

approve. By allowing the opportunity of amendment we can control it. We can call the previous question and vote down amendments. It is not to be presumed that they will be offered eternally. The opposition will get tired of it; or if they do not, we can introduce a rule to limit it in some way. I am opposed to our tying our own hands.

Mr. STOCKBRIDGE. This whole matter, it seems to me, elucidates what took place at the time of the adoption of this rule. While the report of the Committee on Rules was under consideration, the gentleman from Allegany proposed the rule which is now the 54th rule. As originally proposed, it was in these words:

"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 section of the Constitution then under consideration."

It was suggested, precisely as the gentleman from Washington (Mr. Negley) has now suggested, that that might compel us to act upon an imperfect section. To obviate that very difficulty, that if the previous question was called it would require a vote at once on the section, the gentleman from Allegany, after consideration, amended his original proposition by striking out the words "and the section of the Constitution then under consideration," and inserting the words "and the special matter to which they relate." After full explanation upon all sides, that amendment was received into the rules, and is now the 54th rule. I thought it was understood on all sides that it applied to the amendments then pending and the special matter before the Convention, whether that was a whole section or part of a section. Many sections might come before the Convention embodying entirely distinct propositions and different special matters.

Mr. CLARKE. It will be remembered that when the gentleman from Allegany submitted his modification of his original proposition, inserting "special matter" instead of "section," the question was put to him what he meant by special matter. An explanation was asked and demanded from this side of the House, and he remained quiet and did not open his lips. He could not give an explanation.

Mr. HERR. I stated that it was for the President to decide when the question arose. I did not remain silent.

Mr. CLARKE. That agrees exactly with what I was saying. He said it would be for the President to decide, and failed to give us any explanation. Then as a direct explanation and definition of the rule offered by the gentleman, I offered the amendment to strike out the words "special matter" and insert "distinct proposition." That was some-

thing, as I told the House then, which was tangible, and upon which the President, when he brought his mind to act upon the subject, would be able to decide. That was voted down. The gentleman from Baltimore city rose and said that the words "special matter" would be definite enough, and could be determined; it might be this, or that, or the other. I then intimated to the House that they would find by the adoption of this inexplicable language, that whenever the point was raised what the main question applied to, we would have this same discussion.

Now I ask the gentleman to tell me what is the special matter here. Is it that "all government of right originates from the people?" That is a distinct proposition. That is a special matter. If I were disposed to go into a discussion of that matter, I might say, as some do, that government is of divine origin; that it does not originate from the people; that if you examine the history of the world, a great many of the present governments will be seen to be founded on force. We come then to the next clause, "is founded in compact only." Now what does "compact" mean?

Mr. PUGH. If the words "distinct proposition" were substituted for the words "special matter" as the gentleman proposed, would he have more light on the subject?

Mr. CLARKE. Yes, sir; as I have stated, my view is that the question whether "all government of right originates from the people" is a distinct proposition.

Mr. STOCKBRIDGE. Is that the one to which these amendments relate?

Mr. CLARKE. No; I was speaking of that part of the section. The amendments would refer to the last part. But my amendment was not adopted, and therefore the question is what special matter it is to which the amendments relate.

Mr. CUSHING. The Chair has already decided what the special matter is; that it is the first article of this Declaration of Rights.

Mr. CLARKE. That is the very ground I took, and I called the yeas and nays upon it; and when I called the yeas and nays upon it the gentleman from Baltimore city expressly said that it did not refer to the section. I contend that it is impossible under the rule we have adopted to determine what it does apply to. Government "is founded on compact only." Is that a special matter? It is a distinct proposition. "And instituted solely for the good of the whole." A great many governments are instituted which are not for the good of the whole; and if the Convention carries out some of the dogmas which it is expected will be advocated here, I would like to take issue upon the question (whether the government we should form would be for the good of the whole. Then comes the right of revolution. That is another proposition. I am only showing, and I think gentlemen see