

tors and representatives, at which time the same shall be submitted to the electors for their approval or rejection; and if a majority of the electors voting at such election shall adopt such amendments, the same shall become a part of the constitution. When more than one amendment shall be submitted at the same time, they shall be so submitted as to enable the electors to vote on each amendment separately."

No amendment being offered to this section, section two was read as follows:

"Section 2. Whenever two-thirds of the members elected to each branch of the general assembly, shall think it necessary to call a convention to revise, amend or change this constitution, they shall recommend to the electors to vote, at the next election for members of the general assembly, for or against a convention; and if a majority of all the electors voting at said election, shall have voted for a convention, the general assembly shall, at their next session, provide by law for calling the same. The convention shall consist of as many members as both houses of the general assembly, who shall be chosen in the same manner, and shall meet within three months after their election, for the purpose aforesaid."

Mr. MILLER. I move to strike out the words "two-thirds" and insert the words "three-fifths" in the first line of this section. I do not see the chairman of the committee (Mr. Todd) in the convention this morning. But I think this portion of the constitution should be made uniform with itself. In the first section three-fifths of the members elected to the two branches of the legislature are allowed to propose amendments to the constitution. I propose that this section be amended so that the same number of members shall have power to pass a law calling a convention to revise the constitution.

The question being then taken upon the amendment of Mr. MILLER, it was rejected.

Mr. CHAMBERS. The last clause of this section reads as follows:

"The convention shall consist of as many members as both houses of the general assembly, who shall be chosen in the same manner, and shall meet within three months after their election, for the purpose aforesaid."

I would suggest to the chairman of the committee whether it was designed to state that the qualifications should be the same.— There has been some difficulty in regard to the last act of the general assembly upon this subject. And while in our power, this difficulty might as well be provided for, and we should state what the qualifications of members of future conventions shall be. It can be done by inserting after the words "have the same qualifications and," before the words "be chosen in the same manner," so that the sentence will read, "who shall have the same

qualifications and be chosen in the same manner."

Mr. McCOMAS. I would state, in the absence of the chairman of the committee (Mr. Todd,) that this point was not spoken of at all in the committee, I believe. It was left to the legislature to fix the qualifications.

Mr. STIRLING. I should be decidedly opposed to putting in a provision that the members of a constitutional convention should have the qualifications necessary for members of the legislature. I do not see any reason why, in reforming the organic law, the people should not have the right to send anybody they choose. I think it might be well to clear the question up by putting something in here. I suppose that if you say nothing about it, that will amount to saying that the people shall have the right to determine the question for themselves. There has been a precedent set by two conventions, which I think is not likely to be overborne.

Mr. CHAMBERS. My object is to avoid the difficulty we now experience. The report of the committee on elections has not yet been made. It is perfectly known to members on this floor, the operations on this floor has disclosed this fact, that there is no power in the legislature to control the people in this matter. I entirely concur in the doctrine of the gentleman from Baltimore city (Mr. Stirling,) that the people have a right to send whom they please. Although the legislature has attempted to restrict this convention, and to say that the people should be represented alone by persons competent to hold seats in the legislature, still I do not think any such provision can impose any such restraint upon us at all. But I do think it advisable to avoid what is now manifest, a difference of opinion in regard to the character of those who should be sent here. I think it is necessary to insert something to prevent the legislature from attempting to impose restrictions as they have done. I submit to the majority of the house the propriety, if it is thought proper—and I am one of those who think so—to throw the door open to any individual of competent age, that the people may choose to send here, of having it so expressed here that the legislature cannot even attempt to counteract our purpose. I propose therefore to add to this section the words, "and no restriction shall be imposed by the legislature as to the qualification of the persons to be chosen as delegates to such convention."

Mr. STIRLING. I cannot support that amendment. The legislature has certainly a right to provide for the organization of the convention by saying what oath the members shall be required to take, though they cannot say that because a man holds a particular office he shall not be a member of the convention. But they can say that a mem-