

called, and that call is sustained by a majority of the House, that signifies that the House is ready to vote upon the subject. The effect of the previous question is merely saying that the House is ready to vote upon the proposition before them. My amendment goes further than the rule which formerly prevailed in Parliamentary bodies. Formerly the rule was that ordering the previous question caused the House to drop all amendments, and take a vote upon the main proposition. But my amendment, like the rule of the House of Representatives, allows you to vote upon the amendments, and then upon the main question.

Mr. KENNARD. I would say a few words upon this subject before the vote is taken upon the amendment. When the subject of the previous question came up in the committee for consideration, I was inclined to adopt the rule in force in the House of Representatives, and which I believe is in substance incorporated in the amendment submitted by the gentleman from Allegany. (Mr. Hebb.) But upon a further review of the application of the rule upon the previous question as so constructed, and so uniformly and generally applied everywhere in all legislative bodies, one of my colleagues on the committee, the gentleman from Prince George's County, (Mr. Clarke,) said that that rule would not apply to a subject matter under consideration on its second reading. That raised a difficulty in my mind in reference to the application of the previous question in the form in which I preferred it. The gentleman said that according to his late legislative experience, the main question could not be called upon a bill or other matter upon its second reading; that we could not vote upon the main question; and hence the operation of the previous question under a rule so constructed could not be applied. That was one of the reasons why I consented to the rule upon the subject as reported here from the committee. When that rule was presented to me for consideration, it appeared to my mind to be a very novel rule, and one which I feared the Convention would not understand; I did not myself understand it as clearly and distinctly as I could have desired. But the gentleman advanced some very good reasons for it; and I myself submitted it to the judgment of several members of the Convention who from their experience I considered competent to judge concerning it, and they stated that they thought the rule would answer the purpose, I therefore consented to report it to the Convention.

All I have to say is this: I prefer the previous question as it is really applied in all legislative bodies, and I would like to have this matter fully settled now, so that the minds of the members of this Convention may be fully informed upon it; so that the

Chair itself may understand it; so that there may be no difficulty; so that when the previous question is called upon the second reading of any subject matter before the Convention, and the call for the previous question is sustained, there may be no doubt whether we are required to vote upon the main question, which is the second reading of the subject matter before the Convention. If the judgment of the Convention is that it relates only to amendments, then I shall like the idea very well. But if that question is not settled now, it will create difficulty hereafter. If the operation of the proposed rule upon the previous question is to cut off all debate and bring the house to a vote upon the pending amendments, and then have the article go over to the next reading, I think it will be a very good rule. The previous question in the form reported by the committee, has difficulties about it, as has already been stated. It would open the gates to an interminable current of amendments, and no one could tell when it would stop. Under the operation of the rule reported by the committee, the Convention can immediately cut off all debate upon pending amendments; but it would not be within our power to cut off other amendments upon which debate would arise until the previous question is again applied. Hence I prefer the substitute of the gentleman from Allegany (Mr. Hebb) if it be understood that the action of the Convention, when we come to vote, will be not upon the main proposition, but upon pending amendments.

Mr. CLARKE. Before the question is taken upon this amendment I would like to submit an amendment to the amendment; to strike out after the word "debate," in the fifth line, the words "and to bring the Convention to a direct vote upon pending amendments, and the special matter to which they relate;" and insert—"and to bring the Convention to a vote upon pending amendments, and the clause of the Constitution then under consideration." Instead of leaving the matter indefinite as the proposition now stands, my amendment simply defined how the previous question is to be understood, and what the Convention is to vote upon; that is, the previous question is to be exhausted by first taking the vote upon the amendments, and then upon the clause of the Constitution under consideration.

Mr. STROCKMIDG. If I understand the amendment of the gentleman from Prince George's (Mr. Clarke) it is simply to substitute the word "clause" for the words "special matter."

Mr. CLARKE. Yes sir. For instance, suppose the Court of Appeals is the special matter under consideration. According to my construction of the amendment by the gentleman from Allegany (Mr. Hebb) we would be compelled to vote upon the whole proposition in relation to the Court of Appeals. I