

*Yeas*—Messrs. Belt, Berry of Prince George's, Billingsley, Blackiston, Bond, Briscoe, Brown, Clarke, Crawford, Dail, Davis of Charles, Edelen, Harwood, Henkle, Hodson, Hollyday, Horsey, Johnson, Jones of Somerset, Marbury, Mitchell, Miller, Morgan, Parran, Peter, Smith of Dorchester, Wilmer—27.

*Nays*—Messrs. Goldsborough, President; Abbott, Annan, Audoun, Baker, Barran, Brooks, Carter, Cunningham, Cushing, Daniel, Davis of Washington, Dellinger, Earle, Ecker, Farrow, Galloway, Greene, Hatch, Habb, Hoffman, Hopkins, Hopper, Jones of Cecil, Keefer, Kennard, King, Markey, McComas, Mullikin, Murray, Negley, Noble, Nyman, Parker, Pugh, Purnell, Ridgely, Robbinette, Russell, Sands, Schley, Schlosser, Scott, Smith of Carroll, Smith of Worcester, Sneary, Stirling, Stockbridge, Swope, Sykes, Thomas, Thruston, Todd, Valliant, Wickard, Wooden—57.

So the amendment was rejected.

The question being taken upon article 3d, it was adopted on its second reading.

Article 4th was read as follows:

Art. 4. The Constitution of the United States and the laws made in pursuance thereof being the supreme law of the land, every citizen of this State owes paramount allegiance to the Constitution and government of the United States, and is not bound by any law or ordinance of this State in contravention or subversion thereof.

Mr. BILLINGSLEY. I was not in the Convention at the time the Chairman of the Committee on the Declaration of Rights presented this report. I find on my table a minority report, of which Judge Chambers is the chairman. He is now in attendance upon an ecclesiastical convention in the city of Baltimore, and I think as an act of courtesy at least, this article should be passed over until his return. I ask it as a matter of courtesy on the part of the House.

Mr. STIRLING. I would suggest that to meet the necessity of the case, it be understood that this section be passed over until we get to the conclusion of the articles. There are other sections to be considered which may take up the rest of the day. I propose that this section be passed over informally.

Mr. CLARKE. With the understanding that it will be open to amendment when taken up.

By unanimous consent, article 4th was passed over informally.

Article 5th was read as follows:

Art. 5. That all persons invested with the legislative or executive powers of government are the trustees of the public, and as such accountable for their conduct; wherefore, whenever the ends of government are perverted, and public liberty manifestly endangered, and all other means of redress are ineffectual, the people may and of right ought to reform the old or establish a new Government. The doctrine of non-resistance against arbitrary

power and oppression is absurd, slavish and destructive of the good and happiness of mankind.

Mr. THRUSTON called for the previous question.

Mr. CLARKE. I rise to a question of order, whether upon the reading of a section it is in order to call the previous question prior to any amendment being submitted. I offered an amendment of the rules to provide for just this case, that upon the second reading the report shall be open to amendment.

The President. The Chair rules that the point of order taken by the gentleman from Prince George's is correct. The object in legislation is to allow amendment on the second reading.

Mr. KING moved to amend by striking out the last sentence of the article.

Mr. STIRLING. I am sorry my friend has thought proper to offer that amendment, and I hope it will not be adopted. It is not necessary to argue that proposition. I understand perfectly well the suggestion in his mind. This is a proposition that, like a great many others in this Declaration of Rights, is perverted, and they appear, like perversions of Scripture, to be damnation to those that pervert them. The doctrines our forefathers established have been attempted to be strained to certain ends, to which, in my judgment, as well as in that of the gentleman from Baltimore county (Mr. King) those doctrines do not necessarily tend. I am not disposed to let any subsequent events draw me away from the sound foundations which the fathers of this government established. If other people have stepped aside from those principles and gone down under the quicksands that surround them, they may sink. I stand, and hope this Convention will stand, upon a rock. This proposition is one which our fathers established this government in order to maintain. The doctrine that if power is oppressive it ought to be resisted, is true. If people resist power when it is not oppressive, and make unjustifiable revolutions, they ought to go down. The doctrine that it is the right of mankind everywhere to resist oppression is as true now as on the day it was first asserted. I hope the Convention will not put itself in the condition of refusing to recognize what the men that built up this Republic planted in their organic law.

Mr. KING. I thought upon reading over the article, that those words were entirely unnecessary, and that it would read better without them.

The amendment was rejected.

Articles 6th to 13th inclusive were read and no amendments were offered.

Article 14th was read as follows:

Art. 14. That the levying of taxes by the poll is grievous and oppressive, and ought to be abolished; that paupers ought not to be assessed for the support of the Government,