

Hopkins, Hopper, Jones, of Cecil, Keefer, McComas, Mullikin, Noble, Nyman, Parker, Pugh, Ridgely, Russell, Sands, Schley, Schlosser, Scott, Smith, of Carroll, Sneary, Stirling, Stockbridge, Swope, Sykes, Todd, Wickard, Wooden—38.

Nays—Messrs. Goldsborough, President; Audoun, Bond, Briscoe, Brooks, Carter, Chambers, Clarke, Cushing, Dent, Edelen, Hollyday, Lansdale, Larsh, Miller, Morgan, Murray, Peter, Purnell, Thomas—20.

The second branch of the order was accordingly adopted.

The entire order as amended and adopted is as follows:

Ordered, That the time allowed each member for debate on any question before the Convention shall be limited to thirty minutes; and that no extension of time be granted except by a vote of two-thirds of the members present."

DECLARATION OF RIGHTS.

The Convention then resumed the consideration of the order of the day, being the report of the Committee on the Declaration of Rights, which was on its second reading.

The pending question was upon the following amendment submitted by Mr. ABBOTT:

Insert as an additional article the following:

"Article 1. Truths to be held as self-evident are, that all men are created equally free; that they are endowed by their Creator with certain inalienable rights, among which are life, liberty, the enjoyment of the proceeds of their own labor, and the pursuit of happiness."

Mr. STOCKBRIDGE. I move to amend the phraseology of the proposed article by striking out in the first line the words "truths to be held as self-evident," and inserting, "that we hold it to be self-evident," so that the article will read:

"That we hold it to be self-evident that all men are created equally free; that they are endowed," &c.

Mr. ABBOTT. I have no objection to that, as it is merely a change of phraseology, and not of principle.

The amendment was agreed to, and the article as amended was then adopted.

Mr. BRISCOE submitted the following as an additional article:

"Article 3. That absolute, arbitrary power over the lives, liberty and property of freemen exists nowhere in a republic; not even in the largest majority."

Upon this question Mr. BRISCOE called for the yeas and nays, which were ordered.

The question being then taken, by yeas and nays, it resulted—yeas 13, nays 44—as follows:

Yeas—Messrs. Belt, Bond, Briscoe, Brown, Chambers, Clarke, Dent, Edelen, Hollyday, Lansdale, Miller, Morgan, Peter—13.

Nays—Messrs. Goldsborough, President; Abbott, Annan Audoun, Baker, Brooks, Carter, Cunningham, Cushing, Daniel, Davis, of Washington, Earle, Ecker, Galloway, Hatch, Hebb, Hopkins, Hopper, Jones, of Cecil, Keefer, Larsh, McComas Mullikin, Murray, Noble, Nyman, Parker, Pugh, Purnell, Ridgely, Russell, Sands, Schley, Schlosser, Scott, Sneary, Stirling, Stockbridge, Swope, Sykes, Thomas, Todd, Wickard, Wooden—44.

The article was accordingly rejected.

No further amendments being offered—

The question was stated to be upon ordering the report of the Committee upon the Declaration of Rights, as amended upon its second reading, to be engrossed for a third reading, and printed—which was ordered.

Mr. STIRLING. I move that the rules be suspended, in order that this report may now be put upon its third reading. Under the fifteenth rule, that motion requires a two-thirds vote to be adopted.

Mr. DENT. Has this report, as amended on its second reading, been engrossed by the engrossing clerk, or is it to be considered as only constructively engrossed?

The PRESIDENT. So far as the information of the Chair extends, the report has not been regularly engrossed, as is usual in parliamentary proceedings.

Mr. CLARKE. I do not know that the order in which these articles are to follow each other in this Declaration of Rights have been determined upon. Several new articles have been adopted, and it was said that the President would have the right to determine the order of the articles. I think that should be done before this report is read the third time and taken up for final action.

The PRESIDENT. The point raised by the gentleman from St. Mary's (Mr. Dent) is that this report has not actually been engrossed for its third reading.

Mr. DENT. And I supposed that would be held to be an objection to reading it the third time now.

Mr. STIRLING. Did the gentleman from St. Mary's (Mr. Dent) ever know a bill in the Legislature of Maryland to be actually engrossed before it was read the third time? I think that as far back as memory runs, at least as far back as I have any knowledge, the practice in Maryland has been contrary to the ordinary parliamentary practice; that is, the practice has uniformly been to engross a bill after its third reading, and not before.

Mr. THOMAS. I would call the attention of the Chair to Rule 53, which is in these words:

"After a report of any committee, (embodying proposed provisions for the Constitution,) has passed through its second reading, on which second reading it shall be open to amendment, the question shall then be put by the President of the Convention: 'Shall this