

The question having been taken upon the motion to recommit, it was not agreed to.

Mr. BRISCOE. I move, then, to amend the rule by adding to it the following:—

“But the application of this rule shall not apply to reports or articles under consideration upon their second reading.”

Mr. STOCKBRIDGE. I rise to a question of order; that an amendment to this rule cannot be received at this time. The time to have offered this amendment was when the amendment of the gentleman from Allegany (Mr. Hebb) was before the Convention. But that amendment having been adopted, it is not now in order to move to amend it.

Mr. BRISCOE. The amendment of the gentleman from Allegany now stands substantially as the report of the committee; it is *in totidem verbis* the report of the committee, and is susceptible of amendment. I am not disposed to press my amendment, but I will offer it.

The PRESIDENT. The President is of the opinion that while the report of the committee is before this body for consideration, before the body proceeds from the consideration of any one rule to another, it is competent to amend that rule in any form. The Chair therefore rules the point of order of the gentleman from Baltimore city (Mr. Stockbridge) to be not well taken, and that the proposed amendment is in order. It is true the amendment of the gentleman from Allegany (Mr. Hebb) has been adopted, but the Convention not having yet passed from the consideration of that rule, it is susceptible of further amendment.

Mr. DANIEL. Before this amendment is voted upon I desire to make a remark or two in reference to what has been said by the gentleman from Calvert (Mr. Briscoe.) In the first place it seems to me that the effect of the gentleman's speech is a direct imputation upon the majority of this House.

Mr. BRISCOE. If the gentleman will permit me, I will simply say that I disclaim any intention of intimating that the power, which I hold has been given to the majority of this House, would be exercised under any circumstances. I only stated that a power had been given to it which heretofore has never been given to any deliberative body in this State. I did not intimate that the majority of this House would exercise that power; far be it from me to intimate anything of the kind.

Mr. DANIEL. I accept the gentleman's explanation as to what he intended. But I still say that the effect of his language is that this House may possibly use some gag-law to exclude proper amendments, and proper debate and consideration. Now I disclaim any such intention for the majority. So far as I have heard members speak upon any of these questions, they have evinced a desire to allow full and fair opportunity for consideration. Therefore it is that I say I do not

believe any gag-law will be applied, or any improper effort made to cut off the minority of this House from fully debating any proposition which may come before us for consideration. Who is responsible for the result of our action here; or the result of the action of any deliberative body, but the majority of the body? Is it not the interest of the majority—if I may use the term—to see that its legislation is properly perfected before it goes before the people? Is it not for their interest more than for the interest of the minority to see that proper clauses are put into the Constitution, and proper consideration given to amendments, or any other matter considered by them, before it goes before the people for their approval? Then the majority of the House being responsible for the action of the House, and not sitting here to finally act upon the Constitution they are instructed to prepare, that final action being for the people who are to pass judgment upon our work, that should remove all ground for the imputation, even by inference, that the members of this House, or a majority of them, will seek by improper means, to cut off debate before any matter has been properly considered.

The gentleman from Calvert says that the effect of the rule we have adopted will be to put it in the power of a majority by the previous question to cut off debate upon amendments, and make us vote upon the main proposition. Now let us reverse his proposition, and suppose that that is not done, then the reverse will be true, that we will put it in the power of the minority of this House to propose interminable amendments and have interminable debates. If the proposition of the gentleman is true that by the adoption of this rule we put it in the power of the majority to cut off debate and bring us to a vote upon pending amendments, then the reverse is true that if some such rule as this be not adopted it will be in the power of the minority to offer interminable amendments and keep up interminable debates.

Mr. BRISCOE. It will always be in the power of a majority to fix an hour at which the vote must be taken.

Mr. DANIEL. I am not sure that is so. However, I have said all I desired to say.

Mr. BRISCOE. I only wished to correct the conclusion to which the gentleman seemed to be arriving. So far as parliamentary rule is concerned, the language I used does not in fact lead to that conclusion.

Mr. CLARKE. I would like to ask the gentleman from Baltimore city (Mr. Daniel) this question: If it is insulting to the majority of this House to say that they may exercise this power, then why does that majority seek to obtain such a power? Now if the amendment of the gentleman from Calvert (Mr. Briscoe) is adopted, you can order the previous question under the rule already adopted