

tions be ordered to report that all members holding seats in this Convention were duly elected.

Mr. STIRLING called the previous question, and it was sustained.

Mr. CHAMBERS demanded the yeas and nays, and they were ordered.

The question being taken, the result was—yeas 17, nays 47—as follows:

**Yeas**—Messrs. Abbott, Annan, Audoun, Baker, Barro, Cushing, Ecker, Hebb, Hopkins, Kefer, Larsh, McComas, Mullikin, Murray, Schley, Stirling, Sykes—17.

**Nays**—Messrs. Goldsborough, President; Belt, Bond, Briscoe, Brooks, Brown, Carter, Chambers, Clarke, Cunningham, Daniel, Davis, of Washington, Dellinger, Dent, Earle, Edelen, Galloway, Hatch, Hoffman, Hollyday, Hopper, Horsey, Jones, of Cecil, Lansdale, Mitchell, Miller, Morgan, Noble, Nyman, Parker, Peter, Pugh, Purnell, Ridgely, Russell, Schlosser, Scott Smith, of Carroll, Smith, of Dorchester, Sneary, Stockbridge, Swope, Thomas, Todd, Wickard, Wilmer, Wooden—47.

As their names were called,

Mr. CHAMBERS said: As I am unwilling to stultify myself by voting "aye" on this, and "aye" on the other, I vote "no."

Mr. CLARKE said: I hold that the Convention bill does not apply to the qualifications of members. But we have a Committee on Elections; and as this Convention has no facts before it with regard to the elections or anything else upon which to act finally; and as for a deliberative body to declare all members properly elected without a report of its committee, is unparalleled in the history of the organization of such bodies; I vote "no."

Mr. DANIEL said: Believing that this is improperly taking out of the hands of the committee the work referred to them, and that it is a little disrespectful to the committee, I vote "no."

Mr. DAVIS, of Washington, said: As a member of the Committee on Elections, I ask to be excused from voting.

Not being excused, Mr. DAVIS voted "no."

Mr. THOMAS said: When I became a member of this Convention, I was under the impression that I was legally qualified to act as a member. Otherwise I should not have consented to take the position. I do not intend to reply at this time to the arguments of the gentlemen from Anne Arundel (Mr. Miller,) but I contend that I am qualified to sit as a member of the Convention; and I am not satisfied to vote to exclude the Committee on Elections from examining whatever qualifications I may have or may not have as a member of the Convention. I shall therefore be forced to vote "no."

So the order was rejected.

Mr. HEBB moved that the rules be suspended in order to take up the order of the day.

The motion did not prevail, less than three-fifths voting therefor.

Mr. WICKARD submitted the following order:

**Ordered,** That the different Standing Committees having important business under consideration for the action of this Convention, who have not yet reported, be allowed until Monday next to report thereon.

On motion of Mr. HEBB,

The order was laid on the table.

#### THE LEGISLATIVE DEPARTMENT.

The Convention proceeded to the consideration of the order of the day, being the second reading of the article on the legislative department.

No further amendments were offered to section five.

Mr. SCHLEY. I move that we now take up section four, which was yesterday passed over on the motion of the gentleman from Baltimore city (Mr. Stockbridge.) The suggestion made by him of reasons why we should not dispose of this section in its turn, struck me at the time as valid. But on a more careful examination I am convinced that there was really no reason for passing it over, and I think the gentleman himself is also convinced that it may as well be now taken up.

Mr. STOCKBRIDGE. I second the motion. More mature reflection has satisfied me that there was no sufficient reason for passing it over.

The motion was agreed to; and the section was read as follows:

"Section 4. Immediately after the Senate shall have convened, after the first election under this Constitution, the senators shall be divided by lot into two classes, as nearly equal in numbers as may be—the senators of the first class shall go out of office at the expiration of two years, and senators shall be elected on the first Wednesday of November, eighteen hundred and sixty-six, for the term of four years to supply their places; so that, after the first election, one-half of the senators may be chosen every second year. In case the number of senators be hereafter increased, such classification of the additional senators shall be made as to preserve, as nearly as may be, an equal number in each class."

Mr. SCHLEY moved to amend by striking out the words "first Wednesday" and inserting "Tuesday next after the first Monday in the month."

The amendment was agreed to.

Section sixth was read as follows:

"Section 6. The General Assembly may continue their first session, after the adoption of this Constitution, as long as in the opinion of the two houses the public interests may require it, but all subsequent regular sessions of the General Assembly shall be closed on the last Thursday of March next ensuing the