

ed if he had been wrong, if his friend from Frederick had advocated that basis.

Mr. BISER said he had avocated it at home and abroad, but was compelled to yield to a modification.

Mr. PHELPS enquired if the gentleman from Frederick had supported that basis for the city of Baltimore, as well as the counties?

Mr. BISER answered, that he had advocated it for the whole State, Baltimore included.

Mr. DAVIS resumed, expressing a wish to do full justice to his friend from Frederick. He felt, as Montgomery was the daughter of Frederick, a strong desire at all times to carry out his feeling of respect and veneration for his maternal ancestor. He had come to her aid in this convention, in endeavoring to obtain a reform of the constitution; nor did he intend to restrict himself to the two questions, as stated by the gentleman for Baltimore—the basis of representation and an elective judiciary. He wished to extend reform beyond these two important principles and to put additional guards round the treasury; and also to put guards and restraints round the commissioner of loans as had been proposed. All these substantial reforms he advocated. He had taken his course from the example of Frederick, and he would go to her again when he wanted further promptings. He referred to a speech made by his friend from Frederick, when in the Legislature several years ago, in which that gentleman had stated that the effect of the establishment of the popular basis, would be to legislate the small counties out of existence. Now, Montgomery, St Mary's and Talbot would scarcely suffer themselves to be legislated out of existence. The gentleman from St Mary's had not gone far enough back when he fixed the origin of the reform excitement. In Baltimore, in 1845, the license law of 1831, was denounced as unjust and oppressive, as well as the appropriation of the auction duties by the Legislature, and the passage of the stamp tax. It was in consequence of the discontents growing out of these measures that the banner of repeal and reform was unfurled together, repeal being coupled with reform. The city of Baltimore complained that she contributed beyond her share to the public treasury, and determined to remove the weight from her own shoulders, and as a necessary consequence it must fall upon the counties. To show that a disinterested gentleman, a citizen of another State, and an officer high in civil station under the United States, had been led to a different conclusion, he read an extract from an address delivered by Mr. E. WHITTLESEY, in Montgomery county, in which he states that the State of Maryland had submitted to many voluntary sacrifices for the benefit of Baltimore and the western country.

Mr. HARBINE called the gentleman to order, which caused a slight interruption.

Mr. DAVIS resumed, stating that his object was to show that Baltimore was not exclusively entitled to a reputation for patriotism as had been claimed for her on this floor. The counties were entitled to a share in this reputation, for they with-

out benefit had submitted to the burden of taxation. To show that the reform question had been agitated in the city of Baltimore at the time he had stated, he referred to a preamble and resolutions adopted by the City Councils, in which the license law, the auction duties, and the stamp tax were denounced as oppressive, and the idea was thrown out that Baltimore was likely to be crushed beneath the weight of these burdens. It was alleged that if she had been properly represented in the Legislature these odious laws would not have passed. If the basis on population should be adopted by the Convention, Baltimore would be able to accomplish all she proposes—repeal as well as reform.

It had been already hinted that the Maryland canal, which Col. Abbot has ascertained by instrumental surveys will cost \$11,000,000, will have its termination there, and although you may cut up Baltimore into districts, as many as you please, as has been proposed by the distinguished gentleman from Frederick, (Mr. THOMAS,) whenever any scheme of commercial enterprise is started, you will find party differences obliterated, and her representation united as one man. Every effort would be made to secure and advance the interest of Baltimore, whatever sacrifice it might, as Mr. Whittlesey has shown it has been, to the rest of the State.

Mr. SPENCER moved the previous question, but withdrew it at the request of

Mr. BISER, who said a few words to extricate himself from a false position in which he complained that the gentleman from Montgomery had placed him. The gentleman had asked him if he approved the principle of representation on the basis of population; and when he had answered in the affirmative, the gentleman from Montgomery had quoted from a speech of his (Mr. B's.) in 1845, to prove that he had been guilty of inconsistency. He explained by stating that the quotation was not a fair exposition of his views, as they had relation only to the question then before the House, which led him to show what would be the effect of a mixed basis on different counties. He did not abandon the ground of representation on population, nor would he abandon it now. Nor did he give it up in 1849, but that he thought half a loaf better than no bread. He concluded with renewing the motion for the previous question.

Mr. DAVIS interposed, and said that he stated that the gentleman's calculations had brought him to see that the small counties would be legislated out of existence—and fearing the effect of that result, he added, "I am not to be understood as advocating representation according to population, I am willing to leave that question to a Convention."

The call for the previous question was seconded.

And the main question was ordered to be now taken.

Mr. DORSEY inquired what the main question was.

The PRESIDENT explained that, under the amendment to the rules, it would be on the motion to recommit.