

calling the previous question upon amendments on the second reading. My view of it is that the effect of calling the previous question then is identically the same—first to bring the vote upon the amendments and then upon the main question. The effect is simply to decide that there shall be no further amendments offered, and it therefore goes over regularly for a third reading, and then to be adopted into the Constitution.

With that view of the amendment I am for it; because it seems to me that under any other plan we should never get at the end of debate, or amendments, if gentlemen were disposed to offer them—I do not pretend to say that they would be. Under the rule as offered, there may be amendments pending, upon the second reading, and under the previous question we may take a vote upon them, but the previous question does not extend to the main question, and therefore gentlemen may offer other amendments, in as many other forms as they please. Thus the amendments may become interminable and we cannot get to a second reading. But if we are allowed to call the previous question, to operate first upon the amendments and then upon the main question itself, it seems to me that the force and effect of that is merely to adopt the report upon the second reading, and therefore to pass it over to a third reading, when we may adopt it in the Constitution. The effect is to say that no further amendments shall be offered; and it therefore will put an end to the interminable offering of amendments as well as debate. I think that coming to a vote upon a clause or a section by the previous question is only doing that in a direct way which is done otherwise by tacit acquiescence. When you come to the main question after voting upon amendments, you simply adopt the report upon its second reading and pass it over to a third, declaring thereby that no further amendments shall be adopted. Therefore, as I understand it, this is the ordinary rule of legislative proceedings which the amendment provides for; and I am entirely ready to vote for it. I do not see how its adoption can lead to any confusion at all. We may upon any question that may arise here, whether of a political character or not, want to get at the end of amendments and the end of the question, and pass it over to a third reading; and I humbly conceive that unless there is some rule of this description, we can never arrive at that result. Therefore, while I want every matter to be fully considered here, and want to give the utmost indulgence consistent with the proper dispatch of business, while I admit that I have no doubt that the intentions of the gentleman, as he has stated, are pure, and that he does not desire to squander the time away more than any other member, yet I think the power has been wisely invested in all political and legislative bodies, upon all subjects, whether political or otherwise, to

put an end to debate in certain modes, and to call for the question, and have a direct vote upon the proposition before the body; and it is for these reasons that I am in favor of the amendment submitted by the gentleman from Allegany, which I regard as accomplishing this end.

Mr. HENKLE. There is one difficulty which to my mind is prevented by this amendment, notwithstanding the remarks of the gentleman from Baltimore (Mr. Daniel.) Let me illustrate: Suppose that on the second reading of a section, A. should get up and offer an amendment which is objectionable in itself, and then B. gets up and offers an amendment to the amendment which is also objectionable. There the amendatory power ceases. Both of the amendments are objectionable to a majority of this House. Under the operation of this rule the previous question is called; you first take a vote on the amendment to the amendment, then on the amendment, then you are absolutely to vote upon the section, and are thereby prevented from offering all further amendment to it.

The PRESIDENT. Vote down the previous question, and then the section is again open to amendment.

Mr. HENKLE. If that can be done I am satisfied with the rule.

Mr. CLARKE. After the call for the main question has been sustained by the House can you vote it down?

The PRESIDENT. Not after the previous question has been ordered.

Mr. HENKLE. That is the difficulty I have upon this subject. Suppose you have a particular article under consideration, A. in his great haste to get his peculiar views incorporated upon it, gets up and offers an amendment; B., equally in a hurry to have his views incorporated upon it, gets up and proposes an amendment to the amendment; then the power to offer amendments ceases: both the amendments are objectionable to the majority of the House, and the section or article itself may also be objectionable; yet, under this rule, the previous question may be called, and you vote first upon the amendment to the amendment, then upon the amendment, and finally upon the article itself; and thus you close up the door to all further amendment.

The PRESIDENT. The Convention can vote down the call for the previous question, and have the power to amend as before.

Mr. CLARKE. Before you vote upon the amendments, you have first to order the previous question. If the call for the previous question is sustained, then you must proceed to vote under it; and until the previous question is exhausted no motion is in order to vote it down.

Mr. DANIEL. You can move to reconsider.

Mr. HENKLE. That will be more trouble than to adhere to the old rule.

Mr. HEBB. When the previous question is