

quest the attendance of members, who might be in the city, but were not in their seats.

In the mean time,

Mr. PHELPS resumed. If the House was prepared to vote on the proposition now, he was prepared to vote; but, as there must be some time allowed for the call of the House, he would avail himself of the opportunity to make a few remarks, particularly as to that branch of the amendment which imposes a limitation of the session to forty days. It sometimes happens that very little business can be matured in forty days. The election of a speaker and the officers frequently consumes much time; and then the Speaker must have an opportunity to become acquainted with the members, before he can appoint the committees, after which a considerable period must elapse before the committees can mature the business and report to the House. This objection then, must be fatal to the proposition to limit the session to forty days. With reference to the expenses, he would state, that the itinerant charges of the session, amount to about \$5000; and if annual sessions should be determined on, this would be an annual instead of a biennial charge. The objection, therefore, to the annual sessions, would not be obviated by diminishing the length of the session. The gentleman from Anne Arundel thought this power to call the Legislature together was a dangerous power to place in the hands of the Governor, but there is not a single State in the Union in which it is not conferred on the Executive. If war was to be declared against us, or if some great insult should demand instant reprisal, or any sudden financial exigency should occur, he asked, should not the Governor have power to assemble the Legislature?

Mr. RANDALL explained that he was speaking as between the Governor and the Legislature, and had then said he thought it would be better in the hands of the Legislature than in the Governor.

Mr. PHELPS resumed. We all know that the Governor has the power to call an extra session. But if the usual length of the sessions is to be shortened to one half, the greater part of that will be consumed in discussing whether the Legislature shall sit annually or biennially; and forty days might easily be wasted in such a discussion. It was urged by the gentleman from Queen Anne that the Legislature would require some additional time to carry out the general principles established by the Constitution in Legislative details. In reply to this, he reminded the gentleman from Queen Anne that there was now a section in the Constitution which gave the Legislature power to prolong its sessions, for this purpose, to six months, or nine months, or twelve months, or even two years. If new men, fresh from the people, were sent here every two years, they would be quite as competent to make such laws, as to enact all other laws. The gentleman from Prince George's, (Mr. Tuck,) said that public sentiment was not disturbed in his county by the biennial question: Whatever it may have been in Prince George, he could say that in most of the counties of the State the biennial bill was

circulated and discussed freely, and orators took the stump for and against it. Great efforts were made to defeat the bill, on the ground that it was merely a tub thrown to the whale. It was believed by many that it was intended only to defeat the effort to get up this Reform Convention. Yet, notwithstanding these efforts to prejudice the public mind against the bill, it obtained a large majority in the State.

Further proceedings on the call of the Convention were then dispensed with.

The question then recurred on the modified amendment of Mr. SPENCER.

Mr. S. asked the yeas and nays, which were ordered, and being taken, resulted as follows:

Affirmative—Messrs. Tuck, President, *pro tem.*, Morgan, Donaldson, Dorsey, Wells, Randall, Kent, Sellman, Merrick, Buchanan, Welch, Chambers, of Cecil, Miller, Sprigg, Spencer, George, Wright, Shriver, Biser, McHenry, Gwinn, Prestman, Ware, Anderson, Parke, Shower, Cockey and Brown—25

Negative—Messrs. Ricaud, Chambers of Kent, Mitchell, Dakrnyple, Brent, of Charles, Howard, Ridgely, Lloyd, Dickinson, Sherwood, of Talbot, John Dennis, Williams, Hicks, Hodson, Phelps, Bowling, Dirickson, Hearn, Jacobs, Thomas, Gaither, Annan, Stephenson, Magraw, Nelson, Carter, Stewart, of Caroline, Brent, of Baltimore city, Schley, Fiery, Neill, John Newcomer, Harbine, Michael Newcomer, Brewer, Waters, Weber, Hollyday, Fitzpatrick and Smith—40.

So the amendment was rejected.

Mr. SPENCER. I now offer the last of the series of amendments, which I intend to offer on this subject.

The amendment was read as follows:

Add to the end of the section, the follow proviso:

"Provided, That the judges of elections in each county and city, when this Constitution shall be submitted to the people for their ratification, shall put the question distinctly to each voter: "are you in favor of annual or biennial sessions of the Legislature?" and the said judges shall record separately on their poll books the answer of each voter to the said question; of which they shall make return in the same manner as prescribed by law, to ascertain the sense of the people on the ratification of said Constitution. And if a majority of the legal voters in the State should be in favor of annual sessions, then at the next meeting of the Legislature, after the ratification of this Constitution, the Legislature shall provide by law for annual elections of Delegates to the General Assembly, and for annual sessions of the Legislature."

The amendment having been read,

Mr. SPENCER demanded the previous question, but withdrew it at the request of Mr. FRESTMAN,

Mr. FRESTMAN rose and stated, that he had up to this time voted for all the amendments which had been offered, with a view to defeat the biennial provision. He did not wish the House to understand him, as seeking to avoid the main question, from any other motive; and it would be