

Scott, Smith of Carroll, Smith of Dorchester, Smith of Worcester, Thomas, Wilmer—43.

The amendment was accordingly rejected. The question then recurred upon the amendment proposed by Mr. CUSHING to the 43d Rule.

Mr. CUSHING. I will not press that amendment, but with the consent of the Convention I will withdraw it. I now give notice that on to-morrow, or some subsequent day, I will move to amend the 42d Rule by striking out the words "the final passage of a report, or a motion to suspend the rules, or," so that the rule will then read:

"All questions, except those otherwise herein provided for, shall be determined by a majority of the members present: those dividing in the affirmative rising in their places, those in the negative continuing in their seats, and so *vice versa*, until a decision by the President."

Also to amend the 43d Rule, by striking out all after the word "nays" in the second line, so that it will then read:

"The question on the final adoption of any article shall always be determined by yeas and nays."

DECLARATION OF RIGHTS.

On motion of Mr. HEBB, The Convention (Mr. Purnell in the chair) then resumed the consideration of the special order of the day, being the report of the committee on the Declaration of Rights.

The question was stated to be upon the following, submitted by Mr. GREENE:

Strike out Art. 14, and insert the following as Art. 14:

"That paupers ought not to be assessed for the support of the Government, but every person in the State, holding property therein, ought to contribute his proportion of public taxes for the support of Government, according to his actual worth in real or personal property; and fines, duties or taxes may properly and justly be imposed or laid on persons or property for the good government and benefit of the community; provided, that no capitation tax shall be imposed as a qualification for the exercise of the right of suffrage."

Mr. MILLER. Is it now in order for me to offer an amendment to the proposition now pending?

The CHAIRMAN. The chair is informed by the Secretary, that the proposition of the gentleman from Allegany (Mr. Greene) is an amendment to the amendment of the gentleman from Cecil, (Mr. Scott,) and that it is so entered upon the Journal.

Mr. MILLER. Then I think the Journal is wrong, for it must be evident that the proposition of the gentleman from Allegany, (Mr. Greene,) is in the nature of a substitute for the entire article, and not an amendment to any amendment of that article.

Mr. DANIEL. I will state that the amendment which I submitted yesterday was submitted as an amendment to the amendment of the gentleman from Cecil, (Mr. Scott.) When that was voted down, then the gentleman from Allegany, (Mr. Greene,) submitted the one now pending as an amendment to the same amendment of the gentleman from Cecil, (Mr. Scott.) But I would like to hear any amendments read which gentlemen may have to offer.

The CHAIRMAN. They can be read for information.

Mr. MILLER. I do not propose to read my amendment unless I can have an opportunity for a few moments to explain it, as I think it an important one. If the amendment of the gentleman from Allegany (Mr. Greene) is adopted, I can then offer it as an amendment to that.

Mr. JONES, of Somerset, called for the reading of Mr. Scott's amendment, to which the pending proposition was an amendment, and it was read as follows:

Strike out of article 14 the words:

"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, but;" also strike out the word "other" after the word "every" in the third line; so that the article would then read:

"That every person in the State, or person holding property therein, ought to contribute his proportion of public taxes for the support of Government, according to his actual worth in real or personal property; yet fines, duties or taxes may properly and justly be imposed or laid on persons or property for the good government and benefit of the community."

Mr. JONES, of Somerset. I felt very much inclined, at the time of the adjournment on yesterday, to support the amendment of the gentleman from Allegany, (Mr. Greene,) in the terms in which it was offered. My attention had not been called particularly to this article, and I had not considered it, until the debate arose yesterday upon it and the various amendments submitted to it. I was a great deal interested in the debate that occurred, and the longer the matter was pending before the Convention, the more I became convinced that this whole subject required and demanded at our hands a much more mature consideration than, so far as I could judge from the debate on yesterday, it had yet received from members of this Convention.

It was very apparent from that debate that there was much misconception with reference to the meaning of the original bill of rights adopted in 1776, which was reported in the Constitution adopted in 1851, and which is now proposed, I believe in almost identically the same terms, by the Committee on the Declaration of Rights in their report to this Convention. It was assumed yesterday, in