

Mr. STEWART, of Caroline, suggested that the section should lie over informally for the present.

Mr. SCHLEY suggested to the gentleman to withdraw his amendment for the present.

Mr. STEWART withdrew his amendment, (intending to offer it again.)

Mr. SPRIGG also withdrew his amendment, with the intention to offer it again in a different place.

Mr. DORSEY moved a reconsideration of the vote on the sixteenth section, with the view to offer an amendment.

Mr. D. explained that his object in offering the amendment, was to prevent a double or doubtful construction of the phraseology of the section, and from a desire that the Constitution, in all its parts, should be as clear and explicit as possible.

Mr. BROWN was in favor of the reconsideration, and said that if the motion should prevail, he would move to substitute the language of the old Constitution.

The vote on the adoption of the section was reconsidered.

Mr. BROWN moved to amend said section, by striking out, in the first line, the words "the enacting clause of every bill shall be," and inserting in lieu thereof, the words "that the style of all laws run thus."

Mr. SCHLEY moved to amend the amendment by striking out the words "run thus," and substituting in lieu thereof, the words "of this State shall be."

Mr. BROWN accepted the modification.

The amendment of Mr. SCHLEY was agreed to.

And the sixteenth section, as amended, was adopted.

The seventeenth section of the bill was read as follows:

Sec. 17th. Any bill may originate* in either House of the General Assembly, and be altered, amended or rejected by the other, but no bill shall have the force of a law until it be read on three different days in each House, unless in case of urgency three-fourths of the House, where such bill is depending, shall dispense with this rule.

Mr. PHELPS moved to amend said section, by striking out in the first line, the words, "any bill," and inserting in lieu thereof the following:

"Bills for raising revenue or levying taxes, shall originate in the House of Delegates, but the Senate may alter, amend or reject them as other bills.

Mr. PHELPS said:

In offering the amendment just read, he felt no particular personal interest. He had done so, because he regarded the section, as reported by the committee, as unusual, and contrary to the well recognized principles, in the legislation of the whole country.

The origination of what is familiarly called "money-bills," is confined to the immediate representative branch of the Legislature, in most, if

not all, the States of the Union. In fact, in all the States, so far as he had examined. The same principle was recognized in the Constitution of the United States.

This is the case, also, in the Parliament of Great Britain. The House of Commons has the sole right of levying taxes, and of proposing measures of revenue. This principle, in this country, was doubtless borrowed from the Constitution of England, and as public opinion, had so long sanctioned it, he saw no reason for departing from it now.

This amendment confined the origination of all bills for levying taxes, or raising revenue, to the House of Delegates, but authorizes the Senate to alter, change, or amend, all such bills. This is a departure from the principles of the present Constitution of Maryland. The tenth section of the Constitution, gives to the House of Delegates, the right to levy taxes, &c., and the eleventh goes on to define, what may, and what may not, be regarded as money-bills, so as the one House should not infringe upon the rights of the other. The construction given to these sections in the Maryland Senate, was always very strict, and denied to that body the right to make the slightest modifications, or the most trifling alteration, in any bill which had for its object, the levying of taxes, or the disposing, in any manner, of the public revenue.

Long experience in the Senate, had convinced him, that there should be, at least, some enlargement of power upon the subject. Bills often came to that body from the House, and for want of power to make perhaps some slight alteration, or amendment, the bill failed to become a law, when the main features of the bill were approved by the Senate.

Mr. PHELPS said, in order to avoid the two extremes, he had proposed this amendment, and if it be engrafted upon the Constitution, the Senate may amend money bills, although they may not originate them. It will doubtless be said, if the Senate possess the power to amend a bill of this character, that they may so change the features of the bill, as to some extent, to conflict with the design of the House, in its origination. If so, when returned to the House for its subsequent action, the House can but reject the amendment, and adhere to the original proposition. The power to amend money bills exists in the Senate of the United States, and is frequently exercised by that body, without injury, so far as he knew, to the public service.

The theory, Mr. President, of our Government is, that in the construction of our legislative bodies, one house should be regarded as the popular branch, reflecting the popular will, whilst the other, is farther removed from the people, and should be more independent, and more conservative in its character. It is true this principle, in these later days, have been much infringed upon, and to some extent at least, both Houses have been merged into popular branches. The subsequent history of the country, will develop the fact, whether this be, or be not, an improvement. For his part he was free to say, he would like to see the Senate what it was designed to