

heard of any difficulty arising therefrom in that State, although the interests represented in her legislature were of such great variety and magnitude. This was, in fact, the true method of securing the attendance of members. Reference had been made to the thinness of this Convention in which important questions were, from day to day, decided by mere majorities of quorums. The fact, he must say, was discreditable. But, the action of the Convention was, after all, only advisory. The people by their votes were to adopt or reject what was done here; and if the work were good, it would matter little whether it came from the hands of few or many. The legislature, on the other hand, made laws, which, of their own efficacy, regulated the rights, and affected the interests of the people; and those laws ought not to pass without the express consent of a majority of the people's representatives.

Mr. D. insisted further on the evils of log-rolling, which could not, perhaps, be entirely prevented, but which might be greatly checked. By the decision of the Convention, that a bill should relate to one object only, which should be expressed in its title, a blow had been already struck at that vicious system of legislation; and a still more effective blow would be struck by the adoption of the section under consideration. He therefore hoped that the amendment of the gentleman from Dorchester would not prevail.

Mr. PHELPS said, he had no particular objection to the latter clause of the section, (that which provided for the taking of the yeas and nays on the final passage of bills,) but he thought that its effect would be to retard the business of the legislature, and to embarrass its proceedings.

As to the section itself, if such a provision had been inserted in the old Constitution, the result to the State of Maryland, would have been repudiation and insolvency. To sustain this position he referred to the meagre vote by which various important measures had been passed—the majority in some cases being only one or two, not of the whole number elected, but of the number present.

Mr. SPENCER would vote for the section, he said, if he could believe for a moment that its effect would be, to cause all bills before the legislature, to be more thoroughly examined and considered, or if he could feel justified in expecting from it any of the beneficial operation which was claimed for it. In his judgment, no such result would follow.

He referred also to his own experience as sustaining the assertion that, when action was taken upon great public measures, the attendance in the legislature was always full.

Mr. BISER said, that if he had been called upon to select one provision in this bill, better calculated than any other, to promote the public interest, this was the section to which he should have pointed. Caution was the parent of safety. At home and abroad—in this Hall and out of it, he was a majority man, and he intended to vote in favor of the first branch of the section. The

absence of such a provision had been the source of serious evil to the legislation of the State.

He was also in favor of the last clause of the section—believing, as he did, that it was a saving and salutary provision. He believed that it would obviate much mischief in the legislation of the State.

Mr. WEEMS suggested that it was in the power of any member of the legislature to call for the yeas and nays which, if the call was sustained by a small number of members, must be ordered. It seemed to him, therefore, that there was no necessity for making an imperative rule, that the yeas and nays should be taken on every law, or resolution, however unimportant or local its object might be. Such a rule would greatly retard the business of the legislature.

He moved, therefore, to amend the section by striking out the words "and on the question of its final passage, the yeas and noes shall be recorded."

The PRESIDENT. That amendment will take precedence of the substitute.

Mr. BISER. I call for a division on striking out.

Mr. SPENCER said, he never could consent to vote for striking out the provision which related to the yeas and nays.

Mr. BLAKISTONE moved an amendment confining the operation of the restriction to bills appropriating money or imposing a tax upon the people.

Mr. B. said, that, in his judgment, these were the only laws which absolutely required the vote of a majority of all the members elected. In ordinary matters of legislation, he thought such a provision unnecessary.

He hoped the gentleman from Calvert, (Mr. Weems,) would accept the amendment as a modification of his own proposition.

Mr. WEEMS. I cannot do so. The amendment does not at all suit my views.

Mr. BLAKISTONE withdrew the amendment.

Mr. GWINN said he could not agree to vote for the proposition just read by the gentleman from St. Mary's (Mr. Blakistone). He did not suppose that any member could be influenced in his course by a call of the yeas and nays on a question, but the call possessed the advantage of placing the responsibility where it ought to rest. There is a great inconsistency in saying that a majority of the members is a quorum competent to transact business, and yet requiring the yeas and nays only on the final vote. This he considered as unjust in its operation. A majority of a quorum may have amended a bill and put it in a shape in which it will pass, why then should there be required a majority of the whole House to pass it? If the rule is to be made applicable at all, it should be applicable in all the stages of the bill. Nor could he understand why members who were absent, from sickness or any other necessity, should be always considered as opposed to a bill. The true secret and protection of legislation must be in the honor and conscience of the individual member. All questions should, in his opinion, be determined by a majority of the quorum who