

ly, Robinette, Smith, of Carroll, Swope, Sykes, Thomas, Turner, Valliant, Wood—30.

*Nays*—Messrs. Abbott, Clarke, Cunningham, Cushing, Dall, Daniel, Davis, of Charles, Dellinger, Earle, Ecker, Farrow, Hollyday, Keefer, Kennard, Mayhugh, McComas, Murray, Parker, Pugh, Purnell, Russell, Schley, Scott, Stirling, Stockbridge, Todd, Wickard—27.

When his name was called,

Mr. CLARKE said: I have just come into the house and I do not know exactly the position in which the section stands, or the discussion that has gone on; but I must confess that if this money is to be levied upon the property of the State, and distributed according to population, by including the negro population my county would get more than she would upon the white basis, and under this view I must vote against the amendment of my colleague. I vote "no."

The amendment was accordingly agreed to.

Mr. DUVALL. I move to amend the section by striking out the word "ten," and inserting the word "five," in the sentence reading "an annual tax of not less than ten cents on each one hundred dollars of taxable property," &c.

The CHAIRMAN (Mr. Pugh.) That amendment is not now in order, the previous question having been called by the gentleman from Baltimore city (Mr. Cushing.)

Mr. CLARKE. I cannot move to reconsider the vote by which the amendment of my colleague (Mr. Berry, of Prince George's,) was adopted. But I must confess that so far as I understand it, it places our constituents in a position where they will get but one-half the proportion of the school fund this section proposed to give them.

Mr. BERRY, of Prince George's. I will take the responsibility.

Mr. CLARKE. I take the responsibility the other way. This cuts us down one-half.

Mr. BERRY, of Prince George's. I call the gentleman to order; this question has been already decided.

The question was upon ordering the main question to be put.

Mr. BERRY, of Prince George's, called for the yeas and nays upon that question, and they were ordered.

Mr. CUSHING. I will withdraw the call for the previous question, in order to allow the gentleman from Montgomery (Mr. Duvall) an opportunity to move a reconsideration of the vote by which the amendment of the gentleman from Prince George's (Mr. Berry) was adopted.

Mr. HARRIS. I object to that; the yeas and nays have been ordered on that question.

Mr. STOCKBRIDGE. I move that permission be granted to withdraw the call for the previous question.

The CHAIRMAN (Mr. Pugh.) I believe that

the President of this convention has decided that when the call of the roll has not been commenced, the mover of a proposition has a right to withdraw it.

Mr. HARRIS. The President this morning took the sense of the convention upon allowing a member to withdraw a proposition.

The CHAIRMAN. Very well; I will put the question.

The question was then taken upon granting leave to Mr. CUSHING to withdraw his call for the previous question, and it was agreed to.

The call for the previous question was accordingly withdrawn.

Mr. DUVALL. I move to reconsider the vote by which the amendment of the gentleman from Prince George's (Mr. Berry) was adopted.

The motion to reconsider was seconded by Messrs. MILLER and BOND.

The question was upon the motion to reconsider.

Mr. CUSHING. I wish to call the attention of the convention to the very grave error in principle which I think they have committed in putting the word "white" into this section. I am afraid that they will find upon reflection that, for the sake of turning a weapon back on these lower counties, they have done that which they will wish had been left undone. There will certainly come a time when the legislature of this State will be forced, by the public opinion of its citizens, to provide some means for educating our free colored population, if they are allowed to remain in the State. If you put the word "white" in this section of your organic law, you prohibit the use of any portion of this school fund for the education of that class of people. And when the time that the protection of the citizens of this State shall demand the education of the free colored people, our citizens will not stand upon the question of expense, and you will be forced to submit to an additional levy.

All that this section, as reported, amounts to, therefore, is this: That until public opinion reaches the point of educating the free colored people, you give the lower counties the advantage of the distribution of this school fund in proportion to their black population. By putting in this word "white," you forever prohibit any portion of this particular tax being used for educating free colored people. Now I cannot think this convention is willing to express the determination that these people shall never be educated. Your committee carefully refrained from putting into this report a provision for their education, because they believed that as yet the people were not ready for any separate system of education for the blacks. But if these blacks continue to live here, the time will come when they must be made as good inhabitants of the State as we can make them. And I trust