

Mr. HEBB called for the yeas and nays upon this question, and they were ordered. The question being then taken by yeas and nays, it resulted—yeas 26, nays 42—as follows:

Yeas—Messrs. Goldsborough, President; Blackiston, Bond, Brown, Chambers, Clarke, Daniel, Duvall, Gale, Harwood, Henkle, Hollyday, Horsey, Johnson, Lansdale, Larsh, Lee, Mace, Marbury, Miller, Morgan, Parran, Ridgely, Smith, of Carroll, Turner, Wilmer—26.

Nays—Messrs. Abbott, Annan, Audoun, Baker, Carter, Cunningham, Davis, of Washington, Dellinger, Earle, Ecker, Farrow, Gal-
loway, Greene, Hatch, Hebb, Hoffman, Hopkins, Hopper, Jones, of Cecil, Keefer, Ken-
nard, King, Mayhugh, McComas, Murray, Negley, Nyman, Parker, Pugh, Purnell, Rob-
inette, Russell, Schley, Scott, Smith, of Wor-
cester, Sneary, Stirling, Stockbridge, Todd,
Valliant, Wickard, Wooden—42.

Pending the call of the yeas and nays, the following explanations were made by members as their names were called:

Mr. ABBOTT. There is nothing in that protest that I object to very decidedly, any more than I do to one-half or two-thirds of what is already upon our journal of debates. As I understand it, it is an attack upon the majority of this convention, an attack upon the general government, and an attack upon the loyal people of this State. Our journal of debates is full of that sort of stuff, and I think we have had enough of it. I believe this is offered here only to take up time and prolong the session of the convention. I vote "no."

Mr. HARWOOD asked to be excused from voting. Not excused, and voted "aye."

Mr. NEGLEY. I would be perfectly willing to vote for a protest drawn in respectful language against the resolutions to which this protest refers. Believing that the minority, by the springing of the previous question, have not had an opportunity to be heard upon this subject, they can fall back upon the parliamentary right of a minority, to enter a respectful protest. But this protest does not stop there; it goes on to assert something about the bill of rights, which was fully and amply discussed in this body, and then goes on further to make assertions about the power of the federal government, with its detectives and its spies. Now I cannot vote for that. If they will draw up a protest in regard to these two resolutions that were passed without their having the privilege of discussing them, and do it in a respectful manner, assigning their reasons for doing so, then I will vote for the insertion of that protest upon the journal, because they can claim it as a parliamentary right, which no majority can deny to them. But this protest goes far beyond that; it goes into a discussion of matters which we have

already discussed, and upon which the previous question was not called. It therefore, I think, exceeds the just limits of a protest. I vote "no."

Mr. STIRLING. I desire to say that as the gentlemen who had this protest in hand have declined to strike out that part where they profess to protest in behalf of all the law-abiding citizens of this State, I must vote "no."

Mr. VALLIANT. I have several reasons for voting in the negative upon this question—but I will content myself with stating one of them. One leading reason which will actuate the vote I shall give is this: While I accord to the minority the privilege of entering their protest against the action of the majority, I take this view of that privilege. They have a right to state their reasons for entering the protest, when the reasons pertain to the protest itself. But I cannot concede to the minority, or to any party making a protest, the right to discuss the principles contained in the resolution or other matter against which they protest. This is a discussion of the principles contained in the resolutions against which they protest. For that, among other reasons, I vote "no."

The convention accordingly refused to permit the protest to be entered upon the journal.

AMENDMENT OF THE RULES.

The convention then proceeded to consider the amendments of the rules, of which Mr. VALLIANT had previously given notice.

Mr. VALLIANT. I dislike very much to take up the time of the convention upon any proposition. But I really think that the amendments I have submitted to these rules, are entitled to the careful consideration of the convention. I now regard them of more consequence than I did when I submitted them, or rather gave notice of them. The forty-second rule now reads:

"All questions, except those otherwise herein provided for, shall be determined by a majority of the members present, &c."

Now, if the amendment to the forty-fourth rule which I propose shall be adopted by the convention, it will do away with the only exception to the rule of deciding all questions by a majority of the members present. Therefore, the clause in the forty-second rule—"except those otherwise herein provided for"—will be superfluous. For that reason I apprehend it ought to be stricken out.

But I have a stronger reason for the amendment I propose to the forty-fourth rule. That portion of the forty-fourth rule to which I refer, now reads:

"But should a report or article on its final passage be declared rejected, for the want of a majority of the members elected, the motion for reconsideration may be made by one