

within the last few days of the session, which might render its exercise necessary.

Mr. BROWN suggested that if the amendment should be adopted, it would change the preceding part of the section. The power to pass a bill in case of urgency would be taken away.

Mr. CHAMBERS, of Kent, said it did not affect that question at all; and gave his construction of the section.

Some conversation followed.

Mr. BROWN said, he would not press his view of the question, though it appeared to him that the amendment tangled up the section.

Mr. MERRICK said, that he thought the three-fourths vote required by the section was an ample guaranty against any improper legislation. The Convention might be satisfied that three-fourths of the Legislature would never concur in any legislation that was not necessary. Why then should their hands be tied up in this manner. Let the bill stand as it did.

Mr. SPENCER assented to the construction put upon the amendment by Mr. BROWN; and explained what his (Mr. S.'s), understanding of the effect would be. It seemed to him that under this amendment, a bill could not be passed even if the Legislature were unanimously of opinion that the case of urgency had arisen. He thought the section was already protected sufficiently well.

Mr. CHAMBERS, of Kent, explained his construction of the section, and asked the gentleman from Queen Anne, (Mr. Spencer,) to point out in what particular he (Mr. C.) was mistaken.

The simple object of the amendment was to take away all discretion from the Legislature for the last three days of the session, so that no bill might be introduced for the first time; that was to say, if there was an urgent necessity, a law might be completed, but could not be originated. He referred to the irregular manner in which the business of the Legislature was carried on during the last days of the session, and said that not one member in twenty-five knew any thing of the contents of bills brought in under such circumstances until they read them on the statute book.

As regarded the emergencies to which reference had been made; every man and woman in the State knew when the Legislature met, and when it would adjourn. And to suppose that any such great and sudden novelty in the affairs of the State would arise, was, he thought, speculating rather too much upon remote probabilities. We must conduct the affairs of State upon rational probabilities—and there was no rational probability of such an event. Every general rule was attended with some inconveniences. Against these, it was not possible to guard. No human legislation was perfect. Perfection belonged only to One—and that not an earthly Being.

Mr. C. hoped the amendment would be agreed to.

Mr. BROWN still dissented from the construction of Mr. CHAMBERS, and insisted that the amendment if adopted, would take away from the Legislature that discretion which was necessary for the protection of the people.

Mr. MERRICK said, it was true, as the gentleman from Kent, [Mr. Chambers,] had stated, that

nothing on earth was perfect—and that the business of the legislature, during the last days of its session, was conducted with irregularity. But that was the fault of the legislators themselves—not of the law. And even that irregularity took place only as to matters of indifferent interest, and not as to matters of grave and general concern. If the amendment should prevail, the legislature would not be able, even by unanimous concurrence, as to the necessity of the case, to bring in a bill whatever the emergency might be. In his experience, he had known such emergencies. He referred to the ten millions bill passed by Congress within the last two or three days of the expiration of its term, to enable the administration to put the country into a state of defence supposed to be necessary by the Navy Island [Caroline] affair.

Might not some strong necessity—of rebellion, insurrection or invasion—arise in our own State? No risk could be run by leaving this discretion with the legislature, unless upon the supposition that that body was corrupt, and that this Convention was immaculate. He repeated that the three-fourths restriction was a sufficient guaranty that no mischievous or improper act would be done—whilst great evil might result from taking away the power.

Mr. PHELPS gave notice, that if the amendment should be adopted, he would move to strike out "three-fourths" and insert "two-thirds;" and also to alter the phraseology of the last line of the bill.

Mr. STEPHENSON called for the reading of the amendment, which was again read.

Mr. SPENCER asked the yeas and nays on its adoption, which were refused.

The question was then taken, and the amendment was rejected.

Mr. PHELPS suggested a verbal amendment, which was rejected.

Mr. STEPHENSON moved to amend said section by inserting after the word "read," in the third line, the word "through."

[So that, Mr. S. said, the bill should be read through each time.]

Mr. MERRICK opposed the amendment. Some of the bills were very long, and took up much time in reading.

Mr. STEWART, of Caroline, moved an amendment to the amendment, providing that the bill should be read "once through, and twice by its title."

Mr. MERRICK hoped that his friend from Caroline, [Mr. Stewart,] would see the necessity of leaving these things to the discretion of the legislature.

Mr. SCHLEY suggested that the whole object of the section would be defeated unless some such amendment was inserted. He hoped the amendment of the gentleman from Harford, [Mr. Stephenson] would be agreed to.

After some conversation between Messrs. CHAMBERS, of Kent, and SCHLEY,

Mr. STEWART, of Caroline, withdrew his amendment.

Mr. STEPHENSON asked the yeas and nays on his amendment, which were refused.