

would move to insert the word "section," if the gentleman would prefer it.

Mr. HEBB. I think the term "special matter" brings it down to a more narrow compass than the word "section" or "clause," for a section or clause may embrace several special matters.

Mr. CLARKE. I move to amend the amendment by striking out the words "special matter"; and inserting "distinct proposition."

Mr. HEBB. I suppose it will always be for the Chair to decide what is the special matter to which the amendments relate.

The PRESIDENT. It will be for the President to decide when the question comes properly before him.

Mr. SCOTT moved to recommit the rule under consideration to the Committee on Rules; but at the request of several members, he withdrew the motion.

Mr. CLARKE. I think my amendment will render the rule more certain and explicit. The term "matter" I think may embrace a great many propositions. I therefore move to insert "distinct proposition" in place of "special matter."

The question being then taken upon the amendment to the amendment, it was not agreed to.

The question was then stated to be upon the amendment of Mr. HEBB.

The reading of the amendment was called for, and it was read as follows:

Strike out Rule 54, and insert the following as Rule 54:

"The previous question shall be always in order in Convention, and shall be in this form: 'Shall the main question be now put?' It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate, and to bring the Convention to a direct vote upon pending amendments, and the special matter to which they relate. On a motion for the previous question, and prior to the seconding of the same, a call of the Convention shall be in order; but after a majority shall have seconded such motion, no call shall be in order prior to a vote upon the main question; and on the previous question there shall be no debate."

The question being taken upon the amendment, it was adopted.

The PRESIDENT. Are there any further amendments to be offered to this rule?

Mr. BRISCOE. As I understand the operation of the rule which has just been adopted, it cuts off all amendments upon the second reading. Any member upon this floor, when any article of the Constitution is under consideration, can call the previous question, and if the call is sustained that will cut off all debate and bring the House to a vote upon the whole subject matter. Now that seems to me to be entirely opposed to all the precedents established by the Legislature of this

State. I know the previous question has never applied in this way in the House of Delegates, because while considering a subject upon its second reading the deliberative body so considering it is engaged in perfecting the subject under consideration, and fair and ample opportunity is always given in a deliberative body for such consideration. But as the rule here now stands it provides for the operation of a clear, unqualified and despotic gag rule, to be applied by the votes of a mere majority. I understand it has been indicated by gentlemen upon the other side that such a rule as this is in operation in the House of Representatives. I am not clearly advised upon that subject. But I know it does not apply in the Senate of the United States, for there the previous question cannot be moved upon either the second or third reading. Nor is such a rule known in the Senate of Maryland, and it never has been known in any deliberative body in this State before. But if the object of this Convention now be to apply, for the first time in this State, this rule to the deliberations of this Convention, it seems to me that we have not properly considered the effect of its adoption. For what are we assembled here? We are assembled here to perform a grave and important work, one which might well demand the highest statesmanship of the greatest intellects of the land. And if upon the impulse of the moment—and gentlemen who have had experience in bodies like this know what slight circumstances sometimes control their action—if upon the mere whim of a bare majority of this body, all debate and discussion may be cut off and no opportunity allowed for any deliberation upon the propositions that may be before us, what guarantee have the minority of this body that our right will be respected? The previous question was originally designed to cut off unnecessary discussion; not motions to amend imperfect propositions under consideration. I am satisfied there is no committee, to which has been referred any article of the Constitution, who are infallible, and I know this Convention is not likely itself to be infallible in its conclusions. Yet we have brought ourselves deliberately and conclusively to this point, that we put it into the power of a majority, at any time to cut off all motions to amend any proposition we may have before us for consideration. I say it is the first time that any deliberative body in this State has ever brought itself into this condition. I do not say it complainingly, for I am willing to take the consequences of it. But it seems to me that we are establishing a precedent, and I think we ought to act cautiously and deliberately in doing so; and rather than we should undertake to do it now, I will renew the motion of the gentleman from Cecil, (Mr. Scott,) to recommit this rule to the Committee on Rules.