

Mr. JONES of Somerset. If after it is engrossed it is in order to amend it, it must be re-engrossed. I think it ought not to be engrossed until it is finally acted upon by the Convention.

The PRESIDENT. The usual parliamentary course is that when a bill has been engrossed it is not susceptible of amendment. Of course the Convention may adopt any rule they please.

Mr. KENNARD. It is susceptible of amendment on the third reading, by this very rule.

The PRESIDENT. That would necessitate the re-engrossment of the bill.

Mr. JONES of Somerset. At the proper time I shall move to amend by taking out the words "except by the consent of the majority of the members elected to the Convention."

The amendment of Mr. KENNARD was agreed to.

Mr. JONES of Somerset. I now move to strike out the exception at the end of the rule, and insert the words "and been engrossed," so that it shall read:

"After any report of a committee has passed to a third reading and been engrossed, it shall not be in order to amend the same."

Mr. STOCKBRIDGE. If the gentleman from Somerset will consider this matter a moment, perhaps he will waive his amendment. It may be very desirable to retain the power to amend an article until the very last moment. The Constitution, when it is completed, must be a symmetrical whole; and in order that it may be so, and that one article may correspond with another, we have already under the 44th Rule given great latitude to the right of reconsideration, providing that it may be done at any time. We may adopt an article to-day, and in deliberating upon another article next week, or three weeks hence, we may adopt some amendment which will render it necessary, in order that the articles should be consistent with each other, that the article adopted to-day should be amended. I would suggest that it is desirable that this power should be left in the hands of the majority of the whole Convention, or the majority of all the members present, to amend until the last moment, in order that the Constitution which we may adopt may be symmetrical.

Mr. JONES of Somerset. As the only additional trouble will be engrossing it again, in case of amendment, I withdraw the amendment I have offered.

Mr. CLARKE. I hardly know whether it is necessary, but I will offer an amendment to cover a point which may be doubtful and which I thought had been covered by a special rule. I move to insert after the words "second reading," the words "on which second reading it shall be open to amendment." Bills are always read for the purpose of being amended, clause by clause; and the idea of

the committee was that the reports of committees should in like manner be read and be open to amendment. There is a provision which says that this body shall be governed by the rules of parliamentary practice, but the rules of parliamentary practice would not apply in this respect directly to reports. I move this amendment, therefore, in order to make it perfectly clear and distinct.

The amendment was agreed to.

Rule 54th, in relation to the previous question, having been read,

Mr. HERR moved to substitute for the entire rule, the following as an amendment:

"The previous question shall be always in order in Convention, and shall be in this form: "Shall the main question be now put?" It shall only be admitted when demanded by a majority of the members present, and its effect shall be to put an end to all debate, and to bring the Convention to a direct vote upon pending amendments, and the section of the Constitution then under consideration. On a motion for the previous question, and prior to the seconding of the same, a call of the Convention shall be in order, but after a majority shall have seconded such motion, no call shall be in order prior to a division of the main question; and on the previous question there shall be no debate."

Mr. HERR said: I will state the difference between the rule offered by myself and that offered by the committee in their report. The committee divide the previous question into two questions, one called the main question and the other the previous question. By section 1st, "The main question on the report of any committee shall only be called after the said report has passed to its third reading." The proposition that I offer gives the benefit of the main question on any amendment. By section 2, the previous question "may be called on any amendment offered to the report of any committee, when the same is on its second reading; and when demanded by a majority of the members present, it shall, until it is decided, preclude all further amendment and debate on the question before the Convention; but shall not preclude further amendments while the said report is on its second reading."

For instance, when a section of the Constitution is under consideration, and one amendment has been offered, and then a second amendment, the previous question could be called. According to my rule its operation will be to take a vote upon the second amendment, then upon the first amendment, and then upon the section under consideration. In other words, when the Convention has signified that it is prepared to take the vote upon the section I see no reason why we should be denied the privilege of the main question upon the section under consideration.

This is the exact rule which after consid-