

time, he would draw down his flag. I hope the Convention will defeat the motion of the gentleman to rescind this rule; because, as has been already suggested by the gentleman from Somerset, (Mr. Jones,) we have seen no practical defects in this rule as applicable to our proceedings. I think it is a wise and judicious rule for the government of this Convention, and therefore should be retained as one of the settled rules, that every proposition upon its passage shall receive a majority of the votes of the members elected, which would require a proposition to receive 49 votes before it could pass.

The gentleman from Baltimore City, (Mr. Cushing,) seems to rest upon the action of the Convention of 1850, and he argues that they could not have proceeded in their action excepting by a mere majority rule. But in the wisdom of that body they found that such a rule would not do for a deliberative body, and they restricted the Legislature of each House, so that before a measure could be passed into a law, it should receive in each House the votes of a majority of the members elected to that House. In the Senate it must receive 22 votes, and in the House one-half of the whole number elected.

The gentleman stated that some of the members elected to this Convention had not taken the oath of office and had not appeared. I do not know of any instance, excepting a member from St. Mary's county, who has been detained at home on account of sickness. I think the absence of members of this body, so far as my experience goes, shows that our men, although in the minority, are more generally absent than the gentlemen upon the other side. Upon all political questions I have no doubt the majority will feel it their imperative duty, as they seem to caucus every twenty-four hours, to be present in order to carry out the conclusions of the caucus.

Another thing. It will be perfectly legitimate, upon the passage of any measure, or upon the defeat of any measure, for any gentleman who votes in the majority to move a reconsideration of the question when they have a fuller House. Tenacious as the gentlemen upon the other side seem to be in carrying out the plans digested and adjusted in caucus, I have no doubt they will be prepared for a motion of that character. When they find they have lost a measure, some of them will vote in the affirmative with a view to make a motion to reconsider the measure. The practical operation of this rule is as a check upon too hasty action of this body. It has no other practical operation. I repeat the argument I made yesterday upon the subject, that if a measure is required to receive in the Legislature of your State a majority of the votes of all the members elected to each branch of the Legislature before it becomes a law, it is more important that a Convention called together to frame the organic law of the State,

in its deliberations, should only consider such provisions of that organic law to have been maturely considered which shall receive a majority of the votes of the whole number of members elected to the body.

That is a safe rule; and in these times of excitement, in these times when party prejudices run to such an extent that fanaticism seems to be the prevailing and governing principle of our minds, we ought to have some rules to preserve the purity of our action and to ensure the success of wise provisions in our Constitution. I hope, therefore, that this amendment will be voted down, and that my friend will draw down his flag, which has only been at half-mast for the last two or three days. Let him draw down his flag; and let us have these rules established as the permanent rules for the government of this Convention, and let them be printed in pamphlet form under the order of the gentleman from Talbot, (Mr. Valliant.)

Mr. CUSHING. At half-mast because I was moaning over the blindness of members.

Mr. BERRY, of Prince George's. Blind leaders of the blind, both falling into the ditch together. I wanted to let you into the full light of day. If your actions are governed by reason, independent of prejudice, then your conclusions will be very apt to be wise. I hope this amendment will not pass.

Mr. SCOTT. I think there is no gentleman in this House more anxious for a speedy adjournment of the session than I am. With that view I voted for the rules as adopted, in the hope that they might compel the prompt and general attendance of members. As the rules have not yet operated as a bar to our action, as we have lost no measure for the want of a majority of the members elected, I feel like insisting upon preserving the rules just as they are until they do so operate. A majority of the members elected are required to pass any measure; and it is the duty of these gentlemen who are elected here to be in their places and attend to the interests of the State and people that sent them here. I shall therefore feel it my duty to oppose any motion to alter or change these rules until they act as a bar to the prosecution of the business before the House. Whenever it becomes apparent that we cannot proceed with our business for the want of a change in the rules, I am willing to change them; but not till then.

Mr. HENKLE. The subject matter embraced in this amendment was before the Convention for discussion yesterday. This makes the third time that it has come before the Convention. When we first acted upon the rules, the question was under discussion, and the rule was adopted as it stands. The gentleman from Baltimore city moved an amendment which was discussed yesterday, and was finally disposed of. Then he gave notice of another amendment embodying the same subject matter; so that this question has twice