the Convention is in the act of dividing or of taking a question.

The question then recurred on ordering the yeas and nays on the motion to adjourn.

The yeas and nays, the PRESIDENT said, were refused.

Mr. BRENT. There are two more up.

The PRESIDENT. It is too late.

The question was then taken, and the House refused to adjourn.

The question then recurred and was taken on the amendment of Mr. BLAKISTONE, and was decided in the negative, as follows:

*Affirmative.*—Messrs. Buchanan, Bell, Welch, Thomas, Shriver, Johnson, Gaither, Biser, Annan, McHenry, Gwinn, Brent, of Baltimore city, Presstman, Ware, Parke, Shower and Brown—17.

*Negative.*—Messrs. Chapman, President, Morgan, Blakistone, Dent, Hopewell, Ricaud, Chambers, of Kent, Donaldson, Dorsey, Wells, Randall, Sellman, Dalrymple, Bond, Sollers, Brent, of Charles, Merrick, Jenifer, Ridgely, Lloyd, Dickinson, Colston, John Dennis, James U. Dennis, Crisfield, Dashiell, Williams, Hicks, Hodson, Phelps, Miller, McLane, Bowie, Tuck, Sprigg, Bowling, Spencer, Wright, McMaster, Hearn, Fooks, Jacobs, Sappington, Stephenson, Nelson, Thawley, Hardcastle, Schley, Fiery, John Newcomer, Harbine, Davis, Brewer, Waters, Weber, Hollyday, Slicer, Fitzpatrick, Smith, and Cockey—60.

So the amendment was rejected; and, thereupon the Convention adjourned.

SATURDAY, January 25, 1851.

The Convention met at eleven o'clock.

Prayer was made by the Rev. Mr. GRIFFITH.

The roll was called, and a quorum was present.