

second reading? If I understand it, that would be the proper construction of the rule with the modification made by the gentleman.

Mr. HERR: The meaning of the rule is this: If any subject matter is before the Convention, and two amendments have been made, the effect of the rule, if the previous question is sustained by the majority of the Convention, is to take a vote upon the second amendment, then upon the first amendment, and then upon the special matter to which the two amendments relate.

Mr. CLARKE: Upon that section, or how many sections?

Mr. HERR: It means that portion of the section under consideration, the special matter under consideration. I think the words make it very clear; but if any alteration can be made to make it clearer, I shall not object.

Mr. STOCKBROOK: It appears to me as the amendment is now proposed, and with this understanding of its meaning, it is an improvement upon the rule to which it is an amendment. To illustrate, as I understand the amendment offered by the gentleman from Allegany, turn to the Constitution, and it will be found that the 17th section of the Legislative article, has in it, 1st, the style of laws; 2d, the mode of enactment or repeal; 3d, provisions in relation to amendments; then a provision for a code; and then provisions relating to the rules of practice, pleadings, forms of conveyancing, &c. All these different matters are contained in that single section. I suppose it could never have been designed that when we had taken that up, and a motion was made to amend the part relating to the style of the laws, if the previous question were demanded and sustained, that would cover the whole article. The special matter, as I understand it, will be that portion of this section which relates to the style of the laws. The previous question will bring us to a direct vote upon the amendments and upon that portion of the section; and then the next subject matter comes before us for a vote or for amendment, and so on through the section. With that view I am ready to vote for the amendment.

Mr. CLARKE: I do not wish, in the rules which are to govern our action, to have such loose terms as this. All I want is that it shall be definite, that we may know to what the previous question will apply when it is sustained. If it means a clause, or section, or article, let it be stated. What I object to is the use of this broad term which may have a different meaning from that which the gentleman contemplates. I want the rule to contain a plain and comprehensive statement of the action of the Convention to follow the call of the previous question, if it is sustained. If we adopt this amendment, we shall find ourselves in this difficulty. Upon the second reading of a report we have a section under consideration, and the previous question is

called, as we have a right to call it under this rule. Under the rule offered by the committee you have a right to call the previous question upon the pending amendments; but this proposition goes further, and says it may be called, not only upon the pending amendments but upon the special matter to which they relate. The result will be this: Under the rules reported by the committee, when a section is read and amended, there is no vote taken upon its adoption, but we proceed to the next section, and go through with them as in considering a bill. A section is read; an amendment is offered; the House acts upon it; and then the President puts the question: "Are there any more amendments to be offered to this section?" If no further amendment is offered, the next section is read, and so on until we have finished the article; and then, for the first time, comes the vote upon the whole article, as an independent proposition, upon passing it to a third reading. But if this amendment prevails, every time we have a clause under consideration, a member can call the previous question, and call for the yeas and nays upon amendments pending, and call for the yeas and nays upon the adoption of the clause, as we go along, and so on through every clause, upon the second reading of a report. The gentlemen upon the other side of this House intimated that they wanted to protect themselves from factious opposition on the part of the minority, and reach a vote. But instead of restricting the action of the minority, they will find that by this amendment they will considerably extend it. The result will be that we can have a vote upon the adoption of every specific clause, and have the yeas and nays upon it; whereas under the rules as reported by the committee, we shall have merely a vote upon amendments, as gentlemen may choose to offer them, and the main question is on the third reading when the vote is taken on the whole article.

I will only say one word in explanation of the rule for the previous question as reported by the committee. The ordinary rules governing the previous question are these, as stated in the Legislative Guide, on page 81: "The previous question shall be in this form: 'Shall the main question be now put?' and its effects shall be to put an end to all debate, and bring the House to a direct vote upon a motion to commit, if such motion shall have been made, and if this motion does not prevail, then upon amendments reported by a committee, if any, then upon pending amendments, and then upon the main question. On a motion for the previous question, and prior to the seconding of the same, a call of the House shall be in order; but after a majority shall have seconded such motion, no call shall be in order prior to a decision of the main question."

"On a previous question there shall be no