

number of days each member or officer has been absent, except from actual indisposition or other unavoidable cause, may be ascertained and entered upon the Journal of Proceedings.

*Resolved*, That every member shall be considered and noted as absent unless his name be entered on the Journal at the opening of each day's session, and also entered among the yeas and nays, that shall be taken on every proposition to adjourn, unless his absence be occasioned by actual indisposition or other unavoidable circumstance.

The resolutions having had their second reading,

Mr. MULLIKIN moved the following amendment, to strike out all after the word "resolved," in the first resolution, and insert :

*Resolved*, That any member of this Convention who shall absent himself from the said Convention, without the consent of a majority of the members present, shall not receive his per diem for the time he is absent.

Mr. DANIEL. I think the amendment would produce a great deal of confusion. I prefer the original resolutions if we adopt any. This requires each member, every time he wants to go away, to bring the matter publicly before the Convention, and the question is to be considered here whether he shall be excused or not, which I think is improper. I think, if we are to pass such resolutions, we should leave it in the hands of the President, and let him judge of it under the regulations prescribed in these several resolutions. I think the adoption of the amendment will cause us much delay and trouble. It will be much easier to allow each member, if he chooses to take the responsibility of absenting himself, to do so, relying upon his ability to render a proper excuse to the President.

Mr. BARRON. When the members of this Convention were elected, I thought they were elected as peers. I did not know that we were to come here, and a portion of us were to be schoolboys. If you are absent you must bring in your excuse; and if you want to make your \$5 a day you must lie for it. I really think we have run the thing into the mud, so far as preambles and resolutions and orders are concerned. I think it is time we went to work for the interests of the State. So far as I am concerned, I am free to say to you to-day that I do not care what member of this Convention gets his per diem. Neither do I care what he does with it afterwards. He can spend it in any way he pleases. He can play faro, bluff, euchre, old sledge, and lose it, and I am perfectly satisfied. I am the last man in the world that is going to complain of him. But if circumstances force me in my business—some of us are so very patriotic as to neglect our business to attend here—if circumstances force me to be absent one day, I should like to have the privilege. As I have said before, there are very few members here but can make \$5 a day at

home. I think it is best to drop this whole affair. It is a small affair. This money is appropriated, and the Legislature has passed an act that we "shall" receive—it does not say we "may"—\$5 per day. Now I want my money, and I want to do just what I please with it afterwards. I won't interfere with any other member; and if we would all observe the eleventh commandment, to mind our own business, I am sure we should get along a good deal better. I move to lay the preamble and the resolutions upon the table.

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

The question being taken, the result was—yeas 42, nays 32—as follows:

*Yeas*—Messrs. Audoun, Barron, Belt, Berry of Prince George's, Billingsley, Blackiston, Bond, Briscoe, Brooks, Chambers, Clarke, Crawford, Davis of Washington, Dennis, Edelen, Harwood, Hatch, Hollyday, Hopper, Horsey, Jones of Somerset, Keefer, King, Larsh, Lee, Marbury, Markey, Mitchell, Miller, Negley, Noble, Parran, Peter, Pugh, Robinette, Schley, Smith of Carroll, Smith of Dorchester, Swope, Valliant, Wickard, Wilmer—42.

*Nays*—Messrs. Goldsborough, President; Abbott, Annan, Baker, Brown, Carter, Cunningham, Cushing, Daniel, Dellinger, Earle, Ecker, Galloway, Greene, Hebb, Hoffman, Hopkins, McComas, Mullikin, Murray, Nyman, Parker, Purnell, Russell, Sands, Schlosser, Smith of Worcester, Sney, Stockbridge, Sykes, Todd, Wooden—32.

So the preamble and resolutions were laid on the table.

#### RULES OF ORDER

The Convention proceeded to the consideration of the Rules of Order reported by the Committee on Rules, as amended, and they were read the third time and adopted for the government of the Convention.

#### DECLARATION OF RIGHTS.

On motion of Mr. CUSHING,

The Convention proceeded to the consideration of the order of the day, being the second reading of the Declaration of Rights, reported by the majority of the committee on that subject.

The preamble and Article 1 were read as follows:

We, the people of the State of Maryland, grateful to Almighty God for our civil and religious liberty, and taking into our serious consideration the best means of establishing a good Constitution in this State for the sure foundation and more permanent security thereof, declare:

Article 1. That all government of right originates from the people, is founded in compact only, and instituted solely for the good of the whole; and they have at all times the unalienable right to alter, reform or abolish their form of government in such manner as they may deem expedient.