

a change of front in him, if he did not vote for any one of these amendments. It was clear, however, that there was too great a majority in the House, who were resolutely opposed to annual sessions, to be defeated in their object by any parliamentary management. With this impression, he had risen to request his friend from Queen Anne, to disband the little army which had thus far stood by him, in all his efforts. His friend from Queen Anne, had exhausted all the tactics which could be expected from the leader of a forlorn hope. For his part, he was now willing to give the battle up. The amendment now offered by his friend from Queen Anne, was nearly the same as the one which had been offered by the gentleman from Harford, (Mr. McHenry,) for which he, (Mr. P.), had voted. He thought it would be very embarrassing to the people, if they are required to vote at the polls, not only for the Constitution as a whole, but on this biennial provision, also, in a separate vote. He had promised his friend from Queen Anne to renew the call for the previous question.

Mr. SPENCER withdrew the previous question, and said he disclaimed any intention to make a speech. He could not, however, avoid expressing his surprise, at the course of the gentleman from Baltimore. When that gentleman spoke of an army against biennial sessions, he made a great mistake. He would tell that gentleman, that he was in favor of the biennial system. If the gentleman from Baltimore was inclined to withdraw, there were other gentlemen who were coming in to join him. The gentleman from Baltimore county, (Mr. Ridgely,) had said, that if the proposition was put in a shape to be separately presented to the people for their vote, he would be willing to go for it. Others round him had said the same. The amendment he had now offered, differed from that submitted by the gentleman from Harford. The proposition offered by the gentleman from Harford, was to hold over the reference of this question to the people, until the next election after the adoption of the Constitution. But if the gentleman from Harford preferred his own amendment, and would move a reconsideration of the vote by which it was rejected, and would amend it, he, (Mr. S.) would withdraw his amendment. We are framing a Constitution which is to be submitted to the people. The people having once passed on the question of biennial sessions, there are some gentlemen here who are unwilling to vote against the judgment of the people. But, he believed, there was no gentleman here, who is not willing to let this question be specifically put to the people. He referred to the various objections which had been made, and suggested that the mode presented by the amendment would obviate them all. It should be borne in mind that there is no reservation by which the Legislature can hereafter change the sessions. If a majority of the people are in favor of biennial or annual sessions, who will oppose their will?

Mr. SHOWER demanded the previous question.

Mr. RIDGELY requested him to withdraw the demand, to enable him, (Mr. R.) to say a few

words in reply to the remarks of the gentleman from Queen Anne, (Mr. Spencer,) who had, unintentionally, no doubt, misstated his, (Mr. R.'s) position.

Mr. SHOWER declined to withdraw.

The question was then taken on the demand for the previous question, and by ayes 31, noes 26, there was a second.

And the main question, (on the amendment of Mr. Spencer,) was ordered to be now taken.

Mr. MITCHELL asked the yeas and nays on the amendment, which were ordered, and being taken, resulted as follows:

*Affirmative*—Messrs. Tuck, President, *pro tem.*, Morgan, Donaldson, Dorsey, Wells, Randall, Kent, Sellman, Merrick, Buchanan, Welch, Chambers, of Cecil, Miller, Sprigg, Spencer, George, Wright, Shriver, Biser, Stephenson, McHenry, Magraw, Nelson, Stewart, of Caroline, Gwinn, Brent, of Baltimore city, Prestman, Ware, Brewer, Anderson, Weber, Hollyday, Fitzpatrick, Parke, Shower, Cockey and Brown—37.

*Negative*—Messrs. Ricaud, Chambers, of Kent, Mitchell, Dalrymple, Brent, of Charles, Howard, Ridgely, Lloyd, Dickinson, Sherwood, of Talbot, John Dennis, Williams, Hicks, Hodson, Phelps, Bowling, Dirickson, Hearn, Jacobs, Thomas, Gaither, Annan, Carter, Schley, Fiery, Neill, John Newcomer, Harbine, Michael Newcomer, and Smith—30.

So the amendment was adopted.

Mr. DIRICKSON gave notice of his intention, at the first opportunity, when there should be a full Convention, to move a reconsideration of the vote on the amendment just adopted.

Mr. SPENCER moved to amend the amendment by adding the words "which shall not exceed forty days."

A motion was made that the Convention adjourn.

The Convention refused to adjourn.

Mr. JOHN NEWCOMER moved to amend Mr. SPENCER's amendment, by striking out "forty," and inserting "thirty" days.

Mr. BROWN called for a division of the question, (first on striking out forty,) which was ordered.

Mr. DIRICKSON asked the yeas and nays, which were ordered, and being taken, resulted as follows:

*Affirmative*—Messrs. Ricaud, Chambers, of Kent, Mitchell, Dalrymple, Lloyd, Dickinson, John Dennis, Williams, Hicks, Hodson, Phelps, Bowling, Dirickson, Jacobs, Gaither, Biser, Annan, McHenry, Schley, Fiery, Neill, John Newcomer, Harbine, Michael Newcomer, Waters, Hollyday, Fitzpatrick and Smith—28.

*Negative*—Messrs. Tuck, President, *pro tem.*, Morgan, Donaldson, Dorsey, Wells, Randall, Kent, Sellman, Merrick, Howard, Buchanan, Sherwood, of Talbot, Chambers, of Cecil, Sprigg, Spencer, George, Wright, Thomas, Shriver, Stephenson, Magraw, Nelson, Carter, Stewart, of Caroline, Gwinn, Brent, of Baltimore city, Prestman, Ware, Davis, Brewer, Anderson, Weber, Parke, Shower, Cockey and Brown—36.

So the motion to strike out was rejected.