

in error in the argument he has urged. I know that the Constitution requires that in the Senate, consisting of 22 members; every bill before it is passed must receive at least 12 votes. And the 29th Rule of the House of Delegates is as follows:

"The question on the final passage of a bill shall always be determined by yeas and nays, which shall be recorded on the journal; and unless it shall thus appear that a majority of the whole number of members elected to the House have voted in the affirmative, the bill shall be declared rejected."

That is the rule adopted for the government of the last House of Delegates, and it is a rule which is well adapted for the government of all deliberative bodies; more particularly for the government of a Convention called for the purpose of framing the organic law. It is but just and proper that in a matter in which every man in the State is interested, each article of that organic law should not only receive the earnest and careful consideration of every member of the Convention, but upon its final passage it should receive the sanction of a majority of all the members elected to that body. Such a rule will prevent hasty action upon provisions of the Constitution; and if it is adopted we will have a much better Constitution prepared for this State than we will otherwise have. The bill calling this Convention provided that no Convention at all should be held unless 65 members were elected; and that of those 65 members elected at least 50 should be required to constitute a quorum for the transaction of business. Now I am perfectly willing to vote for a rule that not less than a majority of the members elected to this body—that is 49 members—shall vote affirmatively to secure the passage of any measure. I think that should be required as a matter of precaution; and then we shall have some safeguard for the action of this body. And we shall not have that safeguard unless some such rule be adopted. But if the amendment proposed by the gentleman from Allegany (Mr. Thurston) be adopted, then with but 50 members present, 26 members of the 98 of which this Convention is composed, may adopt any article of the Constitution, no matter how important it may be to the people of this State. I hope, therefore, his amendment will not be adopted.

Mr. MILLER. In addition to what has been said by my friend from Prince George's (Mr. Berry), I would call attention to the fact that the rule of the Senate and the rule of the House of Delegates, which have been referred to, were adopted in pursuance of the Constitution of the State, which provides that each bill shall be passed by the affirmative votes of a majority of members elected to each House. The Convention which framed that Constitution deemed it important that no bill, however local or unimportant,

should become a law unless a majority of all the members elected to the Senate and to the House of Delegates should vote for it. And I consider it far more important that the same rule should be maintained here when we are to pass upon such an important matter as a change in the organic law of our State, and to adopt measures in which the people will be much more deeply interested than the passage of any mere bills by the Legislature.

If gentlemen upon the other side, who are advocating the amendment now proposed, will refer to the 44th Rule—the one immediately succeeding the rule under consideration—they will find that in case a report upon any article or subject matter be lost for want of a majority of the members elected, they may at any time move a reconsideration and bring the matter before the body again for its action. So that if any article of the Constitution, or any subject matter, meet the approval of a majority of the members elected to this Convention, even if it be once rejected by want of a majority of the members elected, it can be reached by a motion to reconsider which can be adopted by a majority of the members present at any time. But no measure will be passed finally except by a vote of a majority of all the members elected. This rule is a good one, and I hope the Convention will adhere to it as it has been reported.

Mr. SANDS. I am not surprised that the rule referred to is in the rules of the House of Delegates, because the Constitution demanded that it should be placed there. But the framers of that Constitution also put in the Constitution other things which the people think ought to be amended and corrected; things which I believe the people are anxious to see stricken out of the Constitution.

Now we are here under a special act, with no Constitutional inhibitions or prohibitions upon our action in regard to the adoption of rules for our own government. I think the primary object of this body should be to erect its running machinery as to attain the ends contemplated by the people in the most direct and speedy manner. Now in the clause of the act declaring what shall constitute a quorum of this body, I can find nothing contemplating a restriction of this Convention in relation to the rules under which we may propose to act, nothing, whatsoever; neither in the Constitution now in force, nor in the law under it, is there anything by which this body is tethered or hindered in its action.

Now in the construction of our rules of government, what are we to do? We are to adopt those rules which in our clearest and best judgment are the best calculated to facilitate the public business, and we are entirely unrestricted in this matter either by the Constitution of the State, or by the act under which we are assembled. Now I have as much